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**VERBATIM REPORT**  
*(Hansard)*

*Speaker: Honourable P.J. McNicholas*

Monday

20 June 1988

The House met at 2:00 p.m.

MR. SPEAKER (McNicholas):  
Order, please!

Oral Questions

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

MR. WELLS:  
Mr. Speaker, in the absence of the Premier, I would ask the Minister of Transportation (Mr. Doyle) or the Minister of Intergovernmental Affairs (Mr. Dawe), since both have signed that dastardly agreement that was signed today.

SOME HON. MEMBERS:  
Oh, oh!

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
Order, please!

MR. WELLS:  
Mr. Speaker, I would ask the whichever minister is disposed to answer - and I do not know, I will let them decide - in view of the complete about-face, by the Premier and the government, with respect to Newfoundland's entitlement in terms of transportation, and in view of the abandonment by the Government of Canada of its constitutional obligation, and the complete sell-out by the Newfoundland Government -

MR. SPEAKER:  
Order, please!

SOME HON. MEMBERS:  
Hear, hear!

MR. WELLS:  
- of our constitutional rights, Mr. Speaker, I ask whichever minister is going to answer how does the government propose to take on the responsibility of providing transportation services to this Province in the future when they have to close hospital beds and have to get children out working to provide chaulk for schools, how do they propose to fund the transportation system in those circumstances?

MR. SPEAKER:  
The hon. the Minister of Intergovernmental Affairs.

MR. DAWE:  
Mr. Speaker, I think it is obvious from the series of questions, which started off on the railway and got into hospital beds, that the Opposition are attempting to distance themselves from this particular agreement because it is so positive.

SOME HON. MEMBERS:  
Hear, hear!

MR. DAWE:  
Members opposite would not wish to be connected with anything that is positive, Mr. Speaker. The Leader of the Opposition refers to the constitutional obligations and the constitutional rights that we have under the Terms of Union. The very same member, Mr. Speaker, when he was a member of a former administration sitting on this side of the Legislature, was quite willing not to try and influence his colleagues at that time with all these constitutional arguments.

When the railway was downgraded over a series of years, Mr. Speaker, the passenger train was removed and the Trans-Canada Highway built, I do not see

anything with regard to maintenance agreements in that particular arrangement.

And, Mr. Speaker, I do not see a particular maintenance arrangement associated with the removal of the train service for Argentia in place of a road, roads that we have, Mr. Speaker, through successive agreements with the federal government, being able to negotiate cost-shared agreements to reconstruct this piece of highway that was built in the mid-1960s, to reconstruct it, Mr. Speaker, because it was built in haste, it was built on cost-plus, it was built without public tendering, and it was built in a manner, Mr. Speaker, that the people of this Province and the people of Canada are continuing to have to pay for because of the incompetent way that they negotiated that arrangement. Mr. Speaker, this particular agreement and this particular action that has been taken by the Government of Canada and this Province, is one that as Newfoundlanders we can be proud of, we can be very supportive of, because, Mr. Speaker, at this particular point in time, it addresses the twenty-first century, including renegotiation, something that the hon. member is not familiar with. If we had a renegotiation clause after eight years in the Churchill Falls contract, we would not be in the kind of mess we are in today.

SOME HON. MEMBERS:  
Hear, hear!

MR. WELLS:  
Mr. Speaker.

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

MR. WELLS:

Mr. Speaker, I ask the minister if there are no constitutional obligations, why does the agreement which he himself signed this morning say that it is in satisfaction of Canada's constitutional obligations with respect to the railway if they do not exist? Why is he abandoning it?

SOME HON. MEMBERS:  
Hear, hear!

MR. DAWE:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Minister of Intergovernmental Affairs.

MR. DAWE:  
At the beginning of this session the Leader of the Opposition tried this same tactic. Of course, as was pointed out, his own legal advice must have been at the time that other arrangements dealing with phasing out and changes in the transportation system in this Province must have been that there was no constitutional obligation as it relates to the railway in this Province. There is a constitutional obligation, as is stated in this, to take over and absorb all the costs associated with the Newfoundland Railway. This particular clause in the agreement says that; obviously you are not going to have the railway, it has served its usefulness through the years. As well, Mr. Speaker, I might point out that railways across Canada have reduced from about 70 to 75 percent of the marketplace down to less than 20 percent, which is what has happened in this Province. There is nothing happening to the railway in this Province different than is

happening right across the country. The only difference, Mr. Speaker, is even though the federal government did not have a constitutional obligation to compensate or to provide transportation infrastructure beyond what they were doing, they had every right in the world, as is stated in the Terms of Union, for the railway to run out its existence over the next three to five years, so there would not be any special compensation for employees, there would not be any special compensation for the communities most affected, there would not be any infrastructure expenditures for the highways in this Province, there would not be any of that. They could have easily let it go its natural course, but they did not do that, they took a responsible attitude. This particular administration was successful in negotiating what is, Mr. Speaker, the best, the largest transportation package ever negotiated in this country.

SOME HON. MEMBERS:  
Hear, hear!

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

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

MR. WELLS:  
Mr. Speaker, I ask the minister does the government realize that it was the provision of transportation that made this country, as it was then, bankrupt in 1934? Fifty per cent of the debt which put us bankrupt in 1934 was due to transportation. Did the government consider this and did the government consider what the provision of transportation

services in this Province will cost the government in the future, and that it will put us bankrupt again if this deal goes through?

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
The hon. the Minister of Intergovernmental Affairs.

MR. DAWE:  
Mr. Speaker, my colleague is chomping at the bit to answer these questions as well, and I am sure he will have an opportunity as Question Period progresses.

The Leader of the Opposition, I understand, during the week has been trying to develop some kind of an argument to say that there is no provision in this agreement for ongoing maintenance, like snowclearing and grading and the kinds of day-to-day activities that go on with maintaining a transportation system. I would just like to point out, Mr. Speaker, that one of our biggest problems in this Province with regard to our provincial constitutional right to maintain highways, which is a provincial responsibility, is exaggerated and compounded and made more difficult by the fact that our whole highway infrastructure is inadequate, and because of those inadequacies of dirt roads, of winding roads, of road improperly graded, it is very, very onerous on this Province to maintain these roads.

What this agreement will do, Mr. Speaker - it will not add significantly to the numbers of miles of road; as a matter of fact new roads to be built are very negligible - is begin a process that will upgrade and pave the roads in this Province to bring us

up to what will be a national standard, Mr. Speaker, far beyond what is realized in the rest of Atlantic Canada. We will have the best road system in Atlantic Canada and will be on a par nationally. The more you improve the roads, the more roads you have paved, the better the alignment of the roads, the more efficient the whole maintenance program becomes.

As a matter of fact, Mr. Speaker, this agreement does not increase maintenance, but dramatically decreases the maintenance cost to this Province.

SOME HON. MEMBERS:  
Hear, hear!

MR. BARRY:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the member for Mount Scio - Bell Island.

MR. BARRY:  
Mr. Speaker, the absence of the Premier, I wonder if this is a strategy by the Premier to distance himself from this announcement?

SOME HON. MEMBERS:  
Hear, hear!

MR. BARRY:  
It shows something less than courtesy to this House and to the Province that the Premier would not be here when there is an announcement of this magnitude being made for the Province. But in his absence, I ask does the Minister of Transportation agree, Mr. Speaker, with the statement of his predecessor, the member who was just speaking, made on October 31, 1980, when he expressed his extreme disappointment and

frustration over the fact that while Western Canada was being promised at that time \$40 million for the upgrading of their railway system, Newfoundland was being forced to make a choice between the railway and the Trans-Canada Highway, both of which, he said, is our right as well as that of any province in Canada?

SOME HON. MEMBERS:  
Hear, hear!

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

MR. DOYLE:  
First of all, Mr. Speaker, I would like to explain where the Premier is today. After we left the Radisson Hotel the Premier had to go to the Investment Dealers of Canada, who have their convention on today, and the Premier will be here when time permits, Mr. Speaker.

But first of all I would like say, as my colleague did a few minutes ago, that this is indeed a great day for the Province of Newfoundland and Labrador, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. DOYLE:  
We have today, and let nobody mistake it, Mr. Speaker, signed a great deal for the Province of Newfoundland and Labrador which will take our people into the Twentieth-First Century with a good, efficient transportation system.

SOME HON. MEMBERS:  
Hear, hear!

MR. DOYLE:

Now, Mr. Speaker, to specifically address the question that the hon. member asked with respect to the comments made by my colleague, the Minister of Intergovernmental Affairs some years ago, as the hon. member should know times change. I remember when he was on this side of the House, now he is over there on that side, so times change, Mr. Speaker. And times have changed to the extent with respect to Newfoundland's railway that right now Newfoundland's railway only has 20 per cent of the freight in Newfoundland and Labrador. That is their share of the market, 20 per cent. It is forecast next year to go down to approximately 9 per cent or 10 per cent. The Newfoundland Railway would have died a natural death anyway, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. DOYLE:

Then we would not have had the opportunity to negotiate a deal with the federal government. They could have said to us when that day arrived, 'We do not have to negotiate with you, the Newfoundland Railway is dead.' We as a government did not want to see that happen, Mr. Speaker, and we took the initiative, we took steps to ensure that we got a good deal before that happened.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, that response is like

starving a person to death and then asking for his funeral cost because he is going to be dead in a day anyhow.

Mr. Speaker, I would ask the Minister of Transportation whether he agrees with the conclusions of the Sullivan Royal Commission, where it said that by the letter which Prime Minister St-Laurent signed prior to the Terms of Union that the operation of the Newfoundland Railway and Coastal Service were placed on the same footing, for all practical purposes, as the operation of the Gulf Service? If, in fact, that is the case, Mr. Speaker, if the railway and the Gulf ferry system are on the same footing, as the Sullivan Royal Commission found, what is to keep members on that side, in conjunction with their Tory friends in Ottawa, from selling us out with respect to the Gulf ferry and having the responsibility for the cost of the Gulf ferry end up on this Province as well?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DOYLE:

Mr. Speaker, the Gulf ferry service is protected under the Terms of Union, and all the best legal advice that we have tell us that it is protected under the Terms of Union. The rail service itself is not protected. The only thing that the Government of Canada had to do under Term 31 of the Terms of Union back in 1949 was to take over the service and relieve Newfoundland of the public cost incurred with respect to that service.

Mr. Speaker, with respect to the Gulf ferry service, we are protected under the Terms of Union with Canada, that the Gulf ferry service will continue and it cannot be touched.

MR. BARRY:

A final supplementary, Mr. Speaker,

MR. SPEAKER:

A final supplementary, the hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Will the Minister of Transportation explain to this House how the people of Newfoundland and Labrador are going to be relieved of the public cost of the railway if in fifteen years time there is no more money left from this payment, but the cost of that freight, the railway freight that you are wiping out, is dumped onto the highway system, which it is then going to be the responsibility of this Province to pay for?

