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

*Speaker: Honourable Patrick McNicholas*

Thursday

29 May 1986

The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):  
Order, please!

Oral Questions

MR. TULK:  
Mr. Speaker.

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

MR. TULK:  
Mr. Speaker, I have a question for the Premier on the subject of the Newfoundland Railway. The Premier said in this House that we could expect a decision within the next four or five days. Yesterday the Federal Minister of Transport, who is also in the Province today, Mr. Mazankowski, is quoted as saying we can expect a decision within thirty days. I would ask the Premier could he inform the Legislature as to the exact date of that decision? Will it be at 4:30 this afternoon? And could he inform the Legislature as to what the decision is?

MR. SPEAKER:  
The hon. the Premier.

PREMIER PECKFORD:  
What the decision is or when the date is going to be for a decision? The hon. member is all over the place.

MR. TULK:  
Yes, so is the Premier.

PREMIER PECKFORD:  
Mr. Speaker, I had a meeting with the Minister of Transportation (Mr. Dawe), the Minister of Transport, and the Minister of Justice (Mr. Crosbie) in the federal Cabinet for the last

couple of hours during which we discussed the future of the Newfoundland Railway, and several alternatives relative to the railway. The results of the meeting are simply that we are going to continue to discuss it. There has been no final agreement between the Government of Canada and the Government of Newfoundland, and the matter is still under active discussion and negotiate between us.

So to when there will be a date, we are both trying to forge some kind of an agreement as soon as possible to eliminate the uncertainty. So we are both putting our best foot forward to do it as soon as possible. But I cannot give an exact date to the hon. member until we have finished our talks and finished our discussions and finished our negotiations. But we had very extensive talks about it today and they are to continue over the next while. But we are both of the same mind that it has to be done very quickly so that we can eliminate the uncertainty.

MR. TULK:  
A supplementary, Mr. Speaker.

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

MR. TULK:  
The Federal Minister of Transport, Mr. Mazankowski, and I think a committee yesterday in the House of Commons also said that the Province has been presented with several options as to the future of the Newfoundland Railway. I would ask the Premier just what are the options, and what position the Province is talking on those options and in the negotiations?

MR. SPEAKER:  
The hon. the Premier.

PREMIER PECKFORD:  
Mr. Speaker, there have been several options, as I said, alternative options put forward today and they were all discussed. Obviously the hon. member must know what our position is - we have said it over and over again. Our option is to keep the railway and to have it significantly upgraded. That has not changed and it has not changed as a result of the meeting this morning. We are looking at a whole range of alternatives, and I am not going to get into them, which are part of the negotiations, or indicate those today which of them are part of the talks and will remain that way until everything is finalized.

MR. TULK:  
A supplementary, Mr. Speaker.

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

MR. TULK:  
Mr. Speaker, would the Premier perhaps inform this House whether indeed there are any real negotiations - I am talking about real negotiations - going on or are we looking at development of another FFT situation where the Premier admitted in this House that he was told rather than consulted by the Tories in Ottawa? Are we looking at political posturing here both in Ottawa and in Newfoundland on the Newfoundland Railway?

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

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

President of the Council.

MR. MARSHALL:  
If the hon. gentleman wants to ask a question he obviously can but, number one, he is making a speech in his question. Number two, if you consult, Mr. Speaker, Beauchesne, allowable questions are not allowed to be argumentative in nature, and that is really what the hon. gentleman is doing. What he is trying to do is trying to start a debate and in effect what he is doing is commenting on the answers.

MR. SPEAKER:  
To that point of order, this is a supplementary so I would ask the hon. member to pose his question.

MR. TULK:  
Mr. Speaker, I started off, if Your Honour will excuse me, by saying would the Premier tell us if there are any real negotiations ongoing or are we looking at another FFT situation in which he admitted in this House that there were no negotiations, that he was told by Ottawa what was going to happen. Is that the purpose of Mr. Crosbie's and Mr. Mazankowski's visit today?

MR. SPEAKER:  
The hon. the Premier.

PREMIER PECKFORD:  
Well, if they were down here, Mr. Speaker, and I met with them, obviously there must be some negotiations going on -

MR. TULK:  
There must be?

PREMIER PECKFORD:  
- there must be some consultation.

No, no, no! No consultation!  
They just sat in the office and

kept their mouths shut and I sat in the office and kept my mouth shut and there was no discussion. No, no, no, no. People do not get together to talk, they get together to say nothing and to keep quiet. There is no discussion, of course not. Mr. Mazankowski was only in my office and Mr. Crosbie was only in my office and the hon. Minister of Transportation was only in my office and I was in the office and we sat there and we twiddled our thumbs and looked at one another and then left. Mr. Speaker, how foolish! Talks, discussions, negotiations are ongoing between the Government of Canada and the Government of Newfoundland on the future of the railway, and they will be ongoing beyond today.

MR. TULK:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. TULK:

Mr. Speaker, the problem with the Premier is you cannot tell when he is posturing politically or when he is being serious. He has admitted to us that he has been carrying on political posturing in this Province for years. Let me ask him a final supplementary. Has the Province placed any formal objection or protest to TerraTransport's application to shut down passenger service between Bishop Falls and Deer Lake or does government agree with this latest effort by the Tories in Ottawa to shut down the whole Newfoundland Railway scene?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

I am not aware of that passenger service business between Bishop Falls and Deer Lake will shut down. I am just going to respond to a meeting I had today. I will take that under advisement.

MR. DAWE:

It has gone back from six days to five days.

PREMIER PECKFORD:

Six days to five days or something because of traffic offering, I suppose, because the hon. member for Fogo is not using it. If the hon. member for Fogo was using it, perhaps it would not be closing down from six days to five days.

The long and short of it, Mr. Speaker, is if the hon. member has a job understanding whether I am politically posturing or whether I am serious, that is his problem, not mine.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Fortune-Hermitage.

MR. SIMMONS:

The Premier mentioned the options that were laid before him and his administration today. Would he indicate whether one of those options was to eliminate the railway? If so, in view of his administration's well known stand on this issue, is that one of the options that he would have rejected, or is it still on the table, if it was on the table?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I am not going to get into the details of the discussions. I have indicated to members opposite that various alternatives were considered and discussed and negotiated today and those negotiations will continue. At the point in time when I think it is in the public interest, and when a final agreement has been reached as it relates to the Newfoundland Railway, all the details will be given at that time.

MR. SIMMONS:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the member for Fortune-Hermitage.

MR. SIMMONS:

I appreciate that, I say to the Premier. But he must also appreciate there is a fair amount of concern on this particular issue because a number of employees are directly involved, about 800 I believe. My specific question to him, part of which I want to repeat, is if that option was on the table, did the Premier, which would be in character in view of his stance publicly on the issue, outright reject that particular option? And secondly, while I am on my feet, Mr. Speaker, perhaps the Premier could indicate, in view of the fact he said to the House that it is a ongoing situation, that nothing has been resolved or decided, does he know or can he indicate to the House what would be the nature of Mr. Mazankowski's announcement to the press later this afternoon insofar as it affects the railway?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Two questions, Mr. Speaker: The first one is hypothetical, therefore it is not in order; to the second one is he had better ask Mr. Mazankowski.

MR. SIMMS:

Is it on the table?

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Windsor-Buchans.

MR. FLIGHT:

Thank you, Mr. Speaker.

My question is for the Minister of Forestry Lands and Resources. I know that the minister's department -

PREMIER PECKFORD:

Forest Resources and Lands.

MR. FLIGHT:

- Forest Resources and Lands - I thank the Premier - is trying to determine, as part of their mandate, the cause of all forest fires. It was rumoured that one of the major forest fires in Central Newfoundland, the one that damaged Catamaran Park and destroyed fourteen or fifteen cottages, was started by a train on the CNR tracks West of Badger. Could the minister confirm that this may indeed have been a fact?

MR. SPEAKER:

The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, I have said publicly on a number of occasions that we can only speculate at this point in time as to what the causes of these fires are. All kinds of allegations and rumours have been

made in different parts of the Province as to what the reasons might be, but the responsibility for determining the causes of the fires rests with the RCMP, who will in fact then make a report to the Department of Justice and then I will have an opportunity to look at it myself. I cannot confirm the fact but I can confirm that I have heard the rumour.

MR. FLIGHT:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Windsor-Buchans.

MR. FLIGHT:

Mr. Speaker, as the minister knows there was a time that a fire patrol, referred to as 'speeders' locally, followed trains in Newfoundland. These patrols were equipped to spot fires, and indeed the major purpose of the patrol was to spot and put out small fires started by trains before they got out of control. Why are these patrols not still operating behind trains in Newfoundland, especially during the high fire hazard season?

MR. SPEAKER:

The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, I do not know where the hon member gets his information. I can inform him that at least a week and a half ago, if not later - I just forget the precise date- we did contact CN and did instruct and advise them to put speeders behind their trains in the Province. I was advised sometime ago by my officials that in fact that request had been adhered to by CN. If the hon. member has

information to the contrary, then I would certainly like to have it so that we could follow up on it.

MR. FLIGHT:

A supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. FLIGHT:

Mr. Speaker, in the final supplementary I would like to ask would the minister indicate if there was indeed a fire patrol or a speeder following the train that is alleged to have caused that particular major fire? Would the minister indicate to the House whether that is so and if it is determined that that fire, or any other fire for that matter, was caused by trains on CNR tracks, would CNR not be responsible for damages and losses resulting from the fire?

MR. SIMMS:

Would you repeat to the last part again?

MR. FLIGHT:

If indeed it is determined that a fire was caused by CN, caused by a train, would CN not be responsible for the damages and losses due to that fire?

MR. SPEAKER:

The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, with respect to the two questions, both of which are hypothetical, of course, I really cannot say much other than to speculate. But certainly if there was some evidence found through the RCMP investigation that, in fact, TerraTransport or somebody else was responsible in some way

for the cause of a fire, well then whatever action would be appropriate, as determined by the Department of Justice, I guess, in consultation with my department and perhaps government would be undertaken. But that is, as I say, a hypothetical situation at this time because we have no firm evidence other than the same rumors the hon. member has heard.

The first part of the question was whether or not the speeder was following that train on that particular -

MR. FLIGHT:

As far as you know.

MR. SIMMS:

Well, again, I do not know. All I can tell the hon. member is that some time ago we did instruct CN. There was a flurry of these fires. CN would have had to do it, by the way, at the time that the forest fire regulations came into effect, which would have been midnight May 18 or 19, I think. They would have had to do it then. But we had approached them before that, before the regulations came into effect, because of the concern we had with the outbreak of fires. So I am not sure when that specific fire occurred. Whether or not there was a speeder behind the train or not, I could not say. I can check that for sure. But it was during the course of all of the outbreaks and all of that fuss, which occurred in a matter of three or four days, as the hon. member recalls, that we did instruct CN then to make sure that they put speeders on behind their trains before the fire regulations came into effect when they would have had to do it in any event.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, I have a question for the Minister of Transportation. I wonder if the minister is aware, or if he can confirm, the emergence of a new development with respect to major road construction in the Province which is extremely and devastatingly discriminatory to truckers - that is the conventional type dump truck, the conventional tandem truck. If I can be specific, I refer to a road construction job on the Trans-Canada Highway in the Gander area where the main contractor has sub-contracted the work of hauling gravel to a company from the Avalon with trailers, thus eliminating the job opportunities to the local truckers of the area? Is the minister aware of this development?

MR. SPEAKER:

The hon. Minister of Transportation.

MR. DAWE:

Mr. Speaker, I am aware that contractors within the Province certainly have it within their own competence to decide on how they are going to carry out the contract. Our responsibility, as the Department of Transportation, is to make sure that the contract is carried out and meets the specifications as put forward in the tender call.

As it relates to the type of equipment that they would use, only if it goes outside the highway regulations or involves equipment that is not somehow legal in the Province, would we be

involved in any kind of control. But, certainly, it is within the competence of the contractor to decide how he carries out his work.

MR. LUSH:  
Mr. Speaker.

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

MR. LUSH:  
I wonder if the minister is aware of the massive indebtedness incurred by these local truckers, these owners of the tandem dump trucks, who, on hearing the minister's announcement that millions of dollars were going to be spent in the area to upgrade the Trans-Canada, in preparation for this, they either purchased new trucks or outlaid huge sums of money to have repairs done to their existing trucks. Is the minister aware of the massive indebtedness accumulated now by these local truckers, to be told that there is no job for them, it is going to be given to this company with the trailers?

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

MR. DAWE:  
Mr. Speaker, I do not have the kind of information that the hon. member obviously has, as it relates to the financial stability or instability of individuals throughout the Province who are involved or may be involved in the construction industry. Therefore, I feel it is beyond my competence in that particular instance to even try to answer the hon. member's question.

MR. LUSH:  
A supplementary, Mr. Speaker.

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

MR. LUSH:  
Mr. Speaker, the minister is obviously aware that when huge sums of moneys are announced for road construction in an area that truckers do get ready. And, in this particular situation, if the minister does not know his officials know, because I have been in touch with them, will the minister undertake to review this situation and to ensure that the local truckers in this area are given an opportunity to be given work on this Trans-Canada Highway construction job in their area - truckers from Gander, Glenwood, Gambo, from the whole area?

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

MR. DAWE:  
Mr. Speaker, if I just may outline, the normal procedure that is carried out as it relates to contracts is that it is usually in the best interests and, under normal circumstances, for the contractor to try to employ as many people locally as possible. Obviously, there are certain pieces of equipment and certain company structures that have to move with the particular construction company. But, by and large, companies have been very co-operative in employing local labourers, local truckers, equipment operators, if they do not have their own with them on a particular piece of equipment, and so on. But, surely, Mr. Speaker, it is not the responsibility of government to try to force a company to hire an individual or a group of individuals in a particular area. I think that



would be extending our provincial local preference, which involves local companies making sure that Newfoundland companies get the construction work. It certainly would be carrying it to parochial extremes, I think, Mr. Speaker, if we were to insist that a company hire completely from the local areas. Certainly it is in their best interest and they do so when they can, but you cannot tie up the construction company by writing into a tender contract just who they may or may not hire.

MR. LUSH:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. member asked for a final supplementary there just before.

MR. LUSH:

Is the Speaker recognizing me or I am not hearing you, Mr. Speaker?

MR. SPEAKER:

I said you had already asked for a final supplementary.

MR. LUSH:

I see. Thank you.

MR. SPEAKER:

The hon. the member for Twillingate.

MR. W. CARTER:

My question is to the Minister of Fisheries (Mr. Rideout), and it is a follow-up to my question yesterday concerning the Armaport, Armazans Saltfish Corporation transaction. The minister in his statement, Mr. Speaker, indicated that the \$2 million would in part, may be in its entirety, be recovered from the proceeds of a mortgage placed on properties in Portugal. Can the minister tell the House, Mr. Speaker, first of all, when was that mortgage

placed? By whom was it placed? And is it a first or second mortgage?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:

Mr. Speaker, I cannot tell the hon. gentleman the exact date when it was placed, I believe it was probably in 1984. I will have to check the file on the matter and find out the exact date. It was placed by solicitors representing the Canadian Saltfish Corporation. And as to whether it is a second or third mortgage, or whatever, I would have to ask that detail question, Mr. Speaker.

MR. W. CARTER:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. member for Twillingate.

MR. W. CARTER:

Will the minister, then, not agree that the mortgage was placed subsequent to the transaction turning sour? It was arranged for by the Chairman or the President of the company, Armaport, who upon learning that the deal had turned sour, went to Portugal to arrange the mortgage. Does he not agree that is the deal? And that the mortgage was actually put in place long after. Mr. Speaker, my question to the minister: If the mortgage is there and if it is secure and if it is a good mortgage - one would assume it is a first mortgage - why has it taken three years almost for the Corporation to exercise its rights under that mortgage, to pay off the debt, and to save itself the interest that is now accumulating on that \$2 million debt?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:

There are a whole range of questions there. I suppose you could call them questions or you could call them half a speech. But the advice I have from the Saltfish Corporation is that the mortgage was taken out on the property in Portugal as a result of trying to secure the debt. There is no doubt it was taken out after the account had become a problem account. I think I quite openly said in the statement in the House yesterday, and in response to questions, that the Saltfish Corporation had dealt with this Armazans Corporation for dozens of years and had a good, sound, responsible account with that corporation for a long, long time, even when the hon. gentleman was the Minister of Fisheries, and there was no need, the Corporation felt, to ask for a letter of credit or any security of that nature. But when the problem did occur then they did proceed to take out a mortgage, which I understand is a good mortgage that they can realize on. Whether they can realize 100 per cent or not remains to be seen. There is a particular law in Portugal that says that a certain amount of time has to pass, as I understand it, before a foreign company -

MR. TULK:

Order, Mr. Speaker.