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DOYLE:

Mr. Speaker, what most members fail to realize is that CN is not leaving the Province of Newfoundland and Labrador. It is the rail service that is being shut down. We have a guarantee from CN that they will now implement an intermodal service in the Province of Newfoundland. With respect to the amount of traffic that is going to be on the Trans-Canada Highway in Newfoundland, we have done surveys on that, Mr. Speaker, over the last number of months, and hon. members will be very surprised to hear that as a result of the

closing down of the Newfoundland Railway we will not have any more than fourteen tractor-trailers per day more travelling between Port aux Basques and St. John's. These are surveys that have been done by my department, and it is an indisputable fact that there will not be any more than fourteen tractor-trailers per day on Newfoundland's highways, simply because, now that the rail service is shut down, there will be other alternatives that can be used, like the water mode which will take freight directly into St. John's, Argentia, and Corner Brook, to replace the existing rail service. And the freight that will go by truck will be to the tune of about fourteen tractor trailers more per day.

So there will be no significant increase in the amount of traffic travelling on the Trans-Canada Highway.

MR. GILBERT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Burgeo - Bay d'Espoir.

MR. GILBERT:

Thank you, Mr. Speaker.

I just heard the minister talking about the fourteen trucks a day. Statistically there was a study done one time that said there was a gas station on the 401 every five miles, but a fellow who ran out of gas had to walk fifty miles to a gas station.

What he is talking about is when he puts a wharf in Gander to take care of this traffic that is coming in.

This question was originally for

the Premier. The opening of the Premier's statement this morning said that his government was taking responsibility for providing a safe transportation system for this Province. When he agreed to the Sept. 1 closing of the railway, thus putting an additional 30 percent more trucking transports on roads considered by transportation experts to be 83 percent defective when compared to roads in other provinces in Canada, how can this be improving the safety of the highways in Newfoundland?

SOME HON. MEMBERS:

When did he say that?

MR. GILBERT:

In the opening statements he talks he is going to put in a safe system. So how can this be considered a safe system?

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DOYLE:

Mr. Speaker, I suppose in that line that the hon. member just gave to the House there must be a question somewhere, although I did not detect what it was.

Mr. Speaker, this government, again I will repeat, can be very, very proud of the deal that we have signed today for this Province. It ensures a complete transportation package for the whole Island of Newfoundland, not just one section, for the whole Province. It will be a \$100 million extension to the present ERDA Agreement that we have, which will start up roads immediately. I will be announcing, as a matter of fact, over the next couple of days, roads under this extension to the ERDA package will go to

tender right away to the tune of approximately \$25 million. We got a new major \$4.5 million Trans-Canada Highway Agreement to come on top of that existing agreement, and, Mr. Speaker, a major new secondary roads package of \$235 million. It was this government which ensured that the workers of this Province were looked after, Mr. Speaker, with a labour adjustment package of approximately \$75 million, a community adjustment program which will see Port au Basques and Bishop's Falls get roughly about \$7 million each to make up for the impact that these communities might feel as a result of the closure of the railway, and a program of port improvements also.

So, Mr. Speaker, what the hon. gentleman is saying is just a red herring. We have a good deal for the people for Newfoundland and Labrador, a good, efficient transportation program which will take our people into the Twenty-First Century.

MR. GILBERT:

Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Burgeo - Bay d'Espoir.

MR. GILBERT:

The minister is forgetting that the railway, which now carries all the dangerous goods in this Province, is closing. Now how can a highway that cannot carry the present traffic be expected to handle the additional freight without putting the lives of Newfoundlanders in jeopardy? How can that be, since it is going to take this dangerous freight as well?

MR. SPEAKER:



The hon. the Minister of Transportation.

MR. DOYLE:

I would like the member to repeat that question because I cannot hear what he is saying down here.

MR. SPEAKER:

The hon. the member for Burgeo - Bay d'Espoir.

MR. GILBERT:

What I am saying is that the railway in this Province carries all of the dangerous freight, chemicals and the logs and all of that. You are now going to increase this traffic because the railway is now going to close as of September 1. How can the highway system be expected to accept the present traffic load and handle the additional freight on a highway that is not safe at the present time?

MR. DOYLE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DOYLE:

Mr. Speaker, the hon. member should be aware that we have a new Dangerous Goods Act, which is one of the best in the world, as a matter of fact.

SOME HON. MEMBERS:

Hear, hear!

MR. DOYLE:

We have trucks presently carrying dangerous goods from their point of entry into the Province and we do not see this agreement in any way affecting that, Mr. Speaker. We will have a major, new upgraded highway system and I am sure those companies that now depend upon

rail for the transportation of dangerous goods will be able to make that transition quite smoothly to the truck service when it is brought into operation.

MR. GILBERT:

Mr. Speaker.

MR. SPEAKER:

A final supplementary.

MR. GILBERT:

I will ask the Premier, now that he is here. How can the Premier claim that the agreement provides a safe highway system in this Province when the agreement he signed today is going to increase the truck traffic on an already unsafe highway? How can he claim that it is going to improve safety on the highway at this time when he has signed an agreement today which is going to close out the railway and increase the traffic on the highway at present?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, as I understand it, there is going to be \$4.5 million spent on the Trans-Canada to improve it.

MR. GILBERT:

In five years time, ten years time.

PREMIER PECKFORD:

And we are going to be spending money on other roads around the Province to improve the transportation system, and therefore that will make it safer for the trucks and cars and everything else to run on the highways of the Province. We are improving the highway system of the Province. As no doubt somebody has already mentioned, the little bit of freight that now

travels on the railway is less than 20 per cent of the total freight volume that comes into the Province, and will only mean about fourteen trucks more a day on the highways, and at the same time we are spending upwards of \$800 million to improve the highway system. I cannot understand what the hon. member is talking about. Is \$800 million going to improve the highway system of Newfoundland or is it not? If it is that means it is going to be safer because it is going to be improving it. I cannot understand what the hon. member for Burgeo - Bay d'Espoir is talking about. It is silly. When you improve and upgrade a road, does that not improve its safety? Is that not what improvement is all about?

MR. SIMMS:

Plus, there is money for the Burgeo Road.

PREMIER PECKFORD:

Does the hon. member want to keep his Burgeo Road, that he complained about all Spring, like it is now? We are going to spend millions more on it to make it better and improve it. Is that not what we are going to do? We are going to do it in Plum Point across to Englee. We are going to do it on the Burgeo Highway and on the Burin Peninsula Highway. We are going to do the Trans-Labrador Highway. We are about the business of improving the road system in the Province, which will therefore make it safer.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

We did not ignore the hon. gentleman, we did not ignore the Great Northern Peninsula, we did not ignore Labrador, we did not

ignore the South Coast, we did not ignore Central Newfoundland, or East Coast Newfoundland, or anywhere. In every part of the Province the road system will improve, and when you improve the road system, make it wider and pave it, therefore you increase its safety. What the hon. member is saying is downgrade roads and leave them like they are and they will be safer.

MR. BAKER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Gander.

MR. BAKER:

Thank you, Mr. Speaker.

The Premier, who I think is the same person who a very short time ago was calling for widening of our railway in the Mainland papers mentioned, \$405 million for the Trans-Canada Highway, and I would like to ask the Minister of Transportation a few questions about that \$405 million.

We have been spending money over the past number of years on the Trans-Canada Highway. During the last ten years there has been a certain maintenance amount of money we have been spending. It seems to me this \$405 million, the expenditure really does not start for a few years. Ten million in 1990 - 1991, and it goes to \$25 million, but most of it is loaded further down the road.

MR. SPEAKER:

Order, please!

MR. BAKER:

I would like to ask the minister if this is not, as it seems to me, simply an extension of the normal maintenance program we have with

the federal government?

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DOYLE:

No, Mr. Speaker. This is not an extension of the existing agreements that we have with the federal government. This is all new monies, all brand new monies, which will not hinder in any way our ability to get other agreements with the federal government on the Trans-Canada Highway as times goes on.

Over the last number of years, Federally and provincially, we have been putting approximately \$30 million into the Trans-Canada Highway, \$40 million from my own department but \$30 million federal - provincial. This is all brand-new monies, a \$405 million program that will accomplish an awful lot in this Province. It will accomplish, for instance, twenty-seven kilometers from Clarendville to the Welkomin, twenty-three kilometers from Glenwood to Notre Dame Junction, thirty kilometers from Notre Dame Junction to Bonne Bridge, eleven kilometers from Grand Falls to Red Cliff, 143 kilometers from Badger to Howley, six kilometers from North Branch to South Branch -

SOME HON. MEMBERS:

Hear, hear!

MR. DOYLE:

- fifty-eight kilometers from South Branch to Port aux Basques, a divided four-lane highway constructed.

SOME HON. MEMBERS:

Hear, hear!

MR. DOYLE:

Forty-five kilometers from Witless Bay Line to Argentia Access, a four-lane, divided highway. Another twenty-seven kilometers from Donovan's to Harding Road, including the connection to Kenmount Road. Fifty-one kilometers from Deer Lake to Corner Brook, Mr. Speaker, will be a divided highway.

SOME HON. MEMBERS:

Hear, hear!

MR. DOYLE:

On top of that there will be a major program of bridge repair, widening, and replacement across the Island, and resurfacing of the Argentia Access Road for thirty-seven kilometers. That is the road I believe that was done during the days of the Liberal administration and we have to redo it again, Mr. Speaker.

MR. DINN:

Because it was not done right in the first place.

MR. DOYLE:

And absolutely no guarantees on that one either, that there was to be a maintenance program undertaken by the federal government.

So, Mr. Speaker, that is a very, very extensive program, one which will be a good program for the Province of Newfoundland and Labrador. What we should see over the next fifteen year period is approximately \$100 million per year, along with the provincial program, going into the Trans-Canada Highway and rebuilding the road right across the Province, Mr. Speaker -

SOME HON. MEMBERS:

Hear, hear!

MR. DOYLE:

- not just in one area of the Province, not just on the West Coast, not just on the Avalon Peninsula, but an extensive roads program which will be applied to all of Newfoundland and Labrador.

SOME HON. MEMBERS:

Hear, hear!

MR. BAKER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Gander.

MR. BAKER:

Thank you, Mr. Speaker.

If the minister will listen and stop crowing for a few minutes, is he aware that the amount of money spent to upkeep the Trans-Canada Highway in Newfoundland in the last ten years, in today's dollars amounts to about \$470 million, and that he has now helped negotiate an agreement, over fifteen years, Mr. Speaker, that in today's dollars is worth only \$270 million? Is the minister aware that he has not only given away the Newfoundland Railway, but he has negotiated a cut of \$200 million in our Trans-Canada Highway money? Is he aware of that?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DOYLE:

Mr. Speaker, I do not know where the hon. gentleman gets his figure of \$470 million to maintain the Trans-Canada Highway over the last ten-year period. He must be getting those figures from the

federal member for Gander - Twillingate (Mr. G. Baker), that is the only thing I can figure out, Mr. Speaker, claiming \$470 million to maintain the Trans-Canada Highway over the last ten years.