MR. RIDEOUT:

Mr. Speaker, I am trying to answer a very technical question asked by his colleague. If he does not want me to answer it, Mr. Speaker, I will sit down.

MR. W. CARTER:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. W. CARTER:

Mr. Speaker, I wonder can the minister then tell the House in the event - and this may be to a point hypothetical, but I think there is a risk of that \$2 million not being fully recovered - can the minister tell the House if the principals, of the Newfoundland company, Armaport, that arranged the sale, are are going to be held responsible for any balances not recovered from the Portuguese company? Mr. Speaker, can I conclude by asking the minister another question? Does the minister subscribe to the proposition that third men, agents such as Armaport, in this case headed up by a downtown lawyer, should be allowed by the Saltfish Corporation to act as middlemen and thereby cream off commissions that would otherwise go into the pockets of Newfoundland fishermen, as is the case in this one here?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:

Mr. Speaker, I do not know how the hon. gentleman can make that connection. The fact of the matter is that Armaport was a company incorporated under the laws of Canada and Newfoundland but controlled by Armazans which is a Portuguese corporation. So, you know, who they want to do business with in Newfoundland is no business of mine. That company then purchased fish from the Canadian Saltfish Corporation.

MR. W. CARTER:

An agent from which they got a commission.

MR. RIDEOUT:

That is between Armazans and Armaport. It has nothing to do with the Government of Newfoundland or the Government of Canada or the fishermen out in Twillingate or wherever, Mr. Speaker. Mr. Speaker, the fishermen get the price that the Canadian Saltfish Corporation sets from year to year and that is the only price they would get. What commissions were paid -

MR. W. CARTER:

Mr. Speaker, would you allow a final supplementary?

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Thank you very much, Mr. Speaker. My question is for either the Minister of Justice or the Minister responsible for the Status of Women, and either one can answer. In view of the fact that over the last number of years we have only had two women enter the ranks of the Newfoundland Constabulary, despite the fact that there were over seventy positions filled, and despite the fact that the provincial government has an affirmative action programme in order to encourage more women to go into that field, would either minister let us know how many of the fifteen recruits to be brought into the Royal Newfoundland Constabulary in this year have been allocated to women, and what instructions have been given from either of the ministers in order to indicate how many positions will be filled that way?

MR. SPEAKER:

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, I think all hon. members have been informed in general terms of this government's overall affirmative action policy for women. It is a multifaceted policy. Some aspects of the policy, as they relate to increasing the numbers and percentage of women in some parts of the Public Service where they are now seriously under-represented - the Royal Newfoundland Constabulary being one such sector - is being fleshed out by Treasury Board and the Public Service Commission.

Recruitments for the Royal Newfoundland Constabulary are now handled by the Public Service Commission which, as I mentioned, is a party to the government affirmative action policy. When it comes to specific applications for future openings in the Constabulary and the evaluation of applicants, that is an ongoing process. I would have to take as notice the precise question about selection of people for the next series of openings. Just recently there were sworn in thirty-four new recruits for the Constabulary, people who had been selected a couple of years ago and who then went to the Atlantic Police Academy in Charlottetown. Of that number unfortunately only one is a woman.

MR. FENWICK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Menihek.

MR. FENWICK:

The minister has already given us as an excuse for having such a

poor ratio in the past when the policy was not in effect and so on. Is she now saying to us that there still is no mechanism in effect to ensure that something like 3.8 per cent of the Royal Newfoundland Constabulary who are women will be increased rather than decreasing as has been the trend the last couple of years? Is there a mechanism in place to ensure that women will be doing better than one in something like thirty-five that has been the record over the last number of years? Is the Minister of Development and Tourism (Mr. Barrett) who was here before and made a comment that the people with just the best qualifications will be hired rather than any affirmative action be in place, is indeed the actual policy of the government?

MR. TULK:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. TULK:

I do not believe that we can have this kind of thing going on. We have just seen the Minister of Justice stand in her seat and go on for three or four minutes. I do not have to quote Your Honour from Beausheue. He knows it as well as I do. There is a well-known statement in Beausheue which says a question should be short and answers should be short, so that people can get their questions in, of course, in a half hour Question Period. We saw an abuse by the Minister of Fisheries, we have seen an abuse by the Minister of Justice (Ms Verge), and we have seen an abuse by the member for Menihek in asking his question. It is time

to ask him to sit down or ask their question.

MR. MARSHALL:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the President of the Council.

MR. MARSHALL:

Are we not in a very touchy mood today? The hon. the member for Menihek, I believe, was elected in the last election as a member of the opposition. I realize the members of the official Opposition are getting very nervous of the hon. member for Menihek, who seems to have the capacity to grab the news media much more out of proportion to his numbers. And apart from anything else, he is standing up and pointing threatening fingers at the Minister of Justice. There is an old saying that I would not couple with the Minister of Justice, that you should not talk like that - I was going to say 'to your elders and betters', but I will not say the elders; I will leave that out of it - but, Mr. Speaker, he certainly should not talk in such a threatening way to his betters.

MR. SPEAKER:

I have asked on numerous occasions for hon. members when posing questions to please pose a short question, and I have equally asked ministers when they are answering the questions, to answer as briefly as possible. I call on the hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, obviously government's affirmative action policy for women is aimed at increasing the numbers of women throughout our Public Service and

in particular increasing the number of women in senior management positions. The responsibility for enforcing or implementing the policy, and for devising particular mechanisms to ensure that more women are (a) recruited and (b)-depending on qualifications-hired rests with my colleague, the President of Treasury Board (Mr. Windsor). So I suggest that the member direct his questions for more particulars about the enforcement mechanisms to the President of Treasury Board.

MR. BAKER:  
Mr. Speaker.

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

MR. BAKER:  
Thank you, Mr. Speaker.

In the absence of the Minister of Education (Mr. Hearn), I will frame my question to the Premier. The government has a study of small schools underway with a view to improving the efficiency of small schools and with a view to making them operate in a way that is more acceptable under our philosophy. Recently it has been brought to my attention that a very successful school in Newtown, Bonavista Bay, is to be closed, and that the parents in that community have not even been granted a hearing with the school board in the area. They will not even talk to them. Will the Premier contact the Minister of Education with a view to at least arranging a meeting between the parents and the school boards so the parents can put their case? Will the Premier also consult with the Minister of Education to try to halt this close-down of small schools at least while the study is underway, so that we can try

perhaps to make them a little more efficient in the future?

MR. SPEAKER:  
The hon. the Premier.

PREMIER PECKFORD:  
Mr. Speaker, we have to recognize the jurisdiction here. Obviously the Legislature some time ago passed over jurisdiction for the management and operation of schools to the school boards, so it is done at a local level and local representatives can get elected to the school boards. Two-thirds of all school boards are elected now so that they have their future placed in their own hands rather than have it all dictated from Confederation Building. After saying that, there has arisen in the last number of weeks and months, concerns from parents in local areas about smaller schools in certain areas, being closed to centralize even more than is presently the case throughout our primary, elementary and high school system.

The Minister of Education has, I think, in the last several months achieved a lot in demonstrating his leadership in trying to indicate that we are very concerned about that. We have this study underway to assess that there are many, many instances in Newfoundland where a small school can be very valuable educationally, and it is just not a question of size for quality of education. That is ongoing. Recently, the minister met with the parents and board down on the Burin Peninsula, in the St. Bernard's area, I think, it was, and was successful in having something resolved there.

So I will pass onto the Minister

of Education concerns that the hon. member has expressed on behalf of the people of Newtown, Bonavista Bay, and see whether in fact the minister can use his office to expedite or to facilitate some reasonable compromise in the present circumstances. The Ministry of Education is extremely concerned about this, this is why the study is going ahead, so I will pass along those concerns to the Minister of Education, recognizing full well that the jurisdictional responsibilities are still there.

MR. SPEAKER:  
Order, please!

The time for Oral Questions has elapsed.

At this stage I would like to welcome to the galleries Mr. Tab Taylor, Town Manager, and Mr. Harvey Tizzard, Town Clerk, from the Springdale Town Council.

SOME HON. MEMBERS:  
Hear, hear!

#### Notices of Motion

MR. TULK:  
Do you have a motion?

MR. MARSHALL:  
Yes, I have a motion.

MR. TULK:  
Go ahead.

SOME HON. MEMBERS:  
Hear, hear!

MS VERGE:  
Mr. Speaker.

MR. MARSHALL:  
I give notice that I will on

tomorrow -

SOME HON. MEMBERS:  
Oh, oh!

PREMIER PECKFORD:  
That is equality.

MR. MARSHALL:  
I qualify as her elder.

I am glad the hon. gentleman gets so much amusement out of the Opposition House Leader (Mr. Tulk) being in his seat. I am delighted!

Mr. Speaker, I give notice that I will on tomorrow -

MR. CALLAN:  
It should be ladies first.

MR. MARSHALL:  
No, because this is a monumental bill.

Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The Leaseholds In St. John's Act", that I am sure all the people on Gower Street and Bond Street will be applauding tonight with great anticipation.

MS VERGE:  
Mr. Speaker.

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

MS VERGE:  
Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The Matrimonial Property Act."

DR. COLLINS:  
Mr. Speaker.

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

DR. COLLINS:

Mr. Speaker, as a chivalrous person I will follow the Minister of Justice (Ms Verge). I give notice that I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The Portability Of Pensions Act."

MR. DOYLE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Municipal Affairs.

MR. DOYLE:

Thank you, Mr. Speaker. I give notice that I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The City Of St. John's (Loan) Act, 1978."

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

SOME HON. MEMBERS:

By leave! By leave!

MR. TULK:

I do not need it.

Mr. Speaker, I give notice that I will on tomorrow -

MR. PATTERSON:

I wonder where your leader is? He did not speak all day.

MR. TULK:

Could we get the old terrorist to be quiet?

MR. SPEAKER:

Order, please!

MR. PATTERSON:

The new leader.

MR. TULK:

Mr. Speaker, I am frightened to death of him.

I give notice that I will on tomorrow ask leave to introduce the following resolution:

WHEREAS the Province of Newfoundland and Labrador was the only province to give a railway to Canada; and

WHEREAS there is great danger that the railway service in Newfoundland is to be abandoned; and

WHEREAS there are over 800 employees directly working with CN; and

WHEREAS the user/pay concept is causing great hardship to all Newfoundland consumers; and

WHEREAS the railway is being deliberately downgraded;

BE IT THEREFORE RESOLVED that this House deplores the action of CN Rail to curtail services and employment, and urges the Government of Canada to take immediate steps to have the Canadian National Railway service brought up to the same standard as in our sister provinces; and

BE IT FURTHER RESOLVED that the actions in recent years of downgrading the railway are viewed by this House as a violation of the spirit and intent of the Terms of Union with Canada and specifically on Terms 31 and 32 of Union; and

BE IT FURTHER RESOLVED, if necessary, all members of this House of Assembly will present themselves in Ottawa to deliver this message to the Government of

Canada.

MR. FLIGHT:

What a resolution! What a resolution! Mr. Speaker, that is a Newfoundland resolution.

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

I would like, if I could, to say that I know this is now a private member's resolution and that, therefore, it falls to the bottom of the Order Paper. But we have had unanimous consent in this House not only to debate resolutions that are of vital importance to us but we have also, at times, had agreement such as on the offshore surveillance. So I am wondering if the Government House Leader (Mr. Marshall) would perhaps consent that we can pass this with a little debate, or perhaps no debate at all, and get it off to Ottawa where it is supposed to go.

MR. MARSHALL:

Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Before we pass anything at all on it, I think the hon. gentlemen there opposite had better caucus or cauci, whatever they do, because they seem to be rather schizophrenic today. There is already a motion on the Order Paper by the hon. the member for Bellevue (Mr. Callan) and, as I read it, what he wants is a four-lane highway. He seems to want the railway disbanded. So I do not know really whether it is in order. It is inconsistent. But we have government orders of

business that we will follow today, anyway.

MR. TULK:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. TULK:

I am not pleased to see that the Government House Leader has not agreed to give unanimous consent to this resolution, because this resolution was designed with a specific point in view.

MR. POWER:

Your resolution is out of order and so are you.

MR. TULK:

The member for Ferryland should be very quiet because it was the member for Ferryland, with two figures changed, Mr. Speaker, who introduced this resolution in this House in 1981, seconded by the then member for Grand Falls, Mr. Lundrigan, and passed unanimously by this House. So I would ask, Mr. Speaker, that the Government House Leader reconsider. This is completely non-partisan, it is taken from a resolution that was presented by the hon. gentleman and, therefore, we would like to have this passed. We are willing to do away with the non-partisanship. We do not want to use our own private members' resolution, we want a resolution that is unanimous in this House to send to the government in Ottawa so that they know where we stand. I would hope that he still has the same position that he had in 1981.

MR. MARSHALL:

Mr. Speaker, to that point of order.



MR. SPEAKER:  
Order, please!

The hon. the President of the Council.

MR. MARSHALL:  
Mr. Speaker, obviously the hon. gentleman is too exercised to debate anything today. He needs to be tranquilized, put in a strait jacket and carted off. That is the way he sounds. But for the fact the hon. gentleman was physically threatening the Minister of Justice in a most cowardly fashion today, I might well have considered -

MR. TULK:  
What?

MR. MARSHALL:  
I mean, pointing his finger at the Minister of Justice the way he was doing in a threatening manner. We might well have suggested something, but he can leave it on the Order Paper and it will come up in due course.

MR. SPEAKER:  
There is no point of order.

MR. TULK:  
Mr. Speaker, a new point of order.

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

MR. TULK:  
Let me say to the hon. gentleman -

MR. SPEAKER:  
Order, please!

The hon. member cannot make a speech.

MR. TULK:  
I am not making a speech, Mr. Speaker. I want to draw to Your

Honour's attention a statement that was made by the hon. gentleman. He does not only point one finger, he points four or five. In no way would I threaten the Minister of Justice nor, even, the member for Bonavista South (Mr. Morgan). And I certainly would not waste my time by threatening the hon. gentleman opposite. So I will point all my fingers, hold out my hands to him, and if he wants to put nail holes in them, please do so. But I would ask him, for the good of Newfoundland, will he today give unanimous consent to this House and let us have a vote, no debate, and send the resolution that was put together by the member for Ferryland in 1981 to Ottawa, or have they backed off? Are they selling us down the tubes again?

MR. SPEAKER:  
Order, please!

Answers to Questions  
for which Notice has been Given

MR. SIMMS:  
Mr. Speaker.

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

MR. SIMMS:  
Mr. Speaker, I would like to respond to a question. I do not have a written response but I will try to explain to hon. members the response. Members will recall that a few days ago I took notice of a question, I think from the member for Windsor - Buchans (Mr. Flight), when he asked whether or not there could be compensation or assistance provided under the federal disaster financial assistance programme that is in

existence to people who had lost property as a result of the forest fires. Mr. Speaker, in essence we have made some preliminary enquiries. I want to indicate at the outset that we are not necessarily foregoing any pursuit of this objective.

We are going to continue to try to make some official representations but, in essence, the DFAP, or that disaster financial assistance programme, does not apply.

Mr. Speaker, it is a rather important question and I think the answer, hopefully, will give some clarification on this particular point, in any event.

First of all, that emergency disaster financial assistance programme has never been involved with or associated with forest fire damages. That is number one. So in terms of our enquiry about compensation to the Province for fighting fires, the answer is obviously no under that programme.

Secondly, our second enquiry was whether or not we could access some of the funds under that disaster financial assistance programme to do some reforestation projects. We are told the intent of the programme is to restore an individual's property to a state of normalcy. That is what the guidelines say. At the present time, damaged forests are not considered property, if you wish, under those guidelines. So it looks like we will not get any help under that particular programme for reforestation.

Finally, the third question we asked was whether or not there could be any compensation to cabin owners who lost property in the forest fires. This financial

assistance programme, unfortunately, will not assist cabin owners whose property has been damaged or destroyed, because the disaster assistance programme is, in fact, there to cover losses of primary residents only. That is what the guidelines presently say.

So the long and the short of it is that it does not appear as if there would be any assistance available under that disaster financial assistance programme for any of those three categories. However, Mr. Speaker, I have instructed my officials to continue exploring whether or not there may be some other avenues. In the meantime, we have made official representation to the federal government to see if, in fact, there may be any consideration of changing these guidelines to allow us to perhaps access some of these funds, if it becomes necessary.

I also add, finally, that in the case of property losses or anything, there have not been any communications or claims or anything of that nature made, thus far at least, to me or to my office or to anybody else in government that I am aware of.

MR. KELLAND:

A point of order, Mr. Speaker.

MR. SPEAKER (McNicholas):

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

MR. KELLAND:

I ask the indulgence of the Chair to state the point of order, Mr. Speaker, and I believe this might be the appropriate place, when we are talking about Answers to Questions for which Notice has been Given.