Well, Mr. Speaker, the hon. gentleman makes reference, as well to the inflation factor that might very well be legitimate. But, Mr. Speaker, as a government we have ensured that if we do not meet our objectives under the current package of funding that we have put in place today, if we feel that we cannot meet our objectives, we have a re-opener clause in this agreement which will kick in eight years from now, and we will be able to examine the agreement to ensure that we have, indeed, attained the objectives that we set out for ourselves in doing these various projects right across the Province.

So, Mr. Speaker, as the Minister of Intergovernmental Affairs mentioned a few minutes ago, if we had had that re-opener clause in the Churchill Falls agreement, we would be much better off than we are today, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. LONG:

Mr. Speaker.

MR. FUREY:

A supplementary, Mr. Speaker.

MR. SPEAKER:

Order, please!

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

MR. LONG:

Mr. Speaker, in the short time

remaining in Question Period, I would like to give the Premier an opportunity to address what I think are two very real questions on the minds of most people in the wake of the announcement today. Essentially, I guess, it has to do with what happens next specifically with reference to the end of the ERDA Agreement. After the new monies have been added on top of the already existing agreement, what happens in 1992 with all the important work that will be left to be done? And also the question which the Premier missed earlier in the session today: What happens at the end of the fifteen years?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Well, Mr. Speaker, as it relates to the ERDA Agreements, we have been negotiating ERDA Agreements for years, and we will, after the present ERDA Agreement has expired, negotiate a new one.

Just look at what we have done today. We have topped up an already existing ERDA Agreement. I do not know if there is anywhere else in Canada where a provincial government has negotiated a top-up to an existing agreement. Usually it has to run out first, then you negotiate another one. We have got \$100 million now built on top of one that is already running.

So as soon as these ERDA Agreements run out, or a year before, we will begin to negotiate a new ERDA agreement to continue the process of rebuilding and paving, and so on, around the Province. And, of course, we have to allocate the \$235 million that is in this package which has not been identified for projects.

So we have the \$235 million to put into the pot and decide what projects it will be used for, and we have also the opportunity, because there is a provision in the agreement which says nothing in here will interfere with ongoing agreements, to negotiate another ERDA agreement in the same way as we have negotiated this one now.

As it relates to after fifteen years, I think one has to look at what happens after eight. I think that is going to be the critical area.

The reopener clause which we have here is a very, very good safeguard for us, because a full review has to be done at that point in time to see whether we are living up to what we said today is going to happen. And I think that is where we are going to have to negotiate and organize ourselves, after the eighth year, after the Commission reports. To try to do a fifteen years now would be difficult, to do it with only seven years left on the agreement would be a lot easier and we will know where we are going.

So I think that after that eight year period, with the reopener clause, is the time we have to look at.

And by the way, Mr. Speaker, I want to table for hon. members, while I am on my feet, a copy of the legal opinions which show that there is no legal obligation on behalf of the federal government to keep the railway going in perpetuity.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

The time for Oral Questions has elapsed.

### Notices of Motion

MR. BLANCHARD:  
Mr. Speaker.

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

MR. BLANCHARD:  
Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The Fishing Industry Collective Bargaining Act, 1971," and "The Labour Relations Act, 1977."

DR. COLLINS:  
Mr. Speaker.

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

DR. COLLINS:  
I will on tomorrow ask leave to introduce a bill entitled, "An Act Respecting The Registration And Licensing Of Hearing Aid Dealers," and "An Act To Amend The Physiotherapy Act."

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 the following two bills: "An Act Respecting The Establishment Of Services For Victims Of Crime" and "An Act To Amend The Provincial Court Act, 1974."

MR. BRETT:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Minister of Municipal Affairs.

MR. BRETT:  
Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The City Of Corner Brook Act, 1985," "The City Of St. John's Act," and "The Municipalities Act."

### Answers to Questions for which Notice has been Given

MR. RUSSELL:  
Mr. Speaker.

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

MR. RUSSELL:  
Mr. Speaker, I wish to table the answer to Question 102 on the Order Paper of March 15 asked by the hon. member for Fortune - Hermitage, and the answer to Question 122 on the Order Paper of March 18 asked by the hon. member for Menihek.

MR. YOUNG:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Minister of Consumer Affairs and Communications.

MR. YOUNG:  
Mr. Speaker, I would like to table information on an oral question asked by the hon. member for Waterford - Kenmount (Mr. Gullage) on Friday.

MR. WELLS:

Mr. Speaker,

MR. SPEAKER:

The hon. the Leader of the Opposition,

MR. WELLS:

Mr. Speaker, before entering into Orders of the Day, I ask leave to move the adjournment of the House pursuant to Standing Order 23 to debate a matter of urgent and public importance, namely the agreement signed this morning by the government of this Province and the Government of Canada with respect to the abandonment of the railway in this Province -

SOME HON. MEMBERS:

Hear, hear!

MR. WELLS:

- and, thereby, the transfer to the government of this Province of the full burden of maintaining within Newfoundland the Newfoundland portion of the National transportation system which, at this moment, is a constitutional obligation of the Government of Canada.

I believe, Mr. Speaker, -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. WELLS:

- this is a matter of urgent importance and it is urgent that this matter be debated now because there is no other opportunity on the Order Paper, as it stands at the moment, to debate this issue. I feel that it is a matter where the interests of the Province are very significant and it is important to the people of this Province that the matter be

debated at this time.

Steps are already, in fact, being taken to implement that agreement and Canadian National Railway are in the process of closing and they are about to close the railway on September 1.

I believe the matter is of urgent importance and I ask leave, Mr. Speaker, to move the adjournment of the House to debate the matter.

MR. SIMMS:

Mr. Speaker,

MR. SPEAKER:

The hon. the President of the Council.

MR. SIMMS:

Mr. Speaker, with respect to this particular proposed motion by the Leader of the Opposition, we have dealt with matters of this nature many, many times before, we all know it has nothing to do with the importance of the issue. We all know the issue is important, but generally speaking, this particular reference in the Standing Orders deals with the urgency of debate. In other words, that there is no other opportunity in the near future for this matter to be debated. Your Honour is aware of that.

So I just draw to your attention, without getting into a lot of discussion and debate with the Leader of the Opposition, the Address in Reply is still on the Order Paper; Committee of Supply is on the Order Paper; Committee of the Whole on Ways and Means, which is the budget debate, is still on the Order Paper. We have Question Period remaining for the next four days of this week. We have Private Members' Day, incidentally, on Wednesday, which

is the hon. member's own resolution with respect to unemployment. Certainly, the hon. members can debate the railway issue on Wednesday during that period. It was already debated. We had two full days on the railway, as all hon. members will recall.

So really, Mr. Speaker, with respect to this particular Standing Order, it is very clear there are lots of provisions, lots of opportunities, and will be in the very near future. In fact, I gave notice myself on Friday - the Leader of the Opposition will recall - that I will be calling, before this week is out, to conclude the budget debate. So there will be lots of opportunities for debate, Mr. Speaker.

MR. BARRY:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the member for Mount Scio.

MR. BARRY:  
Let me just briefly address that point. Mr. Speaker, it is not often that a matter relating to the Terms of Union of this Province with Canada are being dealt with by an administration which did not have a mandate in the last election, Mr. Speaker, to so act and, in fact, were speaking to the contrary with respect to their position.

It comes down to, if there is nothing to hide on the other side, if there is a pride in the agreement that has been negotiated, if this agreement gets, Mr. Speaker, what the people of Newfoundland and Labrador should get, I submit this is something that should be debated,

not in ten days time when it is history, Mr. Speaker, but it should be debated today. The Government House Leader (Mr. Simms) knows, -

SOME HON. MEMBERS:  
Oh, oh!

MR. BARRY:  
Yes, the Government House Leader can persuade Your Honour this should not come up today. But the people of this Province will not be done a service, if that is, in fact, the case. I would ask the Premier and the Government House Leader to consider having, by agreement -

MR. SPEAKER:  
Order, please!

I recognized the hon. the member for Mount Scio, but actually he does not have a right to speak at this particular time at all. If he has a very brief submission, I would be quite prepared to hear it.

The hon. the member for Mount Scio.

MR. BARRY:  
I thank Your Honour for your indulgence. I will wind up by saying that the people of the Province are out there. Just in two minutes walking down the street this morning, I could see groups of people clustered and talking.

There is no great, as far as I can see, public outcry in opposition to the agreement. But that does not mean, Mr. Speaker, that on sober second thought or on proper deliberation or proper debate in this House, Mr. Speaker, there would not be some serious questions raised.

I ask members opposite to consider



that and let us have a debate on the Newfoundland Railway and let us deal with this issue head on, with some courage.

PREMIER PECKFORD:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Premier.

PREMIER PECKFORD:  
There are two points the hon. made which have to be addressed in the consideration of Your Honour to the motion put forward by the Leader of the Opposition (Mr. Wells). One, that the member for Mount Scio - Bell Island (Mr. Barry) made is not valid and, therefore, in your consideration I would submit the following: The hon. member says that it has something to do with the Terms of Union. It has nothing to do with the Terms of Union, nothing whatsoever. I have tabled the legal opinion which confirms that, and there are many legal opinions. So it has nothing to do with the Terms of Union. The Terms of Union have been safeguarded in this agreement. So nothing as it relates to the Terms of Union are at issue. If there was, then the hon. member might have a case. But as it happens, there is nothing in the Terms of Union which is being changed.

Secondly, to deal directly with the point that the Government House Leader made, opportunity to debate is the issue and there have been two Private Member's Days in which the railway has been debated.

MR. SIMMS:  
That is correct.

PREMIER PECKFORD:  
There will be opportunity on Private Member's Day, Question

Period, Budget Debate for the hon. members to get into this completely.

MR. SIMMS:  
Lots of opportunities.

PREMIER PECKFORD:  
So if there was not an opportunity, then obviously this would have to apply. But there are opportunities. The Terms of Union are not being violated and, therefore, the hon. member's submission is invalid.

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER (McNicholas):  
Order, please!

I must say I agree that there are opportunities to debate this matter in the Address in Reply and the Budget Debate. So the matter is not in order at this time.

### Orders of the Day

MR. SIMMS:  
Mr. Speaker, we will do a few third readings here, beginning with Order 3 and going right down to Order 18. We could perhaps save a bit of time if there was some kind of an agreement to do the third readings without the Speaker having to go through each individual one.

MR. TULK:  
(Inaudible).

MR. SIMMS:  
I want to do third readings. There are about fifteen or sixteen there and rather than have the Speaker go through the ritual of every single one, perhaps we could agree to do third readings of

bills outlined from Order 3 down to Order 18.

MR. BARRY:  
(Inaudible) Bill 14?

MR. SIMMS:  
Yes.

MR. BARRY:  
Mr. Speaker, I would object to that as a member of this House, and I would point out that the railway is going to be debatable under this bill, which is An Act To Amend And Consolidate The Law Relating To The Use And Operation of Vehicles, and I insist upon my rights to debate that.