Mr. Speaker, will recall several days ago, in the absence of the Minister of Career Development and Advanced Studies (Mr. Power) and the Premier and the Government House Leader (Mr. Marshall), I posed a question with respect to the resource technicians training programme in North West River to the Minister of Intergovernmental Affairs (Mr. Ottenheimer). The question related to whether or not, in the ministers search to find funding and ways and means of continuing the programme in subsequent years, a method of funding had been found, or a solution to the problem had been found, and there were a couple of other related questions, I believe. At that time, the Minister of Intergovernmental Affairs (Mr. Ottenheimer) indicated that he would ensure that if the minister was not present the following day, I believe, and he was not, he would have the information for me. Now, unfortunately, the Minister of Career Development and Advanced Studies (Mr. Power) has just left, but he may be within hearing. I would like to see if there is an answer to those questions posed, an answer that was promised at that time.

MR. SPEAKER (McNicholas):

I must rule that that is no point of order. Maybe the hon. the minister will be able to -

MR. MARSHALL:

Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, the fact of the matter is, the Minister of Intergovernmental Affairs, being

the Immediate Past-Chairman of the Commonwealth Parliamentary Association, is involved in these proceedings and it may well be, as I think I can see by the look on the hon. gentleman's face, that he, perhaps, never mentioned it. But we will see it is brought up and get the answer as soon as possible for you.

MR. KELLAND:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Naskaupi.

MR. KELLAND:

I appreciate that. I do not feel that it was a spurious point in any way. The information is fairly vital and I know the minister and the House is aware that -

MR. POWER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:

Can you tell me exactly what the question was.

MR. KELLAND:

If I may, Mr. Speaker. The question basically was, in your search for a solution to the problem of continued funding for the resource technician programme in North West River to continue beyond the first term, which is now about to graduate, had you been successful, or what success level you had found in finding some sort of funding? The minister is aware of it, of course, I have corresponded with him a couple of times on the subject.

MR. POWER:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:  
Mr. Speaker, basically we have not had any great success in finding a solution to that problem. As everyone in the House knows - I have written an awful lot of members with copies, certainly, to the member for Labrador and to many persons in Labrador - the university did a pilot project, this resource technicians programme in Labrador. It appears to have been very successful, both from the public support and from the student support that it had. The university, this year, received the highest increase of any department of government, yet, they decided to cut out the resource technician programme. They did not do it in consultation with us. They did not do it with our approval or without. They decided that they had priorities other than the Resource Technicians Programme in Labrador, which cost about \$160,000 a year. We are quite disappointed that the university did that.

MR. KELLAND:  
(Inaudible).

MR. POWER:  
No, we are disappointed they did it because even though it was a pilot project, it was a good programme.

The Resource Technician Programme comes under our jurisdiction, obviously, now that it is out of the university shop where they have autonomy to do more or less what they choose, and we intend to put that programme into the

vocational school reorganized system in Labrador, staying in North West River with the site that it now has. Unfortunately, that is not likely to happen until September of 1987 rather than September of 1986, and there is very likely to be a gap in between where there will not be a resource technician programme taught.

But during that year, there will also be an interesting portion of the pilot project to see exactly how many of the graduates do get work in the field of endeavour that they have been taught, which is also very important, simply to say that the programme was good educationally and that the students are satisfied and they think they have learned something. It will also be interesting to see how many of them will actually get jobs in the outfitting business in Labrador, the tourist industry where, they want to go. But it seems that there is not going to be a solution for September of 1986.

MR. KELLAND:  
Mr. Speaker, finally to that.

MR. SPEAKER:  
Order, please!

This is not the appropriate time.

MR. KELLAND:  
By leave of the government side, just a simple final part.

MR. SPEAKER:  
There is no point of order. This was a request from the hon. member that was agreed to.

MR. MARSHALL:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the President of the

Council.

MR. MARSHALL:

We will give leave for a short answer but we are not extending the Question Period. If the hon. gentleman wants to ask a short clarifying question, sure.

MR. KELLAND:

Well, there was only one other part, Mr. Speaker and that was about the petition, the original had been sent to the minister. I asked that as well, if you recall, and I wonder if the minister had asked the Minister of Career Development and Advanced Studies to present it in the House so that the Labrador members would have an opportunity to speak to that particular petition. I imagine you have received the original. I have received a copy. That is really all I want to know.

MR. POWER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Career Development and Advanced Studies.

MR. KELLAND:

Mr. Speaker, just very briefly, I searched my office yesterday. The member for Labrador on this side has also been enquiring about that petition. It is not in my office. It is not to be found down there. I asked my secretary again this morning if it came in. As soon as I find it, I will certainly be more than glad to find a mechanism to present it in the House and have the issue discussed during the tabling of petitions, if that is what the member wishes.

MR. FLIGHT:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the member for Windsor-Buchans.

MR. FLIGHT:

Mr. Speaker, this is a very important point of order. In the Question Period today the Minister of Forest Resources and Lands (Mr. Simms) indicated that he had contacted and instructed CN to put on fire patrols and speeders. Could the minister confirm that they have indeed done this?

MR. MARSHALL:

Mr. Speaker, to that point of order.

MR. SPEAKER:

Order, please!

To that point of order, the hon. President of the Council.

MR. MARSHALL:

We have an order of the House. If the hon. gentleman wants to ask questions, he is not going to ask them during points of order. We gave leave to the hon. gentleman for Naskaupi, but the hon. gentleman need not think he is going to take this House on his back because he is not going to. That is completely out of order.

MR. TULK:

To that point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. TULK:

Mr. Speaker, if the hon. gentleman opposite wants to leave and get in a good humour again by five o'clock this afternoon, then maybe we will have to let him leave. It was a very productive session that went on between the two

gentleman. Something was done in this House which was unusual and the hon. gentleman does not want to see anything done. We have a very serious forest fire situation, so why not do the business of the House?

MR. SPEAKER:  
Order, please!

There is no point of order. We are on Answers to questions for which notice has been given.

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

MR. SPEAKER:  
A new point of order?

MR. SIMMS:  
Yes, a new point of order.

MR. SPEAKER:  
The hon. the Minister of Forest Resources and Lands on a point of order.

MR. SIMMS:  
In response to an earlier question in the House today - it is still under Answers to Questions - I want to indicate to hon. members -

MR. SPEAKER:  
Order, please!

That, too, seems to be irregular.

MR. SIMMS:  
Are we under Answers to Questions, Mr. Speaker!

MR. SPEAKER:  
We are.

MR. SIMMS:  
Well, I am answering a question that was taken notice of earlier.

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

MR. SPEAKER:  
This is a point of order, raised by the hon. minister.

MR. TULK:  
No, he is operating under Answers to Questions, I understand.

MR. FLIGHT:  
No, he raised a point of order and the Speaker ruled him out of order.

MR. SIMMS:  
Mr. Speaker, I can answer it in ten seconds, if you will give me a moment.

MR. SPEAKER:  
Order, please!

MR. MARSHALL:  
It is obviously collusion between the member for Windsor - Buchans (Mr. Flight) and the member for Grand Falls (Mr. Simms). It is well known that the member for Grand Falls has been after my job for ages.

MR. TULK:  
Mr. Speaker, to that point of order.

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

MR. TULK:  
The Speaker, is right. Notice has to be given of questions. This is Answers to questions for which notice has been given and we are perfectly willing in this situation to give the hon. gentleman leave to give us any information pertaining to those forest fire situations that exist in Central Newfoundland. It is an urgent matter, so we are perfectly willing to give him leave. Now, if the Government House Leader (Mr. Marshall) does not want to give him leave, then say so.

MR. SPEAKER:

Well, I gather leave has not been granted.

MR. TULK:

Leave has been granted on this side.

MR. MARSHALL:

If the hon. the Minister of Forest Resources and Lands gets down on his hands and knees I will give him leave, yes.

MR. TULK:

Leave.

MR. SIMMS:

Mr. Speaker, to that point of order -

MR. SPEAKER:

But he has not gotten on his hands and knees.

MR. SIMMS:

I refuse to answer the question and I will explain it to the hon. member afterwards. How is that?

AN HON. MEMBER:

By leave.

MR. SIMMS:

Is there leave?

MR. SPEAKER:

Can we move on to another item?

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

Has leave been granted?

MR. SIMMS:

Yes.

MR. TULK:

No.

MR. SIMMS:

No. Leave. The NDP will not give

leave.

MR. SPEAKER:

Leave has not been granted.

MR. DOYLE:

Are we still on Answers to Questions?

MR. SPEAKER:

Answers to Questions.

The hon. the Minister of Municipal Affairs.

MR. DOYLE:

Thank you, Mr. Speaker. I wish to give the answer to a question asked by the member for Burgeo - Bay d'Espoir (Mr. Gilbert) regarding the awarding of a contract to R. J. Hill Explosives of Nova Scotia for work on the Channel - Port aux Basques water supply system.

Tenders for the project were called, closing on April 17, on the basis of plans and specifications containing the provincial preference policy, and the lowest two tenders received were R. J. Hill of Nova Scotia, \$342,000 and Western Construction of Stephenville, \$354,000, which is a difference of \$12,000.

MR. TULK:

Mr. Speaker, I do not want to interrupt the hon. gentlemen, but I wonder if the two gentlemen there who are having a meeting could have it outside the House so that we can hear the hon. gentleman?

MR. SPEAKER:

The hon. the minister.

MR. DOYLE:

The Department of Development evaluated the two bids. On the basis of their evaluation, using

the provincial preference policy, Western was the preferred bidder. However, because of federal financial involvement, the awarding of a contract to other than the lowest bidder on the basis of provincial preference did not apply and, as a result, the contract was awarded to the low bidder, R. J. Hill of Nova Scotia at a contract price of \$342,000.

### Petitions

MR. FENWICK:  
Mr. Speaker.

MR. SPEAKER (McNicholas):  
The hon. the member for Menihek.

MR. FENWICK:  
Thank you very much, Mr. Speaker.

Mr. Speaker, at this time, I would like to enter a number of petitions into the record. I am not sure how many I will get in in the five minutes, but if you will tell me when I get to the end, I will stop. I have a stockpile of about twenty-five petitions at this point, all concerning The Encyclopedia of Newfoundland and Labrador. I will introduce them as quickly as I can. Unfortunately, over the last couple of days, there has not been an opportunity to introduce them, and I did not want to take up too much of the time of the House. But, since we are a little bit ahead of schedule today, I thought it an appropriate time to enter some of them.

The first is from St. Gabriel's All-grade School in St. Brendan's, Newfoundland. Only a small number of individuals signed the petition, but I believe they are mostly teachers in the area. This

is from the district of the member for Terra Nova (Mr. Greening). I do not know how many members here have been to St. Brendan's, but it is an island in Bonavista Bay, Mr. Speaker, and it is an area that is really deficient in the kinds of massive library services that are available in places like St. John's and Corner Brook, for example. It is just communities like this that are the kinds of communities that would benefit most by having the encyclopedia completed. So I thought I would introduce that one individually because of the kind of concern that a community like that would have.

The next one, with the same petition prayer, is from the Integrated Central High School in Musgravetown, Newfoundland, again, another school in the same Terra Nova district. Mr. Speaker, I had the privilege in 1983 of being a candidate for our party in that district. I am not going to embarrass myself and the House by telling you how many votes I had. But, during that time period, I got to know the district quite well and met a lot of very friendly people there, only several hundred of which were convinced enough to vote for us at that time. We are working on that problem.

Mr. Speaker, Musgravetown, although a larger centre than St. Brendan's, is still a reasonably isolated area, an area that has, I would suggest, a considerable amount of difficulty in building up its school library to the level that it would allow the students in their school to do the kinds of courses they are now required to do, with the proper resources. So I enter that one as well.



The next, Mr. Speaker, is from a library. I have been receiving a lot of petitions from libraries. I have a number of letters of endorsement for the encyclopedia, as well, that, in future days, I will be glad to introduce. This one is from the Deer Lake library and they completed the page with the number of petitions there. Mr. Speaker, libraries are one of the places that really have, I think, identified the value of this particular work. In about half a dozen letters that I have received from librarians across the Province, they tell me that The Encyclopaedia of Newfoundland and Labrador is probably the most referred to work that they have in their entire library.

Some of them, for example, have told me that they have special tables set up where the two volumes that have been printed so far, Volumes 1 and 2, are positioned so that individuals who are working with it will not clutter up other areas. It is almost continuously in use.

Some of the librarians have also said that it is probably the book that is more copied than anything else. That indicates, I think, that there are a lot of students and a lot of people who are interested in our history and our culture who are interested in looking up bits of information that they cannot really access anywhere else. It is one of the major reasons, I think, that we have to put the funds in place in order to complete it. So, Mr. Speaker, this one is from the Deer Lake library.

By the way, Mr. Speaker, I have tried to show the petitions to the individual members from whose district they have come. In the

last couple of days, because I think it is important that we have a wider debate on this, I have asked members from those districts if they would present the petitions on their behalf. So when I present a petition from this point onward it will mean that these members have been asked to introduce it but have not decided to do so, for whatever reason there may be. I am not questioning their motives. I am just saying that I have offered the petitions to them.

There are a number of petitions that the Liberal members of this House have decided that they are willing to take and they will be introducing them themselves in the future.

Is my time gone, Mr. Speaker?

MR. SPEAKER:

The hon. member's time has elapsed.

MR. FENWICK:

In that case, Mr. Speaker, I will save the others for another day. Thank you very much.

MR. DECKER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for the Strait of Belle Isle.

MR. DECKER:

It is obvious from that great number of petitions that the hon. member has that there is an awful lot of concern in various parts of Newfoundland. The hon. gentleman has got petitions from Liberal districts; he has got petitions from Tory districts, Mr. Speaker. It seems that this concept is catching on all over Newfoundland.

I would suggest, Mr. Speaker, that what we are seeing here is a resurgence in Liberalism. What many people are seeing is the name 'Joey Smallwood', Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. DECKER:

What we are seeing and witnessing today is a vote of confidence in Joey Smallwood.

MR. FENWICK:

Are you supporting the petition?

MR. DECKER:

Yes, but in support of this petition, Mr. Speaker, I want to point out what is happening out there in Newfoundland in Tory districts and in Liberal districts. I think it is a wonderful thing for this Province of Newfoundland to see what is happening. It is almost as if people are saying, 'Look, maybe we were a little too hasty back in 1971 when we threw Mr. Smallwood out'. They are, in a way, asking him to come back into this House, Mr. Speaker. Well, should Mr. Smallwood decide to do that, Mr. Speaker, there is a seat in the Strait of Belle Isle which I would make available for him to bring him back into this House.

SOME HON. MEMBERS:

Hear, hear!

MR. DECKER:

There is no other living person whom I would say that for. But since I see the concern out there, Mr. Speaker -

MR. TULK:

No other leader.

MR. DECKER:

No other leader of this party, no

other person only J.R. Smallwood, Mr. Speaker, and I think that that is the wish of the people of this Province as is evidenced by the response that the member is getting to these petitions. Thank you, Mr. Speaker.

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, I have a short petition here I would like to present on behalf of some thirteen independent truckers in Grand Falls and Windsor in the districts -

MR. TULK:

Is that Tom (inaudible).

MR. SIMMS:

Tom who?

AN HON. MEMBER:

(Inaudible).

MR. RIDEOUT:

Just give your petition.

MR. SIMMS:

No, I am not aware of any question.

Anyway, Mr. Speaker, this is a petition from thirteen independent truckers from Grand Falls and Windsor, in the district of Grand Falls and the district of Windsor-Buchans, represented in the Assembly, of course, by my friend from Windsor-Buchans (Mr. Flight).

Mr. Speaker, the prayer of the petition is rather short and I will read it. "We, the truckers, wish to petition the Provincial

Government of Newfoundland and Labrador about our very serious problem. The problem is that contractors are sub-contracting the gravel work, which is usually done by us, the sub-contractors. By doing this they are either eliminating or nearly eliminating us.

We feel the government should help us and, in future contracts, something should be put into contracts to protect us. For example, a ratio of independent trucks, if available, to some of their own, possibly two or three to one."

It is signed, as I said, Mr. Speaker, by thirteen independent truckers out my way. I want to try to explain what they are trying to say, if I can. I have personally spoken to them myself and I will perhaps make a comparison in an attempt to try to explain the petition, or at least use an example.

On numerous occasions in the past, Mr. Speaker, I have received complaints from constituents, I am sure probably every other hon. member of the House has received similar complaints from constituents, concerning contracts awarded to various companies, for whatever the work might be, who would hire workers from outside their district, their constituency when, in fact, there would be qualified workers in that area. Now this is only an example of how I am trying to put this into perspective on behalf of the truckers. Their complaint is similar in vein. The problem with some of these of course, as we all know, is that unions are involved and seniority lists are involved and so on.