MR. SIMMS:  
We do not debate third readings and this is a third reading.

MR. BARRY:  
On third reading.

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

MR. SIMMS:  
Order 4.

MR. BARRY:  
Order 3 was called, Mr. Speaker.

MR. SIMMS:  
I did not call any order.

MR. BARRY:  
Order 3 was called, Mr. Speaker.

MR. SIMMS:  
It was not called. I did not call any order. I asked if there was an agreement.

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

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

member for Mount Scio - Bell Island.

MR. BARRY:  
The Government House Leader called Order 3 and asked that we deal with them in order from Order 3. This is before this House, Mr. Speaker, and this cannot be now changed by the Government House Leader.

MR. SIMMS:  
To the point of order, Mr. Speaker.

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

MR. SIMMS:  
I asked if there was an agreement, or an understanding to do all third readings starting at Order 3 down to Order 18. There is no agreement to do that so therefore the Government House Leader will call Order 4.

SOME HON. MEMBERS:  
Hear, hear!

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, the hon. gentleman clearly stated, and I think if Your Honour reviews Hansard he will see that he stated, 'I now call Order 3 and I ask for agreement to call all Orders to Order 16.'

MR. SIMMS:  
Why would I bother that?

MR. TULK:  
If Your Honour cares to recess the

House and look at Hansard, he will see what the hon. gentleman did say. That is exactly what he said, so Order 3 has been called before this House. What he is trying to do is deny the member for Mount Scio (Mr. Barry) the right to debate third readings. He knows he can do it and he is trying to move the order of the House around.

SOME HON. MEMBERS:  
Hear, hear!

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

MR. SIMMS:  
Mr. Speaker, I will not stand for that kind of nonsense and foolishness by the hon. the member for Fogo. Any other day the hon. member would be asking me to do precisely what I just suggested we do! So, do not try to cover up or try to kid the people, or the people who are in the galleries over these matters. These are House matters only.

AN HON. MEMBER:  
You are afraid of it.

MR. SIMMS:  
Afraid of what?

SOME HON. MEMBERS:  
Afraid of (inaudible).

Oh, oh!

MR. SIMMS:  
Do not be so silly.

Anyway, Mr. Speaker, if Your Honour wishes to recess that is fine with me, I have no problem. However, I would not have called Order 3 and then gone on to ask for agreement. I would have asked in totality if there was an

agreement to do third readings, but if members want to filibuster or create delays, it does not matter to me. Your Honour can certainly check it out. It does not matter to me.

MR. SPEAKER:  
I am going to recess for five minutes to look exactly at the conversation.

### Recess

MR. SPEAKER:  
Order, please!

I am sorry about the delay. I listened to the tape, but I wanted to get a typed record of what was actually said. I will read it, as it is here:

"MR. SIMMS:  
"Mr. Speaker, we will do a few third readings here beginning with Order 3 and going right down to Order 18. We could perhaps save a bit of time if there was some kind of an agreement to do the third readings with the Speaker having to go through each individual one."

"MR. TULK:  
"(Inaudible)."

"MR. SIMMS:  
"I want to do third readings. There are about fifteen or sixteen there, and rather than have the Speaker go through the ritual of every single one, perhaps you could agree to do third readings as they are outlined from Order 3 down to Order 18."

"MR. BARRY:  
"(Inaudible) Bill 14?"

"MR. SIMMS:  
"Yes."

MR. SPEAKER:

"The hon. the member for Bell Island."

MR. BARRY:

"Mr. Speaker, I would object to that as a member of this House, and I would point out that the railway is going to be debatable under this bill, which is An Act To Amend And Consolidate The Law Relating To The Use And Operation Of Vehicles, and I insist upon my rights to debate that."

MR. SIMMS:

"We do not debate third readings and this is a third reading."

MR. BARRY:

"On third reading."

I must rule that actually that order was not called. There was a reference to calling from Order 3 to Order 18 and the hon. the President of the Council said: "We could perhaps save a bit of time if there was some kind of an agreement to do the third readings without the Speaker having to go through each individual one."

As far as I am concerned, that order was not called.

We are back to Orders of the Day.

MR. SIMMS:

Due to some technical difficulties, Mr. Speaker, I am going to move to Order 4, to begin with Order 4, just beginning.

MR. TULK:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. TULK:

I understand the hon. gentleman

now is reneging on his commitment to this House on Friday, and not only Friday but every day in the last two or three weeks, that when we started on the Order Paper, if we started to do second readings, we would do second readings in order; if we started to do third readings, we would do them in order; and if we did Committee of the Whole, we would do that in order.

I wonder if the hon. gentleman has got some specific reason why he does not want to do third reading on Order No. 3. I wonder would it have something to do, Mr. Speaker, with that dastardly, sell out agreement he made this morning with the federal government on the railway.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council.

MR. SIMMS:

No, Mr. Speaker, absolutely! There is the imagination of the hon. members opposite again going wild.

The hon. member will also know, and he should have been person enough to admit it to the Speaker, to the House, and to the people in the gallery, that when we followed that routine in the past couple of weeks, there were also occasions when we skipped over a particular item, and I called what I wanted to call for different reasons, whatever the reasons would be.

Mr. Speaker, I have not said we will not call Order 3. I have not

said that. So members opposite should not get too excited. I will call Order 3 in due course, Mr. Speaker.

Right now I have called Order 4. So we can get on with some third readings, and get on to some other business.

MR. SPEAKER:

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

On motion, a bill, "An Act Respecting The Regulation Of Private Training Institutions," read a third time, ordered passed and its title be as on the Order Paper. (Bill No. 2)

MR. SIMMS:

Order 5.

On motion, a bill, "An Act To Amend The Hospitals Act, 1971," read a third time, ordered passed and its title be as on the Order Paper. (Bill No. 19)

MR. SIMMS:

Order 7.

On motion, a bill, "An Act To Amend The Newfoundland And Labrador Hydro Act, 1975," read a third time, ordered passed and its title be as on the Order Paper. (Bill No. 24)

MR. SIMMS:

Does the Leader of the Opposition wish to make an intervention?

MR. WELLS:

Yes.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. SIMMS:

Before we call the next Order?

MR. WELLS:

No, before third reading of this bill.

MR. SIMMS:

Which we did.

MR. WELLS:

Well, during third reading of the bill.

MR. SIMMS:

It is done. Third reading is done.

MR. WELLS:

It is okay. I will deal with it later.

MR. SIMMS:

Mr. Speaker, we will just jump right now to Order 9.

MR. BARRY:

Mr. Speaker, I would like to debate that bill.

MR. SPEAKER:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, this is a bill designed to raise -

MR. SIMMS:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. SIMMS:

Mr. Speaker, just to a point of order, because we need to have clarification on this. It is very rare that we have debate on third readings in this House, as the hon. member and all hon. members would know. So, I do not want there to be a dangerous precedent set here which would, perhaps, preoccupy us for the rest of our lives in this Legislature. I am

sure Your Honour would want to consider the matter.

I will just give him a couple of references. For example, from Beauchesne's Fifth Edition, Page 239, which deals with debate on third reading stage. It points out, among other things, "When an Order of the Day for the third reading of a bill is called, the same type of amendments" - it deals with amendments for a very specific reason which I will explain when I refer to Erskine May - "which are permissible at the second reading stage are permissible at the third reading stage with the restriction that they cannot deal with any matter which is not contained in the bill."

So the matter for debate at third reading, if there was ever debate allowed and permitted under the proper circumstances, which are described in Erskine May, would be very narrow and very limited.

It goes on to say, Mr. Speaker, when it goes on to the other reference, talking about how you cannot contradict the principle or the bill as adopted on second reading, and certainly the third reading stage of the bill is not directly connected with any provision of the bill. So the debate has to be very narrow in its scope.

Now, with respect to Erskine May, which is perhaps the most important reference here that the member for Mount Scio, I am sure, must have brushed over in preparing for his opportunity to debate, Erskine May's Eighteenth Edition, Page 531 - Your Honour will want to mark this down because I know he will want to look at it - under the paragraph

dealing with debate on third reading - this is the very pertinent point:

"When a motion has been made for the third reading of a bill, the question is put without debate unless at least six members have given notice of an amendment to the question or the motion that the question be not put forthwith."

As far as I understand, Mr. Speaker, there has been no notice given of any amendment or of any other question. Therefore, according to Erskine May, the question is put without debate.

Mr. Speaker, if the hon. the member for Mount Scio - Bell Island (Mr. Barry) wants to put himself above Erskine May, that is fine, but I am passing it on to Your Honour for your information because you will want to consider this matter, no doubt, if members opposite start to kick up a big fuss over this minor matter. They may well want to do that.

There are other references there in Erskine May which I will not bore Your Honour with. If it comes to having to present further arguments, we will do so.

MR. BARRY:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the member for Mount Scio - Bell Island.

MR. BARRY:  
There is only one member in this House I put ahead of Erskine May and that is Your Honour, and predecessors of Your Honour, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. BARRY:

I ask Your Honour to check the precedents of this House. I have been in this House long enough, Mr. Speaker, to see a number of debates on third readings and never with any of this gobbledegook the Government House Leader was going on with today about notices that the motion not be put forthwith, or that there be notice of an amendment, Mr. Speaker. It has been treated the same as on second reading where members get up and you are entitled to debate the principle of the bill for a third time.

Mr. Speaker, I would like to make this point: While there is obviously a reason for the games the Government House Leader is playing, Your Honour has the responsibility to protect the prerogatives of all members and to protect the Opposition, Mr. Speaker, as part of the protection of members of this House.

MR. SIMMS:

Who wish to waste time.

MR. BARRY:

If the Government House Leader is successful in his motion here today, it will have the effect of hampering the Opposition in future from enjoying the prerogatives they have had, and indeed that all the members have had in the past in this House, which has been to debate the principle of the bill on third reading.

Mr. Speaker, what is it that the Government House Leader is concerned about? The Government House Leader is trying to say that the debate must be narrow.

MR. SIMMS:

I am not saying it, Erskine May and Beauchesne are saying it.

MR. BARRY:

But you are asking the Speaker to ignore that.

MR. SIMMS:

No.

MR. BARRY:

No, you are asking the Speaker to pay attention to that. You want a narrow debate. Why does he want a narrow debate? Because he is afraid a debate on the Newfoundland Railway and the agreement entered into will come before this House today.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

Why, in heaven's name, are they afraid to debate the agreement on the Newfoundland Railway if they are proud of it as they say?

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

They want to railroad the railway.

MR. SIMMS:

We are going to. This has nothing to do (inaudible).

MR. BARRY:

The member for Fogo (Mr. Tulk) made a good point. They are trying to railroad the railroad through this House, or out of this House. They are trying to railroad the Opposition, Mr. Speaker, and they are trying to railroad this House to avoid a proper debate.

There is debate on third reading of this bill and we want to participate in that debate fully.

MR. SPEAKER:

Order, please!