MR. FLIGHT:

Are you supporting this petition?

MR. SIMMS:

Yes, I am.

MR. FLIGHT:

(Inaudible.)

MR. RIDEOUT:

Order, he has five minutes.

MR. SIMMS:

The hon. member is awfully touchy today. How is his cousin today?

Mr. Speaker, having used that as an example so members can get it clear in their mind what I am trying to say, in this particular case the contractor that they are referring to was going to either use his own truckers or he was going to sub-contract to another large trucking firm.

The member for Gander (Mr. Baker) nods because I know some of these people are from Glenwood as well and they have similar problems. But in fact, Mr. Speaker, there were qualified private truckers in the area that I am talking about, Grand Falls-Windsor, but they could not bid as a sub-contractor because, in fact, they do not have a gravel pit to work out of.

What has happened in the past and what I was able to arrange in this particular instance was some kind of an agreement or understanding between the contractor and some of these independent contractors where they would, in fact, use the contractors' gravel pit and pay the contractor \$1 or \$2 a load or whatever they can work out between them. So that was acceptable at least as an interim measure, but it still does not resolve the problem from their perspective.

So, Mr. Speaker, the petitioners are asking that there be a stipulation when a contract is awarded, that the contractor hire, where possible, from the local area. So we are into a narrow local preference kind of consideration I guess but this would then enable the individual private truckers in this case to get a portion of the work being carried out.

I have consulted with my colleague, the Minister of Labour (Mr. Blanchard) on this particular issue just to get a feel from him on it and I am advised, and officials in his department as well have advised my staff that this kind of a stipulation was done in a couple of instances; the Hinds Lake and the Cat Arm projects are examples. In essence these independent truckers from Grand Falls and Windsor are asking that something along the same lines be done.

That is about as best as I can explain it, Mr. Speaker. I present the petition on their behalf. I support them in their efforts to try to obtain whatever work they can and I would lay the petition on the table of the House and refer it to, perhaps, the Departments of Public Works and Services and Labour where it might more appropriately be addressed and responded to.

Thank you, Mr. Speaker.

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER (McNicholas):

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

Mr. Speaker, I want to rise to

support the petition because I have no doubt that some of the petitioners are constituents of my own. I have no doubt, Mr. Speaker, that some of those very petitioners one time or other contacted me on the issue. I have made numerous representations on their behalf. I am not sure I will take the five minutes.

I want to make it clear, Mr. Speaker, both to the minister who presented the petition and to the House that local preference is not necessarily the problem here. What is happening in a great deal of cases is that a major contractor is awarded a contract to do a piece of local highway or industrial park or whatever the case might be, where trucks are required. Normally, the people who own one truck, private truck operators, who operate one or two trucks maybe, and that is the way they make their living, are involved in a family affair. They normally expect to have their trucks hired to either haul in or haul out the fill. What has been happening consistently in the past few years is that the major contractor decides that he will sublet to a trucking firm the trucking work. Nine times out of ten, or lots of times, Mr. Speaker, that trucking company is a company that probably has three or four trucks of its own. That is the business they are in, and they are capable of doing all the work. As a result, Mr. Speaker, the individual truck owner from Grand Falls or Windsor, who over the years has made a living by hiring out his truck and his time to Lundrigans, Nova Construction or Eastern Construction, finds himself out in the cold.

There is another point here, Mr. Speaker, that is a little more

disconcerting and that is that what we find is the major contractor takes the contract. He then goes out and sublets the hauling of fill. We find that his contract has been such, and the price paid has been such that he can make a lot of money simply by doing the book work, simply by sloughing off the work, subcontracting the work out to a smaller contractor who has got four or five trucks, and the major contractor makes a pile of money on the contract for doing nothing only the book work.

The people who really pay the price and the people who are hurt by this approach, Mr. Speaker, are the people who traditionally, over the years, counted on their trucks being hired in the construction industry and the road building programmes we are having around the Province. They now find that there are companies situated in Newfoundland who have built up a fleet of trucks, four, five, six, seven trucks and exist for the almost the sole purpose of taking these subcontracts that are let by Penney Construction, Penney Paving, Lundrigan's, it does not matter who. Now there is no need of that particular subcontractor hiring the local truckers, Mr. Speaker, who, in effect, have gone into debt, who have bought and financed trucks over the years believing that they were going to get work when that kind of construction was available. They find themselves now, not necessarily competing with the subcontractors, but not even in a position to compete, weeded out, and having no possibility of getting work. They are stuck with the debt, Mr. Speaker. They are stuck with facing no productive income as a result of the practice that we see more and more in the

construction industry in Newfoundland.

I support the petition, Mr. Speaker, and I thank the hon. member for presenting the petition. The problem is equal in Grand Falls and in Windsor and, as a matter of fact, Mr. Speaker, there are arguments as to who has jurisdiction and who should be pulling where kind of thing. I would hope that the minister would impress upon his colleague who has the jurisdiction to look into this and try to resolve the matter in favour of those small truckers.

Thank you very much.

MR. K. AYLWARD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Stephenville.

MR. K. AYLWARD:

Thank you, Mr. Speaker.

I rise today to present a petition on behalf of 200 or so students and area residents of Stephenville and Bay St. George who are concerned about the MUN Extension Services closing in Stephenville, and likewise across the Island.

I would like to read the prayer of the petition. "We, the students of Bay St. George Community College, believe that Memorial University has made a detrimental move by the proposed closing of its Extension Office in Stephenville.

"The outreach of the University is vital not only to the Bay St. George area but to all rural communities in Newfoundland, whether it be formal education in the classroom or informal

education through community development processes with fishermen, farmers, town councils, women's groups, Native organizations, unions and students, etc. The Extension Service enables the University to remain educationally relevant and appropriate, linking the University with rural Newfoundland.

"We the undersigned, the students of Bay St. George Community College, ask that Memorial University and the Department of Career Development and Advanced Studies reverse the decision and immediately reinstitute the Extension Service Office in Stephenville with the personnel and services that were always available."

I would like to fully support this petition, Mr. Speaker, as I feel that the move by the University, because of the financial crisis that it is presently in, is very detrimental to the whole Bay St. George, Southwest Coast area. The university proposes that within the next year or two they may even see the rest of the Extension offices being closed across the Island and in Labrador.

This move I believe shows a lack of concern or maybe a lack of priorities by the University and the Department of Career Development, as the Department of Career Development provides the funding for the University. They can say all they want about 'we have given them this and we have given them that', but the bottom line is that they do not have enough money to operate, so they are cutting back.

I have made representations to the University. I have met with the University President. I have sent

him a number of letters and correspondence, and I have also spoke to many concerned individuals out in the Bay St. George area.

Just to go through a few groups who have put forward their opinion, the Port au Port Economic Development Association has voiced its strong objection; the Town Council of Stephenville has voiced its strong objection; all the area economic development councils have voiced their strong objections. The Humber Valley Development Association, for example, up Deer Lake way has also put forward an objection. There are a number of other groups who have sent in petitions and letters and have been trying to get the University to realize exactly how important this is.

I also would like to speak about a letter to the editor that was written by the President of the Newfoundland and Labrador Rural Development Council which appears in The Evening Telegram today. It is a half page editorial which sets out the reasons why MUM Extension offices should be maintained in rural Newfoundland. It is put very well and it describes the situation that they are facing today.

I feel that the University and the administration here should take heed of the many people who are now getting involved with this movement to stop the proposed move to cut back this office. It has done a tremendous amount of work in all fields and areas, and it has provided tremendous benefits to people from various backgrounds. It has encouraged people to get or continue their education, and to upgrade themselves. It has encouraged

people to get into different industries and different businesses and so on. It has been a vital link to the University here in St. John's and in Corner Brook.

So, I feel very strongly that the University should make this its number one priority and that this should be the last place that they would cut back. I also feel that this administration should be making representation to the University and ask that their priorities be straightened away. You cannot tell them what to do but at least you can make representation to them and tell them how important this whole MUN Extension Office system is.

I also feel that the University is not being funded with enough money and they are in a very dire financial crisis and will continue to be so for the next year or two as I have been told by the President of the University. I feel that the present administration should now be looking at some emergency funding or something along those lines to help them alleviate the very important financial crisis they are in now because it is going to be to the detriment of the students and to the people of Newfoundland if this MUN Extension Office closes and also if other services are cut back by the University.

So I stand in support of this petition, Mr. Speaker. I am very proud to do it. I think that it is time that everybody spoke out on this and let the University know and let this administration know that you just cannot take away these types of vital services. I feel very strongly that the University should

reconsider its decision. I feel very strongly that the present administration should make their points known to the University and also look at sources of extra funding for them as they are in a very, very tough situation. I stand here to support it and I am very happy to do so. Thank you.

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Thank you very much, Mr. Speaker. I, too, rise in support of the petition from the member for Stephenville (Mr. K. Alyward). I am quite pleased to speak to it because it is signed by students, I understand, at the Bay St. George Community College and the Bay St. George Community College is my former place of occupation. I guess that is probably the best way to put although that sounds like a foreign army invading. It is my former place of employment. I guess that is the best way to look at it.

I know that the students there fully appreciate the services that were being offered by the Memorial Extension Office in Stephenville, particularly by the field worker who was working out at that office, a gentleman by the name of Neil Tilley, who is probably acknowledged in this Province as one of the most skilled social animators and community workers that we have ever seen. He has a degree of skills and capacities that are virtually never seen anywhere else in this Province. He has done phenomenal work with groups in the Stephenville area and, indeed, in the whole Southwest corner of Newfoundland

that he is the Memorial Extension worker for. So I am very pleased to speak to it.

I find it alarming that although the Extension Office in Marystown has also been closed that we hear no comments whatsoever from the members for the Burin Peninsula about the role there. The individual in that office in Marystown, I am led to believe, is also a highly skilled individual and is one of the best people. As a matter of fact, there seems to be some argument on the part of the University that they are taking them out of the field because they are so highly accomplished.

Mr. Speaker, there is a feeling abroad that these field workers are no longer necessary because the Department of Rural, Agricultural and Northern Development and, indeed, the many district economic development associations in the Province, have their own field workers and, therefore, Memorial University Extension Service is no longer needed in that particular field. That thinking would, I think, fail to see the real difference in role played by these individuals. The development association officers, Mr. Speaker, are doing an extremely important job in the job creation programmes of the Minister of Career Development and Advanced Studies (Mr. Power).

They are basically, Mr. Speaker, working so heavily in that field that they do not have the opportunity to do the kind of basic community development work that in a lot of cases is being done by the Memorial Extension workers. It is almost a case of the Memorial Extension workers, by having less money to play with,

are more involved with the adult education and community development on a scale that is not being addressed, it seems, by these other departments.

So, Mr. Speaker, I support the petition. I think it is very, very important that we look closely now at the role Memorial University is playing. They have closed two office, two offices, by the way, out of eight offices. There are only eight in the Province, so they have cut back their capacity by 25 per cent. If this is an indication of the direction the University is going in, it is the wrong direction and I think it is important that the government give it clear direction, that it should not be withdrawing from the community in the way it has been with these two cutbacks and with, of course, the cancellation of their television service on Channel 13.

I think it is the government's responsibility to tell the university 'this is part of your mandate, if you are not going to fulfill it, it will have to be fulfilled in another way entirely.' I think it is important that very strong direction be given to them and, of course, I echo the comments from my colleague for Stephenville (Mr. K. Aylward), that indeed they are somewhat short of funds this year because the members all know that the increase actually is somewhere in the neighbourhood of 4 per cent and not the 14 per cent alleged by the minister.

I will sit down and give him a chance to support the petition.

MR. POWER:  
Mr. Speaker.



MR. SPEAKER (McNicholas):

The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:

Mr. Speaker, I support the petition so ably presented by the member for Stephenville who mentioned an editorial that is in the paper today from Gerald Smith, the President of the Newfoundland and Labrador Rural Development Council. I was reading that while he was making his comments and I must say that I agree with almost all of the comments made by the member for Stephenville.

I do not agree and cannot agree with the member for Menihek when he says that we should demand that the university do this or anything else. I think that the minute that a government, simply because it supplies funds to a university, starts saying to the university, 'Do this with Extension Services, keep Channel 13,' then the day will very quickly come when any government, because of tough times, might go in and say, 'Do not teach that political science course; do not teach that religion course; do not teach this or that in any given sector of intellectual development of students.' Obviously, I, for one, as a minister, and this government is certainly not going to get involved in that area.

I know what the member for Menihek is saying. He does not mean for me to get involved in those parts of the university but once you start stepping into the autonomy of the universities, then it becomes a very precarious situation as to when and when not to interfere with what the university is doing. Obviously, at the university there are some persons who are very socialistic

in their tendencies. We had a communist lady, I think, who taught at the university and had a very difficult situation there. If a government gets into that, it gets to be really difficult. I am sure the member knows that.

I am glad to see that both the member for Stephenville and the member for Menihek and the letter in the paper addressed the issue where it should be addressed, which is at the university.

I just picked up yesterday and I underlined it, we gave the university a tremendous increase. When you say the university is in real tough times, having a real hard go of it to make ends meet, it is not really true, you know. The university is not in as -

AN HON. MEMBER:

(Inaudible).

MR. POWER:

No, no, no. There is \$30-odd million worth of new capital construction going on at the university beginning this year, at the School of Business \$1 million, continuing at the School of Pharmacy and Nursing, the \$24 million announcement for Earth Sciences and \$1 million for that super computer that they are buying. All those things are capital but at the same time we increased their current operating budget by over \$8 million. Now, \$8 million on a \$72 million budget is a pretty hefty increase when you look at the rest of Newfoundland and the other departments of government.

I saw yesterday in this press release that comes out from the Association of Universities and Colleges of Canada a headline that reads: "The universities in Nova

Scotia will receive a global funding increase of 3 per cent in 1986-87." This translates to increases anywhere from 1.7 per cent to 6.5 per cent. In New Brunswick, they have said that they are basically getting a 4 per cent increase and a 3 per cent in Nova Scotia, just across the boarder. Now, do not think that the universities in Nova Scotia were in any worse or any less trouble than Newfoundland universities. I have attended many meetings, anywhere from Ontario to the Western provinces whereby every university in Canada thinks they are terribly underfunded because they cannot get money to do everything they want to do.

So, I do not think the university is in as bad a shape financially as the public might perceive, based on these articles recently about closing down MUN Extension in certain places and Channel 13. I think what they have done is say to themselves, 'We have got \$80 million this year, we had \$72 million last year, we decided to give a \$2 million raise to our faculty last year' - which they did not have money, which they had to budget this year. They intend, I suppose, to give a faculty and staff increase this year as well. They have decided to expand certain areas and they decided to reduce certain areas.

So, as I say, I am glad to see that the pressure is being put on Memorial to rearrange its priorities and not on government to interfere, to say the university should or should not do something. I just want to say in concluding, Mr. Speaker, that I do believe that the university is well-funded, when you look at Newfoundland's financial and

fiscal capacity, when you look at the economy that we have, when you look at the things we are trying to do in the Resource Departments. Because there is a terrible tendency, from my social policy point of view, to try and get all the money put into social policy areas. But if you do that and you put lots of money into the university and lots of money into post-secondary, you had better also make sure that the Department of Fisheries, the Department of Development, the Department of Mines and the Department of Tourism have money to create employment in this Province, because without those employment opportunities, the education that many of our students receive will never live up to what the expectations of the students were.

In concluding, Mr. Speaker, let me say that I am glad to see the position presented so well, I am glad to see the editorial in the paper, and I am glad to see the pressure put where it belongs, which is with the administration of the university. Let them make their priorities and if they are not in touch with rural Newfoundland, then maybe they should be.

Thank you.

#### Orders of the Day

Motion, second reading of a bill, "An Act To Implement An Agreement Between The Government Of Canada And The Government Of Newfoundland And Labrador On Offshore Petroleum Resource Management And Revenue Sharing." (Bill No. 1)

#### MR. SPEAKER:

The hon. the President of the

Council.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

Mr. Speaker, I am rising in the House, of course, to reintroduce to the House the Bill to give legislative sanction to the Atlantic Accord which is represented in two pieces of legislation, Bill No. 1 that is before the House for debate, and the Bill that went before the House of Commons, a copy of which I have here. I do not know the number. Bill C - is the number here but it passed through the House of Commons on Monday last and is now being referred to the Legislative Committee of the House of Commons.

MR. TULK:

Carried..

MR. MARSHALL:

No, we are not going to carry it. There are a few little things that we want to say. It is not going to be a long debate like the last time. I am afraid we just cannot carry this into history without making a few comments. The hon. gentlemen can relax. There was no real need for the Leader of the Opposition to absent himself today from the House because I said what I had to say. I have a few more things to say about the Leader of the Opposition's (Mr. Barry) role, but all I am going to do is refer to the February 11 proceedings in Hansard, where I spoke for two hours.