Third reading of a bill, "An Act To Amend The Insurance Companies Tax Act," is the bill which has been called.

The hon. the member for Mount Scio - Bell Island.

SOME HON. MEMBERS:  
Hear, hear!

MR. BARRY:  
Mr. Speaker, this is a direct -

DR. COLLINS:  
Mr. Speaker.

MR. SPEAKER:  
Order, please!

The hon. the Minister of Health.

MR. BARRY:  
This is scandalous.

DR. COLLINS:  
A point of order, just for clarification. The hon. House Leader raised a point of order and then the hon. member spoke to it. I am not sure if Your Honour has ruled on that point of order.

MR. SPEAKER:  
The debate on third reading is in order.

DR. COLLINS:  
Your Honour has made a ruling?

MR. SPEAKER:  
Yes.

MR. DINN:  
We did not know that.

AN HON. MEMBER:  
It is?

MR. DAWE:  
That is the first time -

SOME HON. MEMBERS:

Oh, oh!

MR. BARRY:  
The former Minister of Finance, the Minister of Health (Dr. Collins) will have to learn the rules and I hope he does not try to learn them from the Government House Leader.

Mr. Speaker, this bill is an act designed to make more efficient the collection of tax revenue in this Province. It is an act to modify the process of tax assessment. Mr. Speaker, one has to ask why should government make the process of tax assessment more efficient?

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

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

MR. SIMMS:  
Mr. Speaker, I am trying to determine what it is we are doing here. I think you yourself said the debate is on An Act To Amend The Insurance Companies Tax Act?

MR. BARRY:  
Right! Right! Right!

MR. SIMMS:  
The Insurance Companies Tax Act deals with filed tax returns that differ in amount from the audited returns. Presumably the debate must be narrowly kept to that particular point. I get the feeling that the hon. member opposite wants to play a few more games.

MR. EFFORD:  
You do not know, do you?

MR. SIMMS:  
Oh yes, I do. I can read his mind



very easily.

I was not quite sure whether the hon. member was starting to stray a little bit from the third reading part of the bill, Mr. Speaker, or not, because he should not be permitted to do that.

MR. SIMMONS:

Mr. Speaker, to that point of order.

MR. SPEAKER:

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

MR. SIMMONS:

Mr. Speaker, I understand the nervousness of the gentleman for Grand Falls (Mr. Simms) in that he is at the point of reading the mind before the gentleman for Mount Scio - Bell Island (Mr. Barry) even says what is on the mind.

Now, Mr. Speaker, there is another reference in Beauchesne -

MR. SIMMS:

(Inaudible) my taxes old boy.

AN HON. MEMBER:

Oh, oh!

MR. SIMMONS:

I know he is hurting, and sometimes when he hurts he gets dirty. I understand that.

Now, Mr. Speaker, in Beauchesne there is another reference and it is on the top of page 221 of the Fifth Edition. It is Paragraph 712 (5), "Third Reading - The purpose of the third reading is to review the bill in its final form after the shaping it has received in its earlier stages."

MR. SPEAKER:

What page is that?

MR. SIMMONS:

It is Paragraph 712 (5), page 221. The top of 221, "Third Reading - The purpose of the third reading is to review the bill in its final form." I submit that that is exactly what the gentleman for Mount Scio - Bell Island is doing. He is reviewing the bill. The gentleman for Grand Falls never gave him a chance to enter into the review because he decided to start being clairvoyant about the whole thing. The fact is we have some licence here in this review if we are to ensure that this legislation in its final form is the kind of legislation that will serve the Province well.

MR. SPEAKER:

To that point of order, there is no point of order. As was pointed out just a moment ago, "The purpose of the third reading is to review the bill in its final form after the shaping it has received in its earliest stages." I would ask the hon. member to keep his remarks to that.

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Absolutely, Your Honour. The point I am trying to make is this bill is designed to make more efficient, to streamline the assessment and collection of taxes. I was about to say, we have to ask for what reason the administration would be interested in streamlining the assessment and collection of taxes.

MR. SIMMS:

Involving insurance companies, and that is all.

MR. BARRY:

Well, obviously, Mr. Speaker, they are going to have to pay to -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. BARRY:

Mr. Speaker, the insurance companies are going to have to pay tax. Under this act, they have to pay tax.

MR. SIMMS:

They already pay tax.

MR. BARRY:

Mr. Speaker, I ask Your Honour to protect me from interjections so I can make a few points here before my time is up. I ask the Government House Leader to obey the rules of the House.

AN HON. MEMBER:

You have (inaudible).

MR. BARRY:

Yes, but ten of those minutes are already gone. I am going to need at least half an hour to debate what I want to debate.

Now, Mr. Speaker, we are dealing with the assessment of tax. Why will the Province need to improve the efficiency of its tax collection?

MR. SIMMS:

To fix the highroads, I suppose.

MR. BARRY:

Absolutely, Mr. Speaker!  
Absolutely!

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

A point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

MR. BARRY:

Absolutely! To maintain the highway!

MR. SPEAKER:

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

MR. SIMMS:

Now that the hon. the member for Mount Scio has admitted, has confessed that what he wants to talk about is the highroads and fixing the highways, that, obviously, Mr. Speaker, is totally out of order. It has nothing to do with this particular bill.

MR. BARRY:

No, no, no!

MR. SIMMS:

This bill talks about notices of assessment issued only where filed tax return differs in amount from audited return. It has nothing to do with highroads, nothing to do with highways, nothing to do with maintainance of highroads or highways, and he has now admitted that is the game he is trying to play. If I were Your Honour, I would not let him trick me like that.

MR. TULK:

To that point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. TULK:

The hon. gentleman seems to be awfully edgy or upset about something. The hon. gentleman should get this through his mind: What the hon. gentleman down here is talking about is the efficiency of collecting taxes and how important efficiency is, and he said something about highways. Of

course, it is important to highways, it is important to hospitals.

MR. BARRY:

I did not say that. The Government House Leader said it.

MR. TULK:

He said that.

MR. BARRY:

Sure.

MR. TULK:

Yes, he said that it was important,

MR. BARRY:

I agreed with him.

MR. TULK:

- and we agree. We agree the efficiency of the government to collect taxes is important because, depending on how efficient the government is, that means how much money they will have.

Now, Mr. Speaker, we know what the hon. gentleman is really uptight about. He is afraid the hon. gentleman from Mount Scio is somehow going to mention the railroading of the railroad through this Legislature. That is what he is really scared of, Mr. Speaker.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! Order, please!

I have not had an opportunity of hearing the hon. member but I would again repeat what I said: "The purpose of third reading is to review the bill in its final form after the shaping it has received in its earlier stages."

Dealing with the highroads, I know the hon. member just repeated what the President of the Council said, but that would be getting away from the substance of this particular bill.

The hon. the member for Mount Scio.

MR. BARRY:

Mr. Speaker, it is highly unusual, of course, for Your Honour to be asked to make preliminary rulings on a member of this House, on his feelings, on what he might be getting into and what he might propose to get into. And again, I thought I heard the Government House Leader, earlier this afternoon, Mr. Speaker, say there were lots of opportunities for us on the Order Paper to debate -

AN HON. MEMBER:

(Inaudible).

MR. BARRY:

Can I mention the word, I wonder? Can I get away with mentioning the Newfoundland Railway? Can I mention that there will be lots of opportunities to debate it, Mr. Speaker? He did not want to block or interfere with our opportunities to debate it.

Well, now, Mr. Speaker, what I am debating here is this bill. It is a very significant bill. It is a three-liner, Mr. Speaker, and it is going to add the words, 'when the amount of the tax has been altered'.

Mr. Speaker, what is the significance of altering the tax the insurance companies are going to pay? The significance is members opposite are going to be able to increase the tax. It can go up or it can go down. If they are going to alter it, it is going to go one way or the other. Now,

which way are they going to go? Are they going to go down, Mr. Speaker? They will go down if they do not permit debate in this House on the Newfoundland Railway. They will go down, Mr. Speaker, but which way will the tax go?

Mr. Speaker, I think the insurance companies of this Province are entitled to know and I think the general public of this Province is entitled to know, that their tax and the taxes of the people in this Province are not going to go down over the next few years.

One reason they are not going to go down is because of an agreement that was signed today, agreed to today.

SOME HON. MEMBERS:  
Hear, hear!

MR. BARRY:  
Mr. Speaker, does Your Honour realize your taxes go to maintaining the Trans-Canada Highway, for example? The taxes of the insurance companies go to maintaining the Trans-Canada Highway.

Mr. Speaker, talk about insurance! When the dangerous goods, that the member for Burgeo - Bay d'Espoir raised today, start travelling the highway, I do not know if we are going to have too many insurance companies left by the time they start paying out for the fatalities and the accidents that are going to occur.

AN HON. MEMBER:  
What are you talking about?

MR. BARRY:  
I am talking, Mr. Speaker, about the fact that we are going to have a greater insurance risk for

people travelling our highways when the dangerous goods from the Newfoundland railway get on those highways.

MR. DAWE:  
What are you talking about?

MR. BARRY:  
Mr. Speaker, that is what is going to happen.

AN HON. MEMBER:  
What kind of goods?

MR. BARRY:  
We will talk about chemicals, Mr. Speaker.

MR. DAWE:  
Which ones different from what is on the highways now?

MR. BARRY:  
Mr. Speaker, there is going to be 20 per cent by members -

MR. DAWE:  
Name one.

DR. COLLINS:  
A point of order, Mr. Speaker.

MR. SPEAKER:  
Order, please!

A point of order, the hon. the Minister of Health.

DR. COLLINS:  
Mr. Speaker, Your Honour has ruled there may be debate at this point on this bill in third reading. There is no problem with that. But Your Honour did not rule, and he was not required to rule at that point, on the width of the debate. That is my point of order now.

MR. BARRY:  
The width is a narrow gauge, a narrow gauge.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

They were not laughing at you a year ago were they, Leo?

DR. COLLINS:

What I am suggesting is the hon. member now is not debating as he should in third reading. He is now debating as he should have in second reading. In other words, he is going back in a very broad way to the principle of the bill.

Mr. Speaker, I put it for your consideration, if that happens, we are in a very difficult situation, because, in essence, we will have two debates on the principle of the bill. All members can only speak once on the principle of the bill. If they can speak once on the principle of the bill in second reading and then they can speak once on the principle of the bill in third reading, to my information that is a totally strange parliamentary situation.

For that reason, if there is debate in the third reading, it has to be not on the principle of the bill, but it has to be much narrower than that, it has to be on a specific point that is in the bill itself. Otherwise, we will be repeating the second stage reading, which would be quite outside the bounds of British parliamentary practice.

So I would say, Mr. Speaker, that the hon. member has transgressed the limits to which he should be debating, as Your Honour has permitted him to do, in third reading and he is getting into the limits that apply to second reading. He should be called to order.

MR. BARRY:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, there are highly unusual interjections from members opposite, from the Government House Leader. One has to ask, why is that happening?

MR. SIMMS:

Because you will not let us get on with the business of the House.