Mr. Speaker, this is a very important piece of legislation because it settles once and for all, in the first place, the offshore issue that has so troubled this administration and

this Province. It is very important, because it sets forth the mode and the manner whereby oil and gas offshore will be explored and developed for years to come. When you consider that the area offshore is in the vicinity of 700,000 square miles, an area of some six to seven times the total land mass of this Province, you can see from that aspect and from that view point the real importance of it. It is also extremely important because this has been enacted in this House, as it has been enacted in Parliament, in such a way that it cannot be changed without the consent of either the Parliament or the Legislature. In other words, this Bill contains a clause, as the federal bill does, which states that it cannot be changed without the consent of the Government of Canada, and the Government of Canada cannot change its Bill without the consent of the Government of Newfoundland. What we are doing, quite obviously, is putting into effect a permanent regime for the development of this gigantic offshore area that will inure, I would say, the basic principles of it, to the end of time. I would say, Mr. Speaker, as far as the importance of the bill is concerned, even though it does not relate to minerals, there is a clause in the Atlantic Accord to the effect that minerals other than oil and gas will be negotiated, but I think it is safe to bet that these particular arrangements would apply in the event that there is any other mineral exploration offshore as a result of increased technological change in the future.

So, then, the provisions of this bill are vitally important to this Province and it merits a certain

amount of attention by the House. It is also, Mr. Speaker, of real importance to Canada, as well, not just because it involves a large area of 700,000 square miles in Newfoundland, that would in itself be of importance to Canada, but it is also quite apparent from what has occurred since the terms of this Accord were struck that this is going to be the blueprint for the resolution of regimes of this nature in other areas of Canada. Because the hon. Garde Gardom, who is the Minister of Intergovernmental Affairs, has already written from the Province of British Columbia - he is a member of the British Columbia Government - to the Government of Canada, indicating that the Province of British Columbia wants this type of agreement. I am given to understand that the Yukon and the Northwest Territories also want this type of agreement and have indicated this. I also understand, although it is not quite so patent, they have not done it quite so obviously, that lo and behold, even the Province of Nova Scotia is giving very serious consideration to the terms, and I have no doubt that this agreement will be the agreement that will apply to the Province of Nova Scotia. Added to that, finally, Mr. Speaker, and it is something I want to refer to in a few moments, is the fact that on Monday last, the terms of this bill in the federal forum passed unanimously. And I want to underline that. It passed unanimously through the House of Parliament.

SOME HON. MEMBERS:  
Hear, hear!

MR. MARSHALL:  
In other words, it was brought in by the Mulroney administration,

without which the bill would never be in place in the first place, but it was supported unanimously, I am advised from the House of Commons today, by both Opposition parties, the federal Liberals and the federal NDP

It is a bill, an agreement, as well, that the former Premier of Alberta, a man for whom we have unbounded respect, who is helping us in our negotiations on the offshore, has himself quite directly compared in its importance and in its nature to the bill in 1930 that was passed to settle the matter of ownership of Western resources and the rights to it.

Therefore, in conclusion, Mr. Speaker, on this aspect of the matter, we have a bill before us that is of really vital importance to the people of Newfoundland and Labrador and also of equally vital importance to Canada, because it is a mechanism by which, I would say, all offshore exploration, be it for oil and gas or minerals or what have you, in the future, will be determined forever and a day. So I would hope, setting that framework, that we can look for whatever debate is going to emanate in the House and we can look forward to constructive and serious debate.

Now, I am not going to repeat in total what I said last February - I spent two hours on it last February - but it is there for reference for anyone who wishes to see it, in Hansard. I want the hon. gentlemen there opposite to understand that each and every word I said, which got the leader and the members of the Opposition so upset, I meant every single word of it. I would repeat it, but there is no point of repeating

it now except to relate -

PREMIER PECKFORD:

They would not understand.

MR. MARSHALL:

The hon. gentlemen would not understand.

I will just say a few words with respect to that aspect of it before I get into the technical terms of the bill, or a few of the technical highlights of the bill itself, to say I am not going to speak long on what happened beforehand, and the problems we went through. But you could not put a bill before this House of Assembly without mentioning Messers Trudeau, Lalonde, and Chretien -

MR. TULK:

You would.

MR. MARSHALL:

No, I could not - and their lack of contribution. Now, I have no doubt that all three gentlemen made contributions of one sort or another to the Canadian Confederation while they were in power, so that we can give them credit, but I would say that the lowest point in their careers will have to be and will always be the way in which those three gentlemen attempted to brutalize and strong-arm this Province, to bring this Province to its knees, and, in effect, to expropriate this resource that we brought into Confederation with us.

So I will pass on that at the present time. It is a matter of record. But certainly while we are giving thanks to the present administration up there we should not, when we are bringing this bill before the House, ever forget that it was the Liberal Federal

Government, supported by the Liberals in this Province, not all Liberals in this Province, because many of them active in their own party indicated their disgust, but the elected wing of the Liberal Party of this Province that was contributing to the bringing of this Province to its knees in this vital question, over a period of years.

MR. TULK:

It is not true.

MR. MARSHALL:

It is true. It is completely and absolutely true. The people of Newfoundland know it, and the hon. gentleman himself knows it.

MR. TULK:

Dirt. Dirt!

MR. PATTERSON:

Scuttle the country.

MR. MARSHALL:

So the hon. gentleman need not have absented himself today. I am not going to get on to the Leader of the Opposition (Mr. Barry) to the extent that I did before. What was said before, every single word was meant and I could have added a lot to it. But I want to get more into the basis of the debate itself.

However, I do not think that I could let this debate go, and I am sorry the hon. gentleman is not here, without saying that there is one aspect that I would like to bring up with respect to the hon. member for Mount Scio (Mr. Barry). I say that with the passage of this bill, after the eclipse of some five or six years, I think it is the appropriate time for the Leader of the Opposition to be asked in this House, and asked outside this House, to

address his resignation in relation to this Atlantic Accord.

MR. TULK:

No problem.

MR. MARSHALL:

And what I mean by that is this, that when the hon. gentleman resigned, the hon. gentleman gave a letter to the Premier and in his official resignation he stated as his reason for his resignation, which is there for all to see and I quote, 'Frankly, I do not not' -

MR. TULK:

If you want to (inaudible) he will know.

MR. MARSHALL:

The hon. gentleman need not get nervous, I mean these are facts. 'Frankly, I do not think your approach', that is the Premier's approach, 'will achieve that which is crucially important for our Province to achieve, namely, a fair division of revenue and a substantial degree of control in any joint management scheme for the offshore resources.'

MR. TULK:

It is not true.

MR. MARSHALL:

It is there. The letter is there. It is in the public, it was signed by the hon. gentleman, and that is what he said.

MR. TULK:

(Inaudible).

MR. MARSHALL:

I asked for silence, Mr. Speaker.

MR. SPEAKER (Hickey):

Order, please!

Let us maintain silence so that the hon. minister may be heard.

The Chair is taking the position that whoever speaks in this debate will be heard in silence.

MR. MARSHALL:

I say that I hope the hon. the Leader of the Opposition (Mr. Barry) will be in tomorrow and his colleagues will pass it on, because I am challenging him in this debate to address this statement that he made in relation to the legislation before us. Surely, Mr. Speaker, that is a fair request to make of the hon. member. He should be required to do this, because his action at the time was most serious, it was really serious to the most gravest degree.

MR. TULK:

Do you want a public debate on it?

MR. SPEAKER:

Order, please!

MR. MARSHALL:

First of all, the hon. gentleman was elected to this House and the hon. gentleman was, as are all of us, given a certain trust when we are elected to the House. I say with respect to him, as well, that whatever his contributions to the public life in this Province, and certainly I will concede the Leader of the Opposition, as all members, has made contributions to this House, but he cannot be allowed, Mr. Speaker, to get away at this particular stage without being called to respond. Because he was appointed to a Cabinet of this government and of this Province, he was conferred with a trust by the Premier, he was given that trust by the leader of the government not only as a Cabinet Minister and a senior Cabinet Minister, but he was given the direct responsibility for the energy area. He was given the

direct responsibility, Mr. Speaker, in this particular area for the negotiation of this agreement. And what happened? He resigned, at the point in time he resigned, making that statement, that he did not believe we would achieve a fair division of revenue and a substantial degree of control.

At the time he did this, it must be remembered that we were on the eve of commencement of negotiations, the very commencement in this long road that has led to this agreement, with the hon. Marc LaLonde, and it followed as a result of a statement made by the Prime Minister of Canada at Memorial at the time, which opened up the prospects of negotiations. And what happens? The Minister of Energy at that time resigned and he gave that reason. If there is any sense of collective responsibility of government, which is the only way you can operate in this Province or under the British Parliamentary system, it is incumbent upon the Leader of the Opposition to explain publicly now as to the reason why he resigned, when he did such serious damage at the time to the position of this government.

I know the hon. gentleman when he resigned must have done it as a serious act, but when the hon. gentleman did this, I can certify that when Mr. LaLonde and Mr. Chretien in those negotiations were not trying to beat us over the head with Halifax and trying to push everything into Halifax to bring us to our knees, when they were not engaging the auspices of the ever-present ones amongst us in our own Province to come to their support - they are not in this House but they are outside.

I will not name them, I will not go into that - when they were not doing that, what they were doing, every single time that you would have a rejoinder to Messrs. LaLonde or Chretien, they did what you would expect in the situation. If you would say to them, "That is not acceptable to the Province of Newfoundland," what would you expect them to say in those circumstances? 'Well, Mr. Barry does not agree.' 'Mr. Barry does not agree', over and over and over again.

PREMIER PECKFORD:

Look at his reason.

MR. MARSHALL:

His reason was, and the reason I come back to that reason, I want to do it again, it is there on the record. Are people responsible when they are elected? No matter who they are, no matter how brilliant they may be or they may think they are, no matter what contribution they have made or think they have made to the public life of this Province, when somebody does an act like this, which is so diametrically opposite the interests of the people of this Province, has he not at least to explain? The words were used - and I quote again - he said to the Premier in his letter, "Frankly, I do not think your approach will achieve that which it is crucially important for a Province to achieve, namely, a fair division of revenue and a substantial degree of any joint management scheme for the offshore resources'.

Now, I say he is going to be asked to vote for this. I hope the hon. gentleman will get him in, because there is going to be no voice vote on this bill, there is going to be a division called for so we can see, Mr. Speaker, who stands up.

Now, if the hon. gentleman does stand up, as I hope he will, and votes for this, he will have to answer to the people of Newfoundland as to why he resigned. His vote will admit, at the very best, that he made a very, very serious error in judgement which was detrimental to the people of this Province.

I say, in any other parliamentary system or civilized society, and I do not care how long it has been since it happened or how much has transpired since, that many have resigned not from the Cabinet but from the Legislature for less than this. Because this was an act that was against the interests of the people of this Province in a most cruel and savage way. I am not going to impute motives to him. I did that last time and I have no intention of doing it now. But I am coming right down foursquare, and we will join issue with the hon. gentleman. If he votes for it, he is going to admit that he was wrong. And if he was wrong, then why did he take that action? And having taken that action, if he is a responsible member, he will now resign his seat.

On the other hand, he may come up and oppose it. I will deal with the arguments he gave before I sit down. I will respond on the closing of debate to any additional arguments that may be given. But if he comes up and says that this is wrong and that is wrong with the bill, he says, 'now, I am going to ask you', well, is the Liberal Opposition then going to be led to this? Despite the fact that I am known to be partisan, I would think that most people in this Province, whether they are Liberal or NDP or Social Credit - certainly if they

are PC they are patriots, but there are some amongst them on the other side, are members of the Opposition going to be dragged along by their leader to vote against this and to speak against this bill?

PREMIER PECKFORD:

If they do, he is denying his letter.

MR. MARSHALL:

Because if they are, he is denying his letter and they are being used by that gentleman. I want to say they happen to disagree, and it is out now. They went through it all, and I will deal with it, the refinery clause, the price of oil and on and on and on. I will deal with all those. You can answer those in a moment.

If they do, let it be known now by everybody that they will be disagreeing with British Columbia which wants the Atlantic Accord, they will be disagreeing with the Northwest Territories which wants the Atlantic Accord, the Yukon, and, lo and behold! Nova Scotia.

PREMIER PECKFORD:

Ontario Liberals think we got too good a deal.

MR. MARSHALL:

Of course! That would be an Ontario centralist.

PREMIER PECKFORD:

The Ontario Liberals say we got too good a deal.

MR. MARSHALL:

They think we got too good a deal. But they will also be disagreeing, Mr. Speaker. I hope when I say this that they do not use it for adverse purposes, to get the member for Humber - St. George's - St. Barbe (Mr. Tobin),



because that is the type of thing the hon. gentleman would do, or any of the others in the Opposition, to go into the Committee now and kick up a fuss. Because the fact of the matter is, in the House of Commons it was passed, Mr. Speaker, unanimously. Every Liberal who was there voted for it, every NDP voted for it, and every PC voted for it. Now, who is out of step? Is everybody out of step but 'Leo'? That, Mr. Speaker, is what we have to ask.

Now, that is all I will say to the hon. gentleman. But I cannot overemphasize the damage that was caused by that resignation of a senior Cabinet Minister, a member who was trusted by all of us in the Cabinet. There was good collegiality, as I recall. The Minister of Mines and Energy at the time, the history of the whole thing leading up to that point, the acrimony that was already there with respect to the offshore, and what happens? He resigns. Now he resigned and caused great damage to the people of this Province, and surely to God, if there is any principle of responsibility in this Province of Newfoundland, it is incumbent upon that hon. member to stand in this House now and indicate why he took that action and, as far as I am concerned, take the appropriate remedy and there is only one, only one that satisfies under British Parliamentary practice, and that is to resign his seat.

Mr. Speaker, so much for my predecessor. I am now going to get on to give in the few moments I have left a resumé of the content of this bill. I did it before, but I think it is beneficial, I think it has to be done again. I will try to strike some of the highlights of the bill

in its substance, but I want to explain to the hon. members that the Atlantic Accord is represented, first of all, in two bills. That is something we have to understand. We are now passing, very appropriately, Bill number (1) of 1986, which I hope the House will approve, which is the provincial bill implementing and putting into provincial law the Atlantic Accord. I refer to the other bill which I have here, which is Bill C- (94), which passed in the House of Parliament unanimously, I say again, on Tuesday. Both of those bills represent the enactment into the law of the Province of Newfoundland and the law of Canada, the arrangement known as the Atlantic Accord. The federal bill says that it will not be changed without the consent of the Province of Newfoundland.

Now, Mr. Speaker, that is quite a concession. There are very, very few bills in the history of parliamentary practice that are passed in that particular way because of supremacy of parliament, but it represents a solemn pact.

MR. TULK:  
(Inaudible).

MR. MARSHALL:  
The hon. gentleman can scowl all he likes, and mule and mawl all he likes. I will not be detracted, I should not be. But, Mr. Speaker, this bill enacted into the Canadian law is a solemn pact by the people of Canada with the people of Newfoundland that the arrangement known as the Atlantic Accord will not be changed without their consent. Similarly this bill, Mr. Speaker, by the representatives of the people of Newfoundland, says it will not be

changed without the consent of the Government of Canada.

Now, the major features of the legislation are -

MR. SIMMONS:

On a point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the member for Fortune -- Hermitage.

MR. SIMMONS:

Before the hon. member proceeds with that, for the record -

MR. LUSH:

Your mike is not on.

MR. SIMMONS:

- does he mean that the bill has passed second reading?

MR. MARSHALL:

I think I said second reading?

MR. SIMMONS:

Yes. So the House has accepted the principle of the bill at this point.

MR. MARSHALL:

The House has accepted the principle of the bill, it is before Committee, and I hope that it will receive -

MR. TULK:

Ha, ha!

MR. MARSHALL:

Ha, ha! Is that a threat now? He is going to call his buddies up there to try and bomb it, you see.

Anyway, Mr. Speaker, it has passed second reading. My information is that it is going before the Committee of the House of Commons next Tuesday, and I would hope, in the not too distant future after that, we will see it pass through

Committee, get third reading and then be enacted into law.

Now, the major features of the joint legislation are as follows: First of all, as I have indicated, the requirement of mutual consent to amendments to the legislation, not just the legislation, though, Mr. Speaker, but also the regulations under the act. Nothing can be changed without the consent of the other. The establishment of the joint board is the second thing. It establishes a joint management board and a joint management system. As everybody knows, that board is already in place, the Canada Newfoundland Offshore Petroleum Board, with Mr. Ted Baugh as its very capable chairman. And how glad we were to be able to get a person of his capacity and substance to serve as head of the board. He is doing an excellent job down there already. So the joint board is established.

Now, I will just mention the alternative we were faced with. Before that, there was to be no joint board at all. The solution of the Federal Liberals was that there be a board of three federal and two provincial, with the federal having all of the say, the federal government being able to change the law. There was no such thing as not being able to change it without mutual consent, they could change their laws at will if they wanted to.

One of the third major features is there is provincial control over the mode of development, an ultimate provincial authority over all fundamental decisions once self-sufficiency and security supply has been accomplished. That is quite an accomplishment, as well, Mr. Speaker. We have

already seen the results of that in the fact that the gravity base system has been selected by the companies for Hibernia. Hon. gentlemen will remember, and I will say it once again, that there had been an Environmental Impact Statement put out by the company, first off, and that Environmental Impact Statement contemplated a floating platform system, but partly because, not solely, of the powers that we obtained from the Atlantic Accord, there is, today, a gravity base system contemplated for Hibernia.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

The fourth thing, there are arbitration provisions in the event of disputes. There are certain fundamental and ultimate decisions to be made in any partnership. One cannot conceive of any partnership where there may not be disputes in the future. Mr. Chretien's comment on settling disputes was, if there was a dispute between us and them, 'We guys will decide it.' That was some joint management, Mr. Speaker. Here, if there is any dispute, it is settled by an independent arbitration board.

There is contained in this as well, Mr. Speaker, preference for Newfoundland workers, goods, and services. That is contained in the bill. The much maligned local preference policy, the only policy that would give the young people of this Province a chance to get any employment offshore, has been placed in this agreement; it has now been enacted into law and it will give them a decent chance at the jobs.

There is, Mr. Speaker, that

business of Come By Chance; there is priority of access to Come By Chance not just for the Come By Chance refinery but if the refinery is torn down or becomes obsolete, that forever and a day we get priority for 100,000 barrels, which is the capacity of the present Come By Chance refinery. Some concession.

It has a detailed management system, that members can look at, in the offshore; provisions for the way decisions are going to be made in an orderly fashion, ultimate decisions are taken and what have you. Also, it has an offshore development fund. Now, that offshore development fund happens to be some \$300 million, contrasted to what they were attempting to give us in the Nova Scotian agreement, which was \$200 million and a loan. This is a grant. We have already seen the benefit of this. Projects have been approved out of the development fund, the most noteworthy of which is some \$26 million for an Earth Science Institute at Memorial and there have been other projects that have been approved as well. Now, that is what this legislation does.

Hon. gentlemen, for their guidance when they go through it, should note that the federal legislation, in addition to those, provides for the application of the Newfoundland royalty system and our various taxes. Our provincial corporate tax will apply. We have the right to assess revenues as if they were on land. It is right there in the federal legislation. We have the right to assess all taxes as if they were on land. The Newfoundland labour laws apply with respect to any development out there. The Canada Labour Code, which is legitimate, will

only apply in cases where fixtures are moveable fixtures such as rigs and if a union is certified in Nova Scotia, when it comes into our waters, it does not have to be recertified again. So together, both of these bills fully implement the Atlantic Accord.

Now, for your guidance, our particular act is divided into four parts. Part one sets out for members to look at, when they want to, the joint management system, this system of equal joint management which we were denied by the federal Liberals but which hon. gentlemen will see ingrained into part one of the act.

Part two sets out the petroleum resources law. That is with respect to granting of licenses and giving development permits. I might say that these, we have agreed, will be uniform and the same as the laws that will apply in what they call the frontier regions of Canada. We did not like the word 'frontier' as applied to Newfoundland. They can call the rest of the country frontier if they want to, but this is not frontier country.

Part three sets out production and conservation law which, again, will be exactly similar. The only area where we could contemplate any kind of changes in Committee - and we will know this when it comes through the federal stream - is in those parts two and three which are very technical ones. If there are very technical amendments, we will certainly consider them.

Part four establishes in the act that development fund.

I have already indicated that the federal bill incorporates by

reference a royalty system. They can talk all they like about anything; Crown shares, I will get to that in a few moments and all this type of thing. But there is, in the federal act, clearly stated that we have the same right to assess royalties on the offshore as if they were on land. What more could a Province want from a revenue point of view? That, coupled with the management thing, gives us the perfect melding of the interests and this act gives us the same rights, just as full rights as we would ever want within the Canadian Confederation, as if we had won those court cases.

The federal act again, I say, incorporates labour legislation and their taxation laws. The federal act, as well, Mr. Speaker, contains a fiscal equalization offset payment because we also, amongst the many other things we were able to negotiate, when, hopefully in the near future, royalties start coming in to the Province of Newfoundland and it increases our fiscal capacity, we will not as we would but for this section lose dollar for dollar; we will be still getting a large portion of our equalization for a period of ten years and it will be phased out.

MR. BAKER:  
Which section is that?

MR. SPEAKER (Hickey):  
Order, please!

The minister can proceed in a moment while I announce the items on the Late Show today.

MR. BAKER:  
What section is it in?

MR. MARSHALL:  
It is in the federal act. I will

give you the section now, if you want.

MR. BAKER:

That is okay, that is okay.

MR. SPEAKER:

The first matter is from the hon. the member from Fogo (Mr. Tulk) who is not satisfied with the answer given by the hon. the Premier on the railway; number 2, the hon. the member for Gander (Mr. Baker) is dissatisfied with the answer given regarding the closing of small schools from the hon. the Premier; and number 3 is from the hon. member for Bonavista North (Mr. Lush) to the Minister of Transportation (Mr. Dawe) in regard to subcontracting.

Order, please!

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, the hon. gentleman asked me and I say the equalization of said payments are contained in Clause 39 of the Atlantic Accord and he will find them in the federal act in Part V.

MR. BAKER:

It is not in this.

MR. MARSHALL:

No. As I said, it is in the federal act because it has to be because equalization payments are a function of the federal government so that is why it had to be there.

Now, just a few comments on some of the specific sections. I will be quite happy to answer questions of the hon. gentlemen in Committee and on the closing of the debate, any they wish to pose.

The preamble to the legislation clearly reads, as I said, that neither government will introduce amendments to this act or any regulations made there under without the consent of both governments. That is in the federal act as well.

In addition, regulations made under the act by each government are subject to approval of the other government. There are, of course, several areas with the exclusive jurisdiction of the federal government, such as regulation with respect to Canadian ownership rules set out in Part II of the federal legislation, and we agreed to that.

Part I of our legislation, hon. gentlemen, I said it relates to the joint management aspect and I refer you to a few sections of interest.

Section 9 to 11 contains provisions for appointment of the joint board consisting of seven members, one independently appointed chairman, three appointed from Newfoundland and three by the Government of Canada. They have already been appointed and they are in place.

Section 12 provides even for an arbitration procedure, in the unlikely event that we cannot agree who the chairman should be. Mr. Speaker, as an aside, I think I can point out that a very positive introduction of this whole machinery has occurred in that all of the members have been appointed jointly by both the federal and provincial government, not just the chairman, but all of the members and we have quite a strong board and a board that, I think, is going to operate very, very well for us and for the

country as a whole.

Section 21 provides that the offices of the board - and this is very important - are to be located in the Province of Newfoundland. The Liberals wanted it located in Ottawa. They are here and nobody should underestimate the importance of that, of being here in the Province of Newfoundland so that these people who are making the decisions affecting the lifestyle of the people of Newfoundland are living amongst us and know the issues and can develop a sensitivity with respect to it. The office of the board - now not all the members - but the chairman and the two permanent members of the boards, there are two other members of the board who live here, but the important thing is all of the staff has to reside here and this is where the headquarters of the board are. There is no longer really any effective presence at all of the Canadian Oil and Gas Lands Administration in the Province because all of its work is done by the board itself.

MR. FLIGHT:

Are the majority of the board Newfoundlanders?

MR. MARSHALL:

The majority of the board are Newfoundlanders. Yes. Well, well, there are three Newfoundlanders and there are three people from away but one of the gentlemen, Mr. Diego Henao, I would think, who is the federal appointee, I think, would be more styled as a Newfoundlander than he would from any other part of Canada. He came originally from Columbia, made his permanent home here with COGLA and is very much a Newfoundlander.

Now, Section 34 (1) - I do not know why I even bother to answer, Mr. Speaker. I mean what a little creep! Anyway, Section 34 (1) provides, where there are certain fundamental decisions that have to be made, how they are to be made. It is there and set forth very clearly. On certain decisions with respect to the approach of development, we have the right to make the decision with respect to the mode of development. We have already seen the effect of that in the gravity base system for Hibernia. Once self-sufficiency and security of supply has been attained and achieved, Mr. Speaker, we will make all decisions relating to it. The only decisions that have been reserved to the federal government are decisions with respect to the pace of development and the pace of exploration until such time as energy self-sufficiency and security of supply are met. Mr. Speaker, in effect we have full and complete powers.

MR. FLIGHT:

All decisions (inaudible.)

MR. SPEAKER:

Order, please!

MR. MARSHALL:

The contribution that the hon. gentleman made to this debate -

MR. FLIGHT:

Not one decision -

MR. SPEAKER:

Order, please!

MR. MARSHALL:

- was shown last February so I will not even bother to respond. I have no intention of responding to what he said in Hansard and I am certainly not going to respond to what he says now.

There is suspense of vetoes there. I could go through it all but there are provisions here. The hon. gentleman can refer to Hansard, as I say, of last February where I went into this a little bit more fully than I am today and certainly I will be prepared to respond to any questions. Section 129, for instance, abolishes the Crown's share. Part 4 provides and establishes the development fund.

The basic kernel of this Act and the Federal Act is as follows: Forever and a day the resources offshore our Province will be managed by a joint board in which Newfoundlanders have an equal say. Forever and a day, Mr. Speaker, the Province of Newfoundland will, as it did with respect to Hibernia, have the final say with respect to how a development is to be proceeded, whether by a floating platform or a concrete platform.

Mr. Speaker, forever and day the people of Newfoundland from each and every barrel of oil that is taken from the offshore will be able to assess revenues and specifically royalties on that barrel of oil as if the resource was located on land. That is the basic kernel of that Act and that is the major achievement.

Other elements, while they are important, such as the development fund, such as the provision with respect to the refinery, such as the provisions with respect to equalization, important as they are, are collateral agreements.

The major thing is that Newfoundland has been given as full a power as it would wish within the Canadian Confederation with respect to the management of

that resource and with respect to the collection of revenues.

I want to refer to a few substantive matters that were raised in the debate by the Leader of the Opposition (Mr. Barry) when he gave his brief response last February. I want to rebut, and I will rebut them because most of them can be rebutted very, very easily. It is obvious to anyone reading the reports of Hansard that the hon. gentleman, the Leader of the Opposition, was really striving to justify his position, an unjustifiable position for the reasons that I have given as I spoke before in the House.

The first thing that I see that he tried to make an issue of is 'we did not get ownership.' He tried to make a big deal out of the fact that we did not get outright ownership, that we lost the case and what have you.

Well, Mr. Speaker, what we have, and my answer to the Leader of the Opposition is purely and plainly that we have gained all of the incidences of ownership that we would want. You do not get ownership of the sea bed like ownership of a picture, to take it and look at it and take it home and admire the beauty of the picture and what have you. You want it for two reasons: Number one, you want it to turn it to account for your citizens, which is on the basis of management, which is one of the incidents of ownership; and the other one you want to be able to derive revenues from it. Now what more does anyone want from the ownership of the offshore than those particular ownership elements? I think it is quite clear, Mr. Speaker, that we have that and it is quite clear, as I say, that other provinces and

places in Canada agree that we have that because that is what they want themselves. So there is no basis for the hon. gentleman's comment. The hon. gentleman states that we did not get ownership. He is not stating the full facts because what we did we got the basic incidents of ownership and all that we would require.

The second thing is somewhat related. As I made out from Hansard, his thing was 'we did not get the same rights as on land in the sense that we could hold back production.' He made a great deal of this business of energy self-sufficiency and security of supply. Well, Mr. Speaker, my response to him is this: We have the right to determine the rate of production and the rate of exploration after energy self-sufficiency in Canada has been obtained. What does that mean? That means if another part of Canada needs oil and it cannot get it from somewhere else, that we, as a part of Canada, cannot deny it being sold to them on the basis of a fair market with us getting the normal royalties and with us getting the normal benefits.

Now I would ask hon. members would we, as a part of Canada, if located on land, would we want the people in Saint John, New Brunswick, or the people in Quebec shivering in the dark when we had the capacity. We are all part of one country.

MR. FLIGHT:  
(Inaudible).

MR. SPEAKER:  
Order, please!

MR. MARSHALL:

So that is the situation. It is quite clear there, so it is not an argument for the hon. gentleman to try to make something of that. The fact of the matter is there is a clause in there that says that energy self-sufficiency and security of supply would be deemed not to apply for five years and that was because, simply, Newfoundland has all the management powers as well because there are a lot of people who feel that we have -

MR. FLIGHT:  
(Inaudible).

MR. SPEAKER:  
Order, please!

MR. MARSHALL:  
Mr. Speaker, I would like to speak in silence without being interrupted by the hon. gentleman.

MR. SPEAKER:  
Order, please!

The Chair has already made that ruling. The hon. member keeps interjecting and that question that he poses has been asked in this House a couple of dozen times.

MR. FLIGHT:  
Never been answered though.

MR. SPEAKER:  
Order, please!

The hon. member will abide by the rule of the Chair.

MR. MARSHALL:  
So, Mr. Speaker, it is not a criticism. It is certainly not a criticism to say that. As I say, a lot of people think that Canada is self-sufficient now where we would have all the powers. So what really did we give if we gave



anything? We merely gave the right for the next five years for there to be as much exploration out there as can be performed on the offshore; as much development as can be out there on the offshore and I do not think at this stage any Newfoundlander is going to object to that because the more we get out there, the better.

The next thing that the Leader of the Opposition (Mr. Barry) said was 'we did not get an equal say in major decisions apart from oil prices for at least five years and maybe never.' That is related to his other point. Now, what does he define as 'major decisions', Mr. Speaker? We have at all times, as I say, the right to determine the means of production and that is the basic right which we wanted. After five years, we will be able to determine even the pace and rate and manner of exploration. So what more really would we want in the Canadian Confederation than that? Even if there is a disagreement - and this only occurs when there is a disagreement - any side has the fundamental decision, because most times there will not be any disagreement as there has not been in the formation of the board itself.

The next one is the one he made a great deal of: 'It is not the best revenue sharing because we gave up the Crown share.' The hon. gentleman hung up on this business of the Crown share. What the Crown share really relates to is the government expropriating an interest in a discovery. When a discovery is made, the government takes a certain percentage of it, a certain interest in it and thereby there are two elements that it gains. On the one hand,

it gains revenues, it is a revenue mechanism, which I view it to be mainly, and the other is to get in on the management of the company. There are people who probably have socialistic tendencies who would say that it is valuable to be in on the management of these companies. I do not believe that this is the best way or in the interest of the people anywhere for any government to be involved in a commercial enterprise. In any event, Mr. Speaker, the amount of information you get is minimal, while all that happens is that you may be in on the so-called uncertain decisions, but one would only be in on the decisions that the partnership would let you in on.

The big thing is, he says, revenue sharing. Well, Mr. Speaker, the answer to that is, quite plainly, we do not need a Crown share because we have the right to assess royalties as if they were on land and the people of this Province could not care less, I am sure, as to where the money comes from, whether it comes from a Crown share or if it comes from royalty.

MR. FLIGHT:

They could not care less about 25 per cent!

MR. SPEAKER:

Order, please!

MR. MARSHALL:

The hon. gentleman should know we have the right to assess royalties in excess of 25 per cent. That is the whole point. The hon. gentleman does not understand that aspect. When you have that right to assess royalties, you have the basic right to get as much revenues as can be gained by the owner of the resource, by the

general public of this Province, through the royalty mechanism. So, there is absolutely nothing that has been given up when we gave up the Crown share because we have the right to get all of those revenues and we can get them from royalties. As I say, the hon. gentleman was really hitting in the dark when he was trying to make these points.

The next thing, 'not the maximum number of jobs because no refinery and we must await existing contracts.' Now what the hon. gentlemen were trying to do at all times, when the Atlantic Accord was signed, is to make a lot over the fact that we cannot use the crude to refine the oil. Now, in actual fact, Mr. Speaker, the initial clause that was there gave full protection to the people of this Province because it is a fact - and I was talking to somebody in the oil business today lunchtime who verified this for me - that there is presently a complete undercapacity of refining in the Atlantic provinces area and in Eastern Canada. I believe the Irving Plant in Southern New Brunswick is only operating at 25 per cent of its capacity. So it was giving nothing away at all to say that existing capacity would be satisfied at that time before we took any crude for the refinery because it would be, as a normal incidence, Mr. Speaker, selling the crude to them. It is a fact that you cannot sell a commodity to a person and then take it back from them. I mean, you could never develop the offshore if that was the criterion. If we did that in the hon. member for Menihek's (Mr. Fenwick) district where they mine iron ore, we would insist that the iron ore be processed by factories to build cars in the Province of Newfoundland and not

get out before that. It is obvious that you cannot get that.