MR. BARRY:

It is obviously to try and stifle debate by members on this side of the House on a matter that has come up.

DR. COLLINS:

He is just debating parliamentary procedure, that is all.

MR. SIMMS:

We would be on Order 3 now if he had not wasted so much time. We would have been back to it by now.

MR. BARRY:

Yes, we will be on Order 3, Mr. Speaker, the day members have agreed the House is going to close. We will be on Order 3, Mr. Speaker, that day, whenever that may be, three weeks or a month. There were interjections, Mr. Speaker.

MR. SIMMS:

A point of privilege, Mr. Speaker.

MR. BARRY:

I am speaking to a point of order.

MR. SIMMS:

You would not say it. I thought

you were going on for hours and hours in debate.

MR. SPEAKER:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, it would be a lot easier for me to keep to the main thrust of this bill and to the points raised by the Minister of Health's point of order, if there were not these interjections from members opposite.

As far as the point of order is concerned, Mr. Speaker, I am talking about this phrase: "When the amount of the tax has been altered." I am talking about, why is the administration's concern about altering tax for the insurance companies of this Province? Now, Mr. Speaker, this is a bill to increase taxation.

MR. LUSH:

It is almost unlimited.

AN HON. MEMBER:

Decrease the number of (inaudible).

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. BARRY:

Mr. Speaker, I am still on the point of order. The point I am trying to make is that members opposite are continuing to object so as to take away my right to debate this bill as I am entitled to.

MR. SIMMS:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the

President of the Council.

MR. SIMMS:

Obviously, the hon. member has gotten off on the wrong foot here. It is evident from what he just said two minutes ago, 'We will be on Order 3 on the day that we adjourn here.'

I said forty-five minutes ago, that I was going to proceed on to do the other third readings and that I would come back to Order 3. I said that in due course I would be back to Order 3.

MR. BARRY:

In due course.

MR. SIMMS:

Yes.

MR. BARRY:

When is that?

MR. SIMMS:

As soon as we finish the other third readings. Would that make the hon. member happy? Because that is what I said forty-five minutes ago.

MR. BARRY:

Will that be this afternoon?

MR. SIMMS:

Assuming you do not interrupt.

SOME HON. MEMBERS:

Oh, oh!

MR. SIMMS:

Oh, no, Mr. Speaker, I make an agreement, unlike the hon. members opposite, I will make an agreement, if we can do the other third readings -

MR. BARRY:

I am not concerned about that. Mr. Speaker, can I debate the bill that is before the House?

MR. SIMMS:

- down to Order No. 18. I will call Order 3 as the last one, absolutely.

AN HON. MEMBER:

(Inaudible).

MR. SIMMS:

I am just saying it because obviously he has misinterpreted what I have said.

MR. SPEAKER:

To that point of order, I would again refer hon. members to the quote that I read some time ago. This debate should be confined to a very narrow debate, and we are debating An Act To Amend The Insurance Companies Tax Act. I think it is stretching it very much to say that if one increases or decreases tax it is going to effect railway or highways or anything. Obviously things are effected by the taxes, but what we are doing here is debating third reading on this particular aspect, the insurance. I would ask the hon. member to confine his remarks to that.

MR. BARRY:

Yes, Mr. Speaker. Can I speak about insurance, Your Honour? Let us talk about insurance for a while.

Let us talk about in fifteen years, Mr. Speaker, as a result of the agreement signed by the members opposite, when members are in this House, Mr. Speaker, considering how to deal with the escalating rate of insurance in this Province because of the damage to motor vehicles riding over a Trans-Canada Highway that the Province cannot afford to maintain. Can I talk about that insurance, under The Insurance Companies Tax Act?

If I cannot speak about taxes, Mr. Speaker, let me talk about insurance.

The submission I am making here, Mr. Speaker, and it is a submission the member for Bellevue, Mr. Speaker,

SOME HON. MEMBERS:

Oh, oh!

MR. BARRY:

Mr. Speaker, if I could just briefly deal with the increased insurance this present agreement entered into today is going to result in for this Province.

AN HON. MEMBER:

(Inaudible).

MR. BARRY:

No, increased insurance.

Because what has happened, Mr. Speaker, is that the Government of Canada has been let off the hook in a big way. There has been a sell out of the Newfoundland Railway.

MR. SPEAKER:

Order, please!

The hon. member is not in order. He is getting away from the substance of this particular bill.

MR. BARRY:

Well, Your Honour, I am going to ask for Your Honour's protection and I am going to ask for the same liberty to be given to all members of this House, to be permitted to say enough about their line of thought to let Your Honour understand fully whether my comments are on this bill or not.

Your Honour, I am talking about insurance. I am talking about the fact that if the highways of this

Province are not maintained as they should be by government, that is going to result in increased insurance, Mr. Speaker. That relates directly to The Insurance Companies Tax Act. It relates to whether insurance companies will be viable, as to whether there will be any need for this act, for amending this clause in the form that it is proposed to amend it.

Will the insurance companies of this Province be able to bear the burden? Will the general public be able to bear the burden, Mr. Speaker, of the increased insurance that is going to result when the Trans-Canada Highway in fifteen years will not be maintained because there will not be enough dollars in the provincial treasury to maintain it, Mr. Speaker.

MR. PATTERSON:

You do not know what will be in the treasury in fifteen years, boy.

MR. BARRY:

Let us talk about what will be in the treasury, Mr. Speaker, in fifteen years and what will have to be raised from insurance companies and others.

What is going into the treasury today from the Government of Canada amounts, Mr. Speaker, to less than \$300 million for the Trans-Canada Highway itself. I believe the Premier discussed something about the cost of \$2 billion. Is that the figure that it would take to properly double the Trans-Canada Highway?

MR. SPEAKER:

Order, please!

The hon. member is straying from this particular bill.

MR. BARRY:

Mr. Speaker, we are seeing something in this House today that I thought we would never see. We are seeing an attempt to stifle, block, impede, and prevent debate

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

— on a matter, Mr. Speaker, which is of significance to the people of this Province, which is not irrelevant, which relates to the taxes, which relates to insurance, which relates to the insurance companies of this Province, and which relates to why this bill should be amended to include the words, 'when the amount of the tax is being altered'.

Taxes will have to be altered for insurance companies, Mr. Speaker, in order to pay for the maintenance of the Trans-Canada Highway, because the Government of Canada is not going to be paying for the maintenance of the Trans-Canada Highway, because, Mr. Speaker, there is less than \$300 million in today's dollars coming from the Government of Canada for the Trans-Canada Highway.

Does Your Honour know what the cost to the federal treasury has been last year and year before for maintaining the Newfoundland railway? Approximately \$60 million.

MR. SPEAKER:

Order, please!

The hon. member is again straying from the narrow confines of the third reading of this bill.

The hon. the member for Mount Scio - Bell Island.



MR. BARRY:

Your Honour, if this is The Insurance Companies Tax Act and if I am talking about the fact that there are only \$300 million going into the coffers of this government from the Government of Canada, we are entitled, Your Honour, to ask when will the Province have to start increasing the taxes, altering the taxes of insurance companies, in order to help pay for the maintenance of the Trans-Canada Highway?

SOME HON. MEMBERS:

Hear, hear!

What we are seeing, Mr. Speaker, is the Government of Canada, which right now is paying out \$60 million in transportation for this Province a year being let off the hook -

MR. SPEAKER:

Order, please!

The hon. member is not confining himself to this bill. The hon. member appears to be taking an opportunity of debating the railway which is not being debated at the present time.

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, I realize it would be an horrendous thing to debate the railway and the tearing up of the Terms of Union relating to the railway, but, Mr. Speaker, that is not what I am debating.

I am debating the Insurance Companies Tax Act and I am submitting to Your Honour that the taxes for insurance companies in this Province are going to have to be increased, altered. I am submitting to Your Honour that tax

is going to have to be altered and it is going to have to be altered up.

I am entitled, Your Honour, I believe, as a member of this House, with respect to explain my reasons why I believe the tax of insurance companies is going to have to be altered up.

The reason it is going to have to be altered up is because the amount of money paid by the Government of Canada to improve the highway is not enough.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

It is approximately five years of what they are paying now, five years of the deficit of the railway.

MR. SPEAKER:

Order, please!

SOME HON. MEMBERS:

Hear, hear!

DR. COLLINS:

Mr. Speaker.

MR. SPEAKER:

Order, please!

The hon. the Minister of Health.

DR. COLLINS:

Mr. Speaker, the hon. member makes a statement that he feels he has the right to broaden this debate, and I have absolutely no doubt he feels that way, but in this House a member's rights are determined by Your Honour. Unless Your Honour's ruling is challenged in some way, we abide by what Your Honour rules in that regard. Your Honour has ruled that no matter what the hon. member feels he has

a right to do in terms of this debate, Your Honour has ruled that he must confine himself precisely to the narrow wording of this bill in third reading. Your Honour has clearly ruled that and unless the hon. member accepts that, he is actually challenging Your Honour's ruling and that would be out of order.

MR. BARRY:

To that point of order, Your Honour.

MR. SPEAKER:

To that point of order.

MR. BARRY:

I would never challenge Your Honour but I would be happy to challenge the interpretation of the rules presently given by the Minister of Health (Dr. Collins).

Mr. Speaker, I am delighted to see some people from Port aux Basques in the gallery.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

MR. BARRY:

Mr. Speaker, to the point of order. They, like everybody else in this Province, must be amazed by the way in which the Minister of Health is trying to block debate.

MR. SPEAKER:

Order, please!

I am prepared to rule on that point of order.

The hon. the Minister of Health rose on a point of order and the point is well taken. I have mentioned to the hon. member on at

least three occasions that he was straying from the narrow confines of this bill and, if he continues to do that, I will certainly rule him out of order.

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

I, Your Honour, intend to keep trying. I am only human and I cannot foresee Your Honour how far the rules today are going to be changed from the way in which members have been permitted on previous occasions to explain their reasons for a submission they give to this House.

I have difficulty in foreseeing Your Honour's rulings with respect to my humble attempts to give my reasons, Your Honour, but, of course, I will listen to your rulings and I will now go back to trying to deal with this bill which talks about altering the forms relating to the taxes of insurance companies.

It does not matter, I can speak to either taxes or insurance. I would like to speak to both. I attempted to point out that insurance rates are going to go up if the Trans-Canada Highway is not maintained, Mr. Speaker, and taxes are going to go up if the present administration cannot afford to maintain the Trans-Canada Highway.

If this does not relate to insurance and taxes into The Insurance Companies Tax Act, Your Honour, well, I will do the best I can once more to try and relate it to that bill.

When the Government of Canada pays only five years deficit on the railway, and gets off the hook after paying only five years

deficit on the railway, Mr. Speaker, then members opposite cannot be very proud of the agreement that they have signed.

MR. DAWE:

What hook are they on?

MR. BARRY:

The hook that the Government of Canada is on is to meet the deficit of the railway every year.