In the meantime, Mr. Speaker, that section has been changed to everybody's satisfaction because it says that we can get enough crude oil for Come By Chance at any given time that we want to, 100,000 barrels, but not only for Come By Chance, for any facility that replaces Come By Chance. All we do is give them notice and they are not allowed to make any further contracts. So the hon. gentleman, the Leader of the Opposition (Mr. Barry), in February made a great deal over the fact that existing contracts could block your right to it. But he knows and I know that that is not true because all of these contracts are very short term in nature, some two and three months at the very most, so that it was readily available, if it is useable.

The real question comes when you ask is it really a useable right at all. It is there. It is as strong as it can be. It is a strong right but it is collateral to this agreement because one must also remember as well that the power from this agreement comes from the fact that we have the equal joint management and we have the right to assess revenues as if they are on land. With those two powers and the right to make that ultimate decision, then we can use those powers for the purpose of encouraging, if you wish, people who get licenses to establish refineries in the Province of Newfoundland. This most certainly can be done. So there is no real basis for what the hon. Leader of the Opposition said.

He spoke for two days and the day before the Leader of the

Opposition said, 'You must know the price of oil' - and he has made a lot of it in the House - 'or otherwise you are going to have a situation like the Upper Churchill.' This bill and this agreement is by no means similar in nature to the Upper Churchill. The Upper Churchill was really a development agreement that was entered into by certain people with the approval of the then government for the development of the Churchill Falls. What you could compare that to, more likely, will be the development agreement on Hibernia - it is more appropriate - or Whiterose when it comes, or Terra Nova, or what have you. What this particular law is is a law that gives us the power to make those agreements. So it is kind of silly for the hon. gentleman to try to use that as a defect. I mean, how can you legislate the cost of a barrel of oil in the legislation because it would vary from time to time? The cost of production certainly comes into it but what interests the companies, as we are finding out in the negotiations over Hibernia, which you would expect to interest them, is the bottom line when you take off, not only just the cost of production, but the royalties and the corporate taxes and the federal taxes and what have you.

So those are the six points. The hon. gentleman spent a lot of time quoting himself in 1972 and a publication put out by Dr. House. He read certain selected excerpts that supported his point of view. But I have read that too and he could have read others that did not support his point of view.

In any event, Mr. Speaker, I bring before this House now a bill that, as I said, is of vital importance to this Province, not just for

now; not just because it settles the offshore question; but because it will resolve it, as I feel, forever and a day. The basic principles are there. They will be adopted. They will not be able to be changed by anybody in the future without consent of the Parliament of Canada and vice versa. The principles of this legislation will be enacted in British Columbia, the Yukon, the Northwest Territories and that, in itself, shows the importance of the legislation because, in fact, it has become really, a framework within Canada for the resolution of issues such as this.

Now, Mr. Speaker, in closing, I would like to say a few words with respect to Hibernia, itself. I am not going to get into a long discussion, obviously, with respect to the -

MR. FLIGHT:

Tell us about (Inaudible).

MR. MARSHALL:

The hon. gentlemen, look, poor little hon. gentleman!

Mr. Speaker, we are presently using the powers in the Atlantic Accord for the purpose of negotiating with Mobil and their partners with a view to seeing Hibernia come into production at the earliest possible moment. And I would say to the hon. gentleman opposite, but for this bill and but for the Atlantic Accord, we would not even be a party to those negotiations.

Mr. Speaker, the way in which the party of the hon. gentleman opposite, in its federal cloak, wished to bring about this development out here would have meant that the representatives of the people of Newfoundland would

not be in attendance at these negotiations.

MR. FLIGHT:

A bluff, the very worse ever perpetrated on the people of Newfoundland.

MR. MARSHALL:

Well, the hon. gentleman wants to tell us what protection it would be for you to have an agreement negotiated by a board containing three federal appointees and two provincial appointees with laws being the laws applied by the federal government with an office in Ottawa, with it being done by COGLA, and no provincial preference involved. The only right to get any revenues that they offered us, Mr. Speaker, the way it worked out when you analyzed it, we could take the revenues from the offshore, and poor, pathetic little member for Windsor - Buchans (Mr. Flight) got up and said that we could have had 100 per cent of the revenues.

Mr. Speaker, it was not 100 per cent. They offered us 75 per cent, but there was a little catch to it, and that catch, Mr. Speaker, was that as soon as our equalization was paid, plus about another \$30 or \$40 million, the federal government would take every single, solitary cent that was derived from the offshore. So there was no point, Mr. Speaker, of us being part of the negotiations and we would not even have been invited into negotiations with respect to the development of the offshore. We saw examples of that by the federal government when Petro-Canada merely wished, during the height of the dispute, to get coincidental appointments to explore Terra Nova from the Government of Newfoundland and the

Government of Canada. They would not even allow Petro-Canada to come to Newfoundland. John Chretien told them: 'Do not get any permits from the Government of Newfoundland, it has to be a permit from the federal government.' So we had absolutely no say in connection with it.

Now before I sit down I have a few more minutes left, Mr. Speaker, I want to -

MR. TULK:

Are you still concluding?

MR. MARSHALL:

No, I am not concluding, we are just beginning. That is what this legislation - the hon. gentleman is concluding.

Mr. Speaker, this is a very complex and intricate act, and I would like to publicly acknowledge the efforts of the people in the Province, the federal people, as well as the provincial people who were instrumental in the drafting of this legislation, because this legislation is the most complex and intricate that has perhaps been presented to the House in a long -

AN HON. MEMBER:

(Inaudible).

MR. SPEAKER:

Order, please!

MR. MARSHALL:

Does the hon. gentleman wish to - they would not understand it anyway, if they have one or more syllables in a sentence, they would not understand it.

But the fact of the matter is, Mr. Speaker, is that I would like to in the few moments remaining to express appreciation to the

draftspeople, Mr. Ronald Penney, Mr. John Noel, and Mr. Jim Thistle, all were in the Justice Department when they put this bill together.

Mr. Speaker, in closing, I think it would be appropriate but to express appreciation to the federal government, particularly, the Prime Minister of Canada, who did and, I might say, continues, very much continues in the negotiations for Hibernia to support fully this Province in its desire to get this new industry going and to get economic benefit for the people of this Province. When the Prime Minister of Canada indicated on the signing of the Atlantic Accord that he wanted Newfoundland to be the principal beneficiary - which is in the Accord itself - he certainly followed through consistently on that, and he continues to do so right up to this present moment -

AN HON. MEMBER:  
(Inaudible).

MR. SPEAKER:  
Order, please!

MR. MARSHALL:  
- as we are in the process of negotiations for Hibernia.

I would also like to express appreciation and acknowledge the work of the Newfoundland representative in the federal Cabinet, the hon. John Crosbie for his tremendous assistance, which continues throughout. When I compare the hon. Mr. Crosbie to the previous, nice guy and all the rest of it, but the previous representative of Newfoundland in the Cabinet, I mean, it is not even comparing night and day, Mr. Speaker.

We would not have this agreement now but for the co-operation of the federal government, the involvement of the Prime Minister of Canada, the involvement of Mr. Crosbie, and also the involvement of the hon. Pat Carney, the Minister of Energy, Mines and Resources for Canada, who did so much to bring this about and continues to be a great source of support to the people of this Province in their efforts to bring about Hibernia's development.

SOME HON. MEMBERS:  
Hear, hear!

MR. MARSHALL:  
Now I do hope that -

SOME HON. MEMBERS:  
Oh, oh!

MR. MARSHALL:  
Listen to the hon. gentleman now.

MR. SPEAKER:  
Order, please!

MR. MARSHALL:  
Make no wonder the hon. gentleman could not do anything with the federal Liberals.

MR. FLIGHT:  
(Inaudible) 'Bill'?

MR. MARSHALL:  
Imagine that being in government, Mr. Speaker. Can you imagine? I wonder where we would be with the Atlantic Accords and bills such as this if it were left to the hon. gentleman to negotiate. What kind of an agreement do hon. members think we would get?

SOME HON. MEMBERS:  
Oh, oh!

MR. MARSHALL:  
I mean, I do not think the hon.

gentlemen are even capable of drafting a Nova Scotia version of the agreement, I mean, the hon. members of the official Opposition.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. MARSHALL:

Finally, Mr. Speaker, I am coming to the end, my time is running out. I move this bill for second reading.

I look forward with interest, once again, as I say, to seeing the Leader of the Opposition come in and explain the basis of his resignation. Mr. Speaker, I look forward to this bill being utilized in the years to come for the betterment of the people of the Province of Newfoundland and, in the near term, I am very hopeful that in the not too distant future we will see its results manifested in a Hibernia development in which the young people of Newfoundland and Labrador are going to get a chance to get a fair shake of the jobs there.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

It is now five-thirty.

MR. BAKER:

Mr. Speaker, could I adjourn the debate please?

MR. SPEAKER:

The hon. the member for Gander -

I now call on the hon. the member for Fogo who is not satisfied with

the answer he got to a question on the railway.

The hon. the member for Fogo.

MR. TULK:

Mr. Speaker, before moving to my question, I want to ask the hon. gentleman how come it was that in issuing all those thanks that he did not thank the former Premier, Mr. Moores and Mr. Lundrigan because it is my understanding that they put together the initial statement.

MR. MARSHALL:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the President of the Council.

MR. MARSHALL:

The hon. gentleman asked so I will say, the people of Newfoundland have got reason, I think, in this area certainly to give thanks to all Tories, both past and present and in many years in the future.

MR. TULK:

Name Frank. Say Frank's name. I am not speaking to that, Mr. Speaker. Say Frank's name.

MR. SPEAKER:

Order, please!

The hon. member was recognized on a particular topic so I will call on the hon. member for Fogo.

MR. TULK:

Mr. Speaker, we have just seen the President of the Council stand up and tell us about a great development that he says is good for Newfoundland and it is excellent and we will see, when we go through the debate, whether it is or not.

This afternoon I asked the Premier a question and perhaps what many Newfoundlanders fear and what, certainly, a good many people in this House, on the other side as well I might say, fear is not going to be as great a development for Newfoundland and that is on the subject of the Newfoundland railway. The Premier refused to answer any questions. He tells us that his position is the same now as it has always been, that is that the Newfoundland railway be retained, that it be upgraded and that it be made to work. That was his stance in 1979, 1980, 1981, 1982 and 1983. Yet, this afternoon we saw him refuse to answer any questions in this House. He would not tell us the options that are on the table for it.

One has to wonder, if the Premier's position is the same as it was then, why are the negotiations even going on? Why is the hon. gentleman even talking to Ottawa? For example, I can tell you that in 1979, 1980, 1981, 1982, 1983 and until September 4, 1984 the gentleman would have refused to talk to anybody who was then in the Liberal administration. The telex machines, rather than the cups of tea and the cups of coffee up on the Eighth Floor, would have been running hot. The hon. gentleman did not want to speak to them. He obviously did not. But now we have seen the Premier and, Mr. Speaker, he has admitted to us that for five or six years he was carrying on a certain political posturing in Newfoundland. Well, how can you believe the hon. gentleman anymore when he stands up now and says his position is still the same?

We gave him another opportunity.

We gave him an opportunity this afternoon to prove that his position is still the same as it was in 1981. We reintroduced a resolution calling for unanimous consent, a resolution presented by the member for Ferryland (Mr. Power) who is now a minister in the Cabinet and the then member for Grand Falls, Mr. Lundrigan, that stated the position of this House and stated it unanimously. The Government House Leader, of course, refused to even move.

We have had those kinds of resolutions before. The Premier loves them. He wanted one on FFTs after he knew at that time that the deal was over. We had one on offshore surveillance and the affect of overfishing offshore. I hope we are about to get another one on NATO. I understand that the Minister of Intergovernmental Affairs (Mr. Ottenheimer) is working on what we hope will be an all party position on NATO.

We saw the Premier this afternoon or his House Leader say no to his own position. So it is a very legitimate question to ask the Premier, in view of the statements on the railway in the past number of days, it is a very legitimate question to ask him, is his position still the same as it was in 1981. It is a very legitimate question to ask him when we have seen what happened to FFTs, how his own party in Ottawa poked FFTs down his throat. We saw the Premier come in here and confess, almost cry, over the fact that he had had this done to him by his own people. He wanted the resolution which he never did seek from this House to protest it. Afterwards, he backed off on that.

When we see his actions in relation to offshore surveillance,

it is a very good question to ask the Premier, what is his position. Is his position still the same? Can you blame anybody in this Province when we have the confessions that we have had from the hon. gentleman lately? Can you blame anybody in this Province for wondering if indeed this is just another political posture, but a different one this time, to support his own political party in Ottawa.

So, Mr. Speaker, let me say to the Premier that perhaps an overriding concern here, moreso than the railway itself, is the fact that he is now starting to fiddle with the Terms of Union of this Province with Canada. He is now starting to fiddle with those. The Newfoundland railway is an example of his fiddling with those and that is perhaps the overriding issue. The Premier should stand in this House and make a major statement as to what his policy is. Tell us what it is. Is it the same? If it is, why does he not reintroduce this resolution now and vote for it, if it is still the same as it was in 1981? Presumably he was a member of this House, he was the Premier. What has changed since then?

MR. FLIGHT:

The government in Ottawa.

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER (McNicholas):

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, it is unfortunate that you get criticized for being honest. On the question of FFTs, because there is a party in Ottawa which is the same stripe as ours, and though we agree on a lot more

things than we did when the Liberals were there, when they do something which is not in the best interest of the people of this Province, not for this party or for me personally, I was honest enough to say that I opposed it, that I thought it was wrong for Newfoundland.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

That is a lot different than the Liberals did when they brought in the offshore and wanted us to accept Nova Scotia's deal which was bad for Newfoundland but yet the Liberals still took the federal line.

MR. SIMMS:

They did not have the guts.

PREMIER PECKFORD:

They did not have the intestinal fortitude to support Newfoundland, they supported the federal Liberal Party. We had the intestinal fortitude to support Newfoundland against our own colleagues in Ottawa. That is the difference between the two parties on that score, Mr. Speaker. Then you get criticized for being honest and calling a spade a spade. Well, I make no apologies for that, Mr. Speaker. I make no apologies for that. Where the policy of the Government of Canada, whatever their stripe, in our view it was not in the best interest of the Province of Newfoundland, we will oppose it, and we will support proposals from Ottawa which we think are in the long term interest of this Province. That is the difference between the two parties. They will tow that party line all the way down until there is nothing left to Newfoundland. We will not do that! Newfoundland



comes first with us! Mr. Speaker, that is why we are on this side of the House and they are over there, because we are honest enough to call a spade a spade, even though it is our friends in Ottawa.

Now, Mr. Speaker, on the question of the railway. Our position has not changed one iota. Our position is to retain and significantly upgrade the railway. That is our position. Now I am not going to tell the hon. member, and this is the reason why he was dissatisfied with my answer and he will always be dissatisfied, I am not going to negotiate in this House of Assembly while I have negotiations going on with the Government of Canada. That is for the government to do and when the government has finished, that is what we are elected to do, to negotiate with private industry.

MR. TULK:  
(Inaudible).

PREMIER PECKFORD:  
Now, Mr. Speaker, I was quiet while the hon. member spoke. I never opened my mouth.

AN HON. MEMBER:  
(Inaudible).

MR. SPEAKER:  
Order, please!

PREMIER PECKFORD:  
Mr. Speaker, I was silent when the hon. member spoke, you cannot criticize me on this one. And now the hon. the member for Fogo will not give me the floor to let me have my say.

MR. TULK:  
You have it.

MR. SPEAKER:

Order, please!

MR. J. CARTER:  
Name him, Mr. Speaker.

PREMIER PECKFORD:  
So our position has not changed. It was the same in 1979, 1980, 1981, 1982 through to 1986. As I said to the press outside this House this afternoon, perhaps one of the good things coming out of no agreement today is this, that it must demonstrate that this government takes this issue pretty darn seriously. We could have had an agreement as it related to the railway months and months ago, whether it would have been in the best long term interest of Newfoundland would have been another question. We do not take this lightly. Whilst we would have liked to have seen an agreement yesterday or last month or six months ago, there will not be an agreement until we agree with it. We are just not going to go about it in a short-term, quick fashion.

MR. FLIGHT:  
What do they want (inaudible)?