MR. DAWE:

No, they are not on that hook.

MR. BARRY:

Mr. Speaker, I refer the member opposite to -

MR. SPEAKER:

Order, please!

The hon. member is out of order in the way he is debating this bill.

MR. BARRY:

Well, Your Honour, again, I have always understood it to a practice of this House for members in the course of debate, if they are improperly interrupted, contrary to the rules by members opposite, to attempt in an aside to deal with that interruption again, Mr. Speaker. That is all I wanted to do.

I wanted to refer the former Minister of Transportation to a statement by the hon. Erik Nielson when he was the Government House Leader for the Government of Canada where he confirmed the Government of Canada recognized a legal obligation under the Constitution to maintain the Newfoundland Railway. The Government of Canada recognized that constitutional obligation.

MR. SPEAKER:

Order, please! Order, please!

The hon. the member is out of order.

MR. BARRY:

Okay, Mr. Speaker, that was just to deal with the former Minister of Transportation's point.

Now, if I could just go on, whether or not there is a constitutional obligation, Mr. Speaker, the fact remains is that the Government of Canada was prepared to consider that there was and they were prepared to pay an amount, Mr. Speaker, to get them off the hook.

MR. SPEAKER:

Order, please!

The hon. member is out of order. He is dealing with a completely different matter. We are dealing with third reading, "An Act To Amend The Insurance Companies Tax Act."

MR. BARRY:

Okay, Mr. Speaker, I will get back to it. I am dealing with money, Mr. Speaker, and I am dealing with taxes and I am dealing with, Mr. Speaker, the fact that there is only \$7 million going to Port aux Basques.

MR. SPEAKER:

Order, please!

The hon. member is out of order in dealing with the agreement of today. It has absolutely nothing directly associated with "An Act To Amend The Insurance Companies Tax Act".

MR. BARRY:

Yes, Your Honour, again I have not had the opportunity to finish my sentence because what I was trying to say is that insurance taxes and payments under The Insurance

Companies Tax Act, although it might be paid directly by companies, they collect it from the general public, Mr. Speaker. So that, residents all around this Province, in Port au Basques, in Bishop's Falls, in St. John's, in various railroad communities and communities where there are no railroads - pretty soon there will be no railroads anywhere, Mr. Speaker - but right now I just give you, for example, the three main railroad communities, I suppose, and point out that although there will be money coming into those communities, there will also be money going out in taxes, Mr. Speaker, or payments to insurance companies.

When one considers there is \$7 million going into say, for example, a community like Bishop's Falls or Port aux Basques, taxes are going to go up for the residents of these communities, Mr. Speaker, not only insurance taxes, but other taxes, personal income tax if, Mr. Speaker, the Province cannot afford to maintain the Trans-Canada Highway because they never had a good enough deal.

SOME HON. MEMBERS:

That is right! Hear, hear!

MR. PEACH:

Legal fees will not go up.

SOME HON. MEMBERS:

Oh, oh!

MR. BARRY:

No, legal fees are pretty good right now.

MR. SIMMS:

On a point of privilege, Mr. Speaker.

MR. SPEAKER:

Order, please!

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

MR. SIMMS:

Mr. Speaker, I am on a point of privilege.

MR. SPEAKER:

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

MR. SIMMS:

Because it is very clear to me, Mr. Speaker, that the hon. the member for Mount Scio - Bell Island (Mr. Barry) is breaching the privileges of all members of this hon. House.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

Your Honour has ruled the member out of order at least on seven occasions. Mr. Speaker, irregardless of the fact that they want to play politics because there are some people in the gallery they want to try to make an impression on, -

AN HON. MEMBER:

Irrespective.

MR. SIMMS:

- irrespective of all of that, is the fact that the rules of the House must be followed. I am surprised that members opposite and the House Leader (Mr. Tulk) opposite is allowing this to continue because clearly the hon. member is showing disrespect for the authority of the Chair by continuously speaking outside to this particular bill, outside of the parameters of this bill.

Mr. Speaker, it is important that everybody knows what the purpose of the bill is. The purpose of the amendment is to require that

notices of assessment be issued only where the filed tax return of the insurance company differs in amount from the audited return. At present, notices of assessment are sent to all companies which file a return.

MR. BARRY:

That is exactly what I am talking about.

MR. SIMMS:

That is all this act says. Nothing else! It has to do with the return, the form, that is sent in by the insurance company - nothing to do with railways, nothing to do with highways, nothing to do with anything else!

Surely, Mr. Speaker, in the parliamentary references and guides when they talk about the debate on third reading being very narrow and limited to this particular aspect of the bill, there is no better example of abuse of that particular ruling and that particular parliamentary reference and tradition than what the hon. member for Mount Scio is trying to do. He is simply trying to play politics with it, Mr. Speaker. Nothing more! Nothing less!

I have indicated already if he wants to do it under The Highway Act, or whatever it is, it might be a bit more relevant, perhaps it might be. I said we would do that if we got through the other third readings, but he continues to abuse the rules of the House, continues to abuse Your Honour's authority, which I find to be most distasteful, quite frankly. I am ashamed of a member who stands up and shows disrespect for the authority of the Chair.

SOME HON. MEMBERS:

You should be ashamed of your own agreement.

MR. SIMMS:

We are not ashamed of our own agreement. Do not be so foolish, my son, about the agreement! We are proud of the agreement, and we will show it, too, before the time is over.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

Hon. members will be burned by this, you need not worry.

SOME HON. MEMBERS:

Oh, oh!

MR. SIMMS:

You see, Mr. Speaker! Do you see what they are attempting to do? They are attempting to use this particular bill, or whatever other bill they can find, to get into a debate on the railway agreement. I have said there are going to be lots of opportunities for that. I am going to be calling the budget debate, which is wide open. If the hon. members want to do it under Order 3, I said they could do that. No problem! But surely, Mr. Speaker, it has absolutely nothing to do with The Insurance Companies Tax Act. That is an abuse of the rules and it certainly is an affront to Your Honour's authority. I suggest Your Honour implement the other reference that is in the parliamentary references; if the hon. member continues, if the hon. member will not listen to your ruling, then Your Honour can order the hon. member to take his seat. And that would be the appropriate thing to do.

MR. SPEAKER:

Order, please!

I am satisfied there is no point of privilege.

The hon. member is consistently and persistently continuing a debate that I have said is out of order. Now, if the hon. member starts that, I will ask him to sit down. If he continues, I am going to name the hon. member.

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, I have great respect for Your Honour and great respect for the rules of this House. All I ask, Mr. Speaker, is that they be applied fairly and evenly and equally to everybody.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

I will say to Your Honour that I have accepted Your Honour's ruling, but I do not believe that I have been straying from what I am entitled to debate on this bill. I will try and reword my remarks to fall within Your Honour's criteria. I have difficulty, because I am not sure what the criteria is, because it is not normal to set out criteria.

MR. SIMMS:

He is playing games, now.

MR. BARRY:

I wonder who started playing games today? When he started off, he wanted to go through from Order 3 in order, and then suddenly realized we could debate the Newfoundland Railway on Order 3 and yanked it back, Mr. Speaker. Who was playing games then?

SOME HON. MEMBERS:

Right on! Right on!

MR. BARRY:

Mr. Speaker, the Government House Leader got caught out. He forgot we could debate third readings of bills. The Government House Leader got caught out, and he is now trying to make Your Honour an accomplice to bailing him out of his embarrassment, because he is afraid to debate the Newfoundland Railway in this House.

SOME HON. MEMBERS:

That is right.

MR. BARRY:

And he is ashamed of the little money they got for tearing up The Terms of Union and getting rid of the Newfoundland Railway. That is the only reason that he will not debate it.

MR. TOBIN:

A point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

A point of order, the hon. the Minister of Social Services.

MR. TOBIN:

I have sat through most of the debate this afternoon listening to what is going on, and again the member for Mount Scio - Bell Island is involved in the Terms of Union and the railway which is not relevant to the debate, as Your Honour has ruled on several occasions in terms of the hon. member. He is continuing to do it, Mr. Speaker, despite your ruling, and I ask that he be brought to order.

MR. BARRY:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To the point of order, the hon.

the member for Mount Scio - Bell Island.

MR. BARRY:

Again I have to say that the member for Burin - Placentia West did a good job for the people of Petit Forte, Mr. Speaker, who I had the honour to represent, in getting a road to Petit Forte under that agreement, but he should consider the cost to all the Province and not just the benefits of his constituents.

For example, when we get to the retail sales tax, which the Government House Leader skipped over, we will get a chance to talk about retail sales tax. But now we are talking about insurance companies taxes and they are going to have to go up because members opposite did not get enough money for tearing up the Terms of Union, did not get enough money for railroading the railroad.

MR. SPEAKER:

Order, please!

There is no point of order.

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Thank you, Your Honour.

I realize Your Honour is being put in a difficult position, but I ask Your Honour to keep in mind that the precedents that are set here in ruling what is in order and what is not in order on third reading, will exist for this House for all time.

MR. CALLAN:

(Inaudible).

MR. BARRY:

Mr. Speaker, I am delighted to

hear from the member for Bellevue, because last year he had the opportunity to second a motion asking for the preservation of the Newfoundland Railway.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

I would like to Table this resolution of May 13, 1986 which the member for Bellevue had the opportunity of seconding.

MR. CALLAN:

Do you want to talk about some of the things you supported when you were on this side?

MR. BARRY:

Mr. Speaker, do you know something? I supported the railway when I was on that side, and I support the railway now that I am on this side.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

The hon. member is again out of order.

MR. BARRY:

But he was interjecting!

MR. SPEAKER:

I will read for the final time Beausnesne Section 712 (5), page 221, which was quoted by the hon. member for Fortune - Hermitage: "Third Reading - The purpose of the third reading is to review the bill in its final form after the shaping it has received in its earlier stages."

The hon. member knows quite well he is straying way off that narrow confine here. I would appeal to

the hon. member because I do not want to name him, but I will do so if he continues on that tack.

MR. BARRY:

With respect, Your Honour, my respect for yourself and for the Chair would not be reduced if that were to happen. I just hope that when Your Honour does that, because it may become necessary if I am to be prevented from speaking in this House - I intend to assert my rights as an individual MHA, duly elected for the District of Mount Scio - Bell Island, and while I will try to reword my remarks, Mr. Speaker, to comply with Your Honour's criteria, I will just ask Your Honour to keep in mind that Your Honour will be setting certain precedents.

I am prepared to accept the consequences of speaking out, but if Your Honour does not keep members opposite quiet, I am entitled to deal with their interjections in the course of my debate.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

I have great respect for the Speaker. Your Honour is known as somebody who knows how to manage monetary affairs and I know he has concerns about the way in which the taxes on insurance companies in this Province are likely to go up as a result of the inability of the government to pay for the maintenance of the Trans-Canada Highway.

Mr. Speaker, what we had as far as the railway was concerned was a perpetual obligation, and what we now have as far as the highway is concerned is not perpetual. Mr. Speaker, there was a legal opinion

filed -

MR. SPEAKER:

Order, please!