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

PREMIER PECKFORD:  
That is the story and I have no intention of telling the hon. member for Fogo (Mr. Tulk) what it is we are negotiating.

MR. TULK:  
We know that.

MR. FLIGHT:  
What are the feds saying?

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

PREMIER PECKFORD:

I will tell the hon. the member for Fogo when the negotiations are completed. I will report to this House, if it is open; I will report to the people of Newfoundland, if it is not open, Mr. Speaker, but if the hon. member for Fogo thinks that I am going to get up in this House after talking to two federal Cabinet ministers over a very important issue for this Province, which has not yet been resolved, and tell him all about it, then the hon. member for Fogo does not know his role in this House. It is as simple as that.

Our position remains the same. Now the federal government are bringing forward different things to us relative to our position, relative to other options and all the rest of it and I have said, and the Minister of Transportation (Mr. Dawe) has said, we will look at these other options. What we would like to see done - and the member for Fogo talks about it as if we are in control of the railway. The railway is a federal responsibility. That is why we are talking. Why are we talking to Mr. Crosbie and Mr. Mazankowski, because they have no jurisdiction over the railway?

AN HON. MEMBER:  
(Inaudible).

MR. SPEAKER:  
Order, please!

PREMIER PECKFORD:  
Because they do. They took it over in 1949 and now we are trying to negotiate its future, Mr. Speaker. We are negotiating and we will continue to negotiate and when it is finalized, we will let the House and the people of Newfoundland know.

AN HON. MEMBER:  
(Inaudible).

MR. SPEAKER:  
Order, please!

PREMIER PECKFORD:  
There is one thing that can be sure, Mr. Speaker, we will ensure that everybody involved with the railway is protected and hopefully, we will be able to get our option adopted. Hopefully, we will get our option adopted but, until the negotiations are completed, we will not know that and we will continue to negotiate along those lines.

Our position has not changed, it remains the same, we are still trying to negotiate that out and, until we do, the member for Fogo is just going to have to play his role as a member of the Opposition and wait until the party that has the majority of seats in this House has resolved the matter with the federal government.

SOME HON. MEMBERS:  
Hear, hear!

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

MR. BAKER:  
Mr. Speaker.

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

MR. FLIGHT:  
Big difference in 1981.

MR. SPEAKER:  
Order, please!

I wonder would my hon. friends on the right please keep quiet. They have been asked on a number of occasions.

The hon. the member for Gander.

MR. BAKER:

Thank you, Mr. Speaker.

The question that I asked today relating to the quality of education in smaller schools and the closure of smaller schools in the Province is one that I have asked before in slightly different terms about different situations and I have never, ever been satisfied, Mr. Speaker, with the answer that I have been given.

Now, the Government of this Province has a study underway into small schools in the Province. My understanding, Mr. Speaker, is that this study is supposed to examine the small schools to try and determine how these small schools can become more effective. The reason I use the term 'more effective' is that it has been determined that in the very small schools the drop-out rate is much, much higher than in the larger schools. There are a number of conclusions that can be reached in this statistic. First of all, you could say the small schools are not doing their job, therefore we close them down. That is one possible conclusion. Mr. Speaker, if that is the conclusion, then there is a mistake being made.

As the Premier very well knows, because he was in the business himself, the quality of education does not depend upon the size of the school. Granted, in the small schools the quality of education is seriously affected if the students have rain coming in on their heads every time it rains or if the walls are falling down, certainly. But, given the fact that the small school is

maintained and that the water is not coming down on the students' heads, they are warm, and so on, given all these factors, you can get a good quality of education from small schools. Because, Mr. Speaker, the quality of education depends upon the expertise and skill of the teacher and depends upon that interaction between teacher and student. That is what determines the quality of education, that particular special interaction between teacher and student. It has nothing to do with anything else. So the quality of education in small schools need not be less than the quality of education in other schools.

Now, since this study was instigated by the Department of Education, we have seen problems in St. Bernard's. Apparently, they have been resolved for one year only, a reprieve. We have seen problems in Heart's Content. We have seen problems develop in Main Point and Davidsville, and we have now seen that the people in Newtown have been told that the students in Grades IV to VII are going to be taken out of their school altogether and bused somewhere. That is what we are told now. The way it was done was amazing, and the parents have formed a committee. The committee has already met with the Minister of Education. They are a very sensible group of people, very serious, very concerned, because they feel that what has been happening in their school over the years has been good. They have not had the high drop-out rate. Their success has been really good in this particular school. However - and this probably points out a problem with our system - they have not been able, even with their very sensible approach, to

get a meeting with the school board or superintendent. The school board does not want to talk to them about it. The decision is there, it is made, it is final, even though the study is underway.

I know that the Premier is going to say they can only do it through talking, perhaps through logical argument with the school boards but, at some point, somehow, the Department of Education is going to have to take the bull by the horns in those cases and is going to have to stop the erosion of these small schools in the Province. The attempt has to be made to make them work and we cannot, because enrolment in one community is declining, take some students from another community and bring them in to fill up that school, because the enrolment projections for Newtown, Mr. Speaker, say that over the next few years, the enrolment is going to increase, not decrease. So it has nothing to do with the enrolment projections in Newtown.

So, Mr. Speaker, somehow, somebody has to take this situation in hand, at least until the study is in. I am convinced that this study will recommend that small schools be maintained, that innovative methods be used and an attempt be made by this government to make sure that the schools are adequately staffed and adequately supplied.

Thank you, Mr. Speaker.

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

First of all, Mr. Speaker, I find

it very, very strange, and one has to say this, that the Liberal Party of Newfoundland, which was the architect of moving people out of small communities into larger communities, thereby causing a lot of the centralization in the beginning, are the very ones who are up talking about small schools closing down.

MR. BAKER:

(Inaudible) live in the past.

PREMIER PECKFORD:

Well, one has to put everything in context, you know. You do have that baggage to drag along with you, unfortunately, and that is your problem not mine.

The other thing is, Mr. Speaker, I do not need a lecture from the member for Gander (Mr. Baker) about education. I will stack my educational record against his any day, and my understanding of rural Newfoundland's needs when it comes to education.

After saying that, the fact that the Minister of Education (Mr. Hearn) and the Department of Education is doing the study demonstrates that obviously there is a deep concern on behalf of this administration, and on behalf of the Department of Education and the minister, in the whole course of education at the primary, elementary and high school levels in rural Newfoundland. Otherwise, they would not be doing the study. You cannot gloss it over with the simplicity that the hon. member for Gander does.

There is a structure now of education in the Province which allows the boards to decentralize, the very same concept that the hon. member is arguing for, that educational decisions should be

made locally rather than centrally here in St. John's, so you cannot have your cake and eat it too.

So, is the hon. member for Gander saying the boards should not have the powers they have now, we should take back some of it with relation to small schools, take back other things related to something else? We cannot do that. We are electing now two-thirds of the boards. They are elected by the people in the areas. So you have a jurisdictional problem. The hon. member for Gander is not, in his comments, highlighting it as being a big problem and it is. Because the member for Gander does not want all of the decisions on where schools are going to be opened or closed concentrated in the Department of Education, everybody has to come as supplicants to the Confederation Building to find out whether they are going to have a school open next year or the year after or whatever.

There is, I think, general agreement amongst everybody that the decentralized process is the operative one that we should be dealing with in 1986 and beyond. However, it is not perfect and therefore there are problems. The problems now relate to certain boards who are taking fairly strong positions as they relate to certain small schools. I have a lot of sympathy with the core of the argument that the parents are making and students are making, as well as what the member for Gander is saying.

The Minister of Education has already met with the Avalon North School Board on behalf of the parents and indicated his position on it as it relates to -

MR. TULK:

What about Terra Nova?

PREMIER PECKFORD:

Just take your time now, I am dealing with Avalon North. What about Terra Nova? What about this? What about that? I am trying to answer a question from the member for Gander which deals with Newtown.

MR. SPEAKER:

Order, please!

PREMIER PECKFORD:

Now the Minister of Education has been down to St. Bernard's and dealt with that situation. He is now trying to deal with the Avalon North situation. He has met with the board, and Dr. Young of the board, and so on. So he is doing the kinds of things that the member for Gander asked me about in Question Period and he is dissatisfied with. Now, how can he be dissatisfied with a question which was, 'Would you pass along those concerns to the Minister of Education.' Even before I got a chance to pass them along, he had met with the Avalon North School Board. So, how can the hon. the member for Gander be dissatisfied, and us having to have this debate, when what he asked to be done has been done? The whole thing is completely out of order anyway, there should be no debate, because he cannot be dissatisfied with the answer when the answer has been given and done.

To get to the core and the nub of the matter, outside of who asked the question or whether it is in order or not, I have a lot of sympathy for what the member for Gander is saying and what these parents are saying. That is why we have the small school study underway. The problem is that you

have some boards which seem insistent on continuing with their approach to restructuring, where schools are going to be opened and closed, while this small schools study is going on. The Minister of Education has been saying to all of them, long before it was brought up by members of the Opposition, 'Slow down. Let us not go too fast here. We have a study underway. We want to give you the results of this study.' I agree with you. Qualitatively education does not bear a direct positive correlation to the size of the school, one has to take a lot of other factors into consideration.

Now, there may be cases where a school is too large and quality is hurting, there may be a case where schools are too small and quality is hurting, but there is a lot of mix in there. We will continue, and the Minister of Education (Mr. Hearn) will continue to try and persuade the school boards to take the kind of approach that the parents are suggesting, and that he is suggesting, and we will continue to do that. If you go around this Province today and ask about the Minister of Education, you will not get too many negatives, Mr. Speaker, you will get an awful lot of positives.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:

That man is working hard and he is doing an excellent job. We will continue to pursue the line that the member for Gander (Mr. Baker) has suggested, because it was already being pursued by the Minister of Education and will continue to be. We do not want to see all these small schools closed down and everything just being

centralized in one or two places, because there are a lot of exceptions to any rule, and in this case there is no question, size and quality are not synonymous in education.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:

The hon. the member for Bonavista North (Mr. Lush) is not happy with the answer he got from the Minister of Transportation.

The hon. the member for Bonavista North.

MR. LUSH:

Thank you, Mr. Speaker.

Mr. Speaker, my question to the minister dealt with the occurrence of this rather sudden, abrupt, instantaneous policy that seems to be developing over the past year or so with respect to major road construction going on in the Province whereby a company subcontracts the hauling of gravel, ballast and the like to a company with trailers. Mr. Speaker, I do not know if hon. gentlemen understand this. Normally, the policy has been to use the conventional tandem dump truck type of vehicle, but in this particular case we are now using trailers. The problem with it is this: The minister knows, and all hon. members know, that when there is an announcement made of any major road work going on in a certain area, the local truckers in the area gear up for this. Some of them will trade in their trucks and get new trucks, depending on their condition. A lot of them will get major repairs done to their trucks in preparation to be able to get these jobs. I referred

specifically to Trans-Canada work going on in the Gander area and this is what happened. When the local truckers in Gander, Gambo, Fogo, Glenwood, all around that area, heard about all of this, they got their trucks ready. I know of some people who bought trucks, and these tandem dump trucks cost a lot of money. I know of one particular person who paid \$102,000 for his truck only to find out that the main company had sub-contracted the work to a company from the Avalon with trailers. Now, these are called semi-dumps and now the company has to go and hire tractors to pull these trailers and there are none of these in the area. I understand that most of these tractor type trucks are owned by companies and not by individuals.

Mr. Speaker, what we have in this particular case is a vast number of truckers in that area, in the Gander, Gambo area, who are being discriminated against. They are now being denied the opportunity to get work this Summer and the next Summer, for however long the contract is going to last. Here they have incurred this massive indebtedness in preparation for this, upon hearing the minister's announcement, and now they find they are probably going to be in the position where their trucks are going to be repossessed and they are going to be denied the opportunity of providing a living for their families.

Now, Mr. Speaker, there is no point in the minister throwing up his arms in despair and saying this is private enterprise and there is nothing that can be done about it.

Mr. Speaker, there is something that can be done about it. If

this is an emerging trend, if this is going to be a policy of the future, the minister can ensure that it is brought in on a gradual and systematic basis, that there can be some regulation to this. I am not suggesting that we got to regulate ourselves out of existence, but this policy can be brought in on a gradual basis so that these truckers can now prepare for it. And maybe some of them can buy these tractor trucks in a year or two, once they know that this is the policy. But to bring it in so suddenly, so abruptly, leaving them, Mr. Speaker, with nothing to do but face the stark reality of having their trucks repossessed. I believe that the minister can do something. He can today undertake to talk to that contractor and insist that some of these truckers be taken on, in view of the suddenness and the abruptness of the policy. I think it is the second time it has been done in Newfoundland. I understand it was done with the Cat Arm project.

Can the minister explain why it is being done? Because these trailers are not as flexible, they are not as suitable to road construction as these tandem dump trucks. I understand they are only semi-dumps. What is the reason for it?

MR. SPEAKER:

Order, please! The hon. member's time has elapsed.

MR. LUSH:

So, Mr. Speaker, let the minister address the problem and tell us what he is going to do about it.

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DAWE:

Mr. Speaker, today, during the presentation of Petitions, my colleague from the district of Grand Falls (Mr. Simms) presented a petition that essentially dealt with the same item. I would suggest to the member for Bonavista North (Mr. Lush) that he perhaps take the same route as was taken by my colleague in assisting truckers in a particular situation, dealing directly with the contractor.

I would just like to point out to him that this is not a sudden change in direction in the highroad construction industry. It is the same thing that has gone on dozens if not hundreds of times with regard to any particular contract in any particular highroad project around the Province. I would suggest, Mr. Speaker, that perhaps the new Confederation Building Extension had, perhaps, again dozens of subcontracts. I mean, it is common practice. It has been done consistently throughout the highroad construction industry over the years. It is perfectly within the competence and the right of someone who acquires a contract under public tender, a public tendering process that was brought in by a Tory administration, unlike the days when the former Liberal government could dictate who got the road contracts, who was hired, cost plus, and everything else.

A Tory administration brought in a Public Tendering Act which causes the companies around the Province to have to compete on a public basis for a particular contract. Once they get that contract, it is certainly within their constitutional rights and certainly within their competence

to decide on how they are going to administer that particular contract, as long as they meet the specs of that contract.

Now, Mr. Speaker, I can certainly sympathize with the local truckers, people who have, perhaps, a single dump truck, who have been used to accessing work through highroad contracts around the Province.

MR. LUSH:  
(Inaudible).

MR. DAWE:

Mr. Speaker, if the hon. member for Bonavista North (Mr. Lush) knew exactly how these truckers function. For years, they have been following the construction. If a construction project happens to be in their immediate area and they can access that particular project, of course it cuts down on their costs, it cuts down on their living accommodations and allows them, in most cases, to remain home and still carry on the work with their particular truck. But it is not unusual, Mr. Speaker, for these truckers to travel to all parts of the Province. I have truckers from my own district, Mr. Speaker, who, when work is not available to them, get in their dump trucks, drive to Seven Islands, get on a train and take their truck into Labrador West, and they are working in that particular area. The hon. member for Menihek (Mr. Fenwick) can verify that. They have had the initiative to make sure as private enterprisers they take the opportunity to avail themselves of the construction work where they can get on with a particular company.

In a number of instances, Mr. Speaker, truckers have gotten



together collectively in a particular area, have dealt with the contractor and worked out an arrangement whereby the local trucks could be used. As matter of fact, Mr. Speaker, from time to time they have arranged to even share the work. Where there are a number of trucks in an area beyond the ones required by the contractor, they have worked out arrangements, when work has been scarce, for that particular contractor to use all the trucks and to cut back on the number of hours that have been used.

There is a mechanism, a time-honoured mechanism of negotiation that has gone on between the private truckers and construction companies around this Province, Mr. Speaker, and I would suggest to the member for Bonavista North that he perhaps carry out his functions as an MHA, as an elected representative, and assist the truckers, where necessary, in getting down and dealing with the contractor there to see if something cannot be worked out, as my colleague from Grand Falls, the Minister of Forest Resources and Lands (Mr. Simms) did, to try and assist some of his own constituents in availing of the work that is in their immediate area.

But beyond that, Mr. Speaker, it is not a policy that has occurred instantaneously over a year and a half, as the member for Bonavista North indicated, it is a process that has gone on in the highroad construction industry.

MR. LUSH:

Once before in Newfoundland, at Cat Arm Mr. Speaker.

MR. SPEAKER:

Order, please!

MR. DAWE:

Mr. Speaker, obviously the member for Bonavista North (Mr. Lush) is unfamiliar with the highroad construction industry and, as usual, he is wrong again.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

It now being six o'clock, the House stands adjourned until tomorrow, Friday, May 30, 1986 at 10:00 a.m.