The hon. member is out of order.

MR. BARRY:

I was reading in The Globe and Mail about Singapore, where there is one opposition member. Maybe Your Honour had the opportunity of meeting him on one of your parliamentary tours. There was one opposition member in Singapore, and every time he got up members opposite would interject, laugh, rant and roar to try and shout him out. The same thing is happening here. Whenever you get close to a nerve, Mr. Speaker, in debate in this House, you get members opposite trying to drown you out.

MR. PEACH:

Singapore has nothing to do with -

MR. BARRY:

That is not the way parliamentary democracy works. It is not even the way the Carbonear council used to work, Mr. Speaker.

MR. PEACH:

The Carbonear council worked a lot better then than it does now.

SOME HON. MEMBERS:

Oh, oh!

MR. BARRY:

Mr. Speaker, all I can say is that I bet the Carbonear council were not as quick to raise taxes now, or as quick even when the member for Carbonear was in, as government is going to be as a result of this Trans-Canada Highway agreement, or should I say this feeble attempt at a Trans-Canada Highway agreement.



MR. PEACH:

How did you get on with the mayor and delegation at the time?

AN HON. MEMBER:

Oh! Doubly blessed, were they?

MR. BARRY:

Yes, we were cursed in two directions. It is like the double burden of taxation that is talked about.

MR. SPEAKER:

Order, please!

AN HON. MEMBER:

(Inaudible) the member for Port de Grave.

AN HON. MEMBER:

Mark him elected.

MR. BARRY:

Now, Mr. Speaker, we have heard election coming into play. Although the Government House Leader accused me of speaking politics, I have not mentioned once in this House the objective of getting a little slush fund on highways for the next provincial election. I have not mentioned it, and I did not intend to raise it if election was not raised by members opposite.

MR. SPEAKER:

I ask the hon. member to confine his remarks to the bill.

MR. BARRY:

Okay, Mr. Speaker.

Getting back to insurance. We have all had the experience on travelling the Trans-Canada Highway, as we meet one of these big transport trucks coming towards us, of wondering whether our insurance premium has been paid up, because you never know when you are going to need it on

the Trans-Canada Highway these days.

Mr. Speaker, by the admission of the Premier, the minister for Newfoundland in the federal cabinet and the Newfoundland Minister of Transportation, 20 per cent of the freight carried into this Province is now carried by the railway. Now, that is going to have to go somewhere. Let us assume it will not all go onto the roads, but I would say 15 per cent at least is going to go to roads. Now, if you get another 15 per cent of the volume of freight coming into this Province going onto the Trans-Canada Highway, does Your Honour not think that he will be checking to see whether his insurance premiums have been paid up before he hits the highway?

And when you consider that there are many products and goods carried on the railway which are hazardous - you have chemicals, you have many dangerous items carried in these shipments - which are now going to be on the highway with a risk of accident and collision for the normal motorist on the highway, make no wonder they brought in this Insurance Companies Tax Act; they were looking ahead to this day, and that is why they want to get third reading of this bill today.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

It is obviously the most important piece of legislation on the Order Paper, next to the Regulation of Private Training Institutions, An Act To Amend The Hospitals Act, and An Act To Amend The Newfoundland And Labrador Hydro Act. Next to those three, this is the most important piece of

legislation that could be brought before this House. Why? Because the Government House Leader, like the Premier, knows that as soon as this agreement that was entered into on the railway today is implemented, look out for your insurance premiums; look out and make sure your insurance contract is paid up, Mr. Speaker, because there is going to be a greater hazard on the highways of this Province.

Maintenance of our highway system is partly paid for by insurance taxes.

DR. COLLINS:

A point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

A point of order, the hon. the Minister of Health.

DR. COLLINS:

Mr. Speaker, it is quite clear that the hon. member has been speaking now for approximately half an hour, and this is on third reading. Even to speak for five minutes on third reading is most unusual. Clearly we are into a filibuster. That is obvious. But the hon. member is so boring in his presentation of the filibuster, would he sit down and give us a bit of a break and have someone else get up, perhaps the hon. member for Port de Grave. He would be much more interesting in a filibuster than the hon. member, because he is making almost no new points. He is terribly, terribly boring. I just rise on that point of order, Mr. Speaker.

MR. TULK:

Mr. Speaker, to that point of order.

MR. SPEAKER:

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

MR. TULK:

Mr. Speaker, what we see again is, as the member for Mount Scio said just now, an interruption. I would class that as a needless interruption by the Minister of Health, a disparaging remark that is not worthy of him.

What the hon. the member for Mount Scio is doing is perfectly within his right.

AN HON. MEMBER:

Let us do the bills, close the House and call an election. What are you waiting for?

MR. TULK:

Ah! The good old backseater over there!

Mr. Speaker, what the hon. gentleman rose on is the amount of time the member for Mount Scio - Bell Island has been speaking. Now, obviously Your Honour knows the amount of time the hon. gentleman has, and he will call him to order when his time is up, not the hon. gentleman.

He is taking over now from the Government House Leader who is slumped down in his chair because he could not ram the things through this House that he wanted to ram through. The hon. gentleman has taken over and what he is attempting to do is the same thing as we have seen go on here all afternoon, attempt to divert us from the issue we believe should be debated, and that this House should obviously debate, namely, the railroading of the railroad.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

There is no point of order.

I would like to point out to the hon. member he has about nine minutes left to sum up.

MR. BARRY:  
Oh, good!

MR. SPEAKER:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Your Honour, I had just gotten into some preliminary remarks, there have been so many interruptions.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

I am sure members opposite, however, will, by leave, permit me to fully elaborate on my remarks.

Mr. Speaker, one of the things that is most important to the preservation of democracy is a free and open exchange of ideas. We have really seen that here today as far as the tax position of this Province is concerned, and whether or not we are going to have to raise taxes in future years to raise taxes in future years to pay for thing such as, for example, the maintenance of the Trans-Canada Highway.

Mr. Speaker, members opposite criticized the Liberal Administration of Joey Smallwood for entering into a contract relating to Churchill Falls which went on for sixty years. I do not know if they realize that they are now entering into an agreement that goes on for perpetuity.

There will, Mr. Speaker, no longer be any obligation on the part of the Government of Canada -

MR. SPEAKER:

Order, please!

The hon. member is again straying from the narrow confines of the bill.

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

If I could just finish the sentence. In perpetuity, there will be no longer the opportunity to reduce insurance companies taxes because of the money that is coming in from the Government of Canada.

MR. SIMMS:

(Inaudible).

MR. BARRY:

Mr. Speaker, I love the way the Government House Leader attacks the principle that is before the House.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

I love to see the way, Mr. Speaker, he gets right to the guts of legislation in this House.

MR. SIMMS:

How about you? You have been told you were out of order ten times.

MR. BARRY:

And I have tried to adjust my remarks to deal with taxes and insurance, Mr. Speaker.

DR. COLLINS:

"Leo", what does that mean?

MR. BARRY:

It means that we will never more hear that Newfie Bullet whistle, Mr. Speaker, the old toot-toot. I do not know if Your Honour was aware that in the course of paying insurance companies taxes or premiums, I had the opportunity to work as a waiter on the Newfie Bullet, and I am sure this has to be in order.

MR. DINN:

That is why she went downhill.

MR. BARRY:

Mr. Speaker, as a waiter on the Newfie Bullet -

MR. MATTHEWS:

Waiter or waitress?

MR. BARRY:

- I had the opportunity, from time to time, of seeing the cargo that was carried on the Bullet, both passenger and freight trains that we passed. Well, that was not too long ago. I know the member for Burin - Placentia West will say, 'Mommy, what is a train?' but the member for Mount Scio - Bell Island had the opportunity of working on the trains, and it was very pleasant, I have to say. Now I do not want to get nostalgic in the debate. I think the disappearance of the passenger service is a fait accompli. And, Mr. Speaker, I am prepared to say maybe the people of this Province want to see the phasing out of the freight rail system. Maybe that is the case, but we will never know, Mr. Speaker, unless we have a debate. Unfortunately, I have not been able to debate this in the context of The Insurance Companies Tax Act, it has only been mentioned incidentally in passing; we have not had the opportunity of a full debate.

When the Government House Leader

calls Order 3, I am sure we will have the opportunity for a full, flowing, open and complete debate on the Newfoundland Railway, and I look forward to that.

MR. SIMMS:

I would have done that an hour ago if you had sat down.

MR. BARRY:

Do I understand the Government House Leader will call it next on the Order Paper?

MR. SIMMS:

No, I am going to do the other third readings (inaudible) and then we will call Order 3.

MR. BARRY:

And we will get them through quickly and then we will get to Order 3?

MR. SIMMS:

Yes.

MR. BARRY:

Okay, Mr. Speaker.

We have the commitment of the Government House Leader and members on the other side of the House?

MR. SIMMS:

You had it an hour ago.

MR. BARRY:

Mr. Speaker, the Insurance Companies Tax Act is very crucial and important to this Province, obviously, or it would not have been called.

MR. SIMMS:

Your hour is up anyway.

MR. BARRY:

No, I think members on this side, Mr. Speaker, feel that The Insurance Companies Tax Act must

be important. We are trying to analyze it to see how it could be more important than the Newfoundland Railway Agreement, and that is why, maybe, we are having so much debate. I regret, Mr. Speaker, that like the Newfoundland railway, I occasionally got off the track in the course of these remarks. Mr. Speaker, I do not think we can trust the Government House Leader. Regrettably, I have to say in terms of the order of business, in terms of what the Government House Leader tried to pull out earlier this afternoon -

MR. SIMMS:  
What do you want me to say?

MR. BARRY:  
I think the Government House Leader should say he is sorry; I think the Government House Leader should admit that he is afraid to have a free-flowing debate on the Newfoundland railway; I think the Government House Leader should admit he made a mistake in trying to keep a cover over this agreement so that the people of the Province will not find out it is a weak, poor agreement, it does not pay enough money to this Province for what is being given up.

MR. DINN:  
You are just being sooky, that is all.

MR. SIMMS:  
There is a strong letter to follow. What do you want me to do?

MR. BARRY:  
A strong letter to follow, yes. I think the Government House Leader should make it clear, Mr. Speaker, that one of the main reasons for entering into that agreement was to have a little slush fund on

highways in the event members opposite have the courage to call an election.

MR. SIMMS:  
Would the hon. member permit a question?

MR. BARRY:  
A question? Of course.

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

MR. SIMMS:  
I have asked you what you wanted me to say, and if I offer a response -

MR. BARRY:  
Get up on a point of order.

MR. SIMMS:  
I did not want to interrupt the member, unless he wants me to interrupt him. I just wanted to respond.

MR. BARRY:  
I would be reserving the right to finish my remarks?

MR. SIMMS:  
Oh, yes. I am not taking your time. I just wanted to respond to what the hon. member said.

I am not going to say I am sorry, because I have not done anything yet. My responsibility is to try to get legislation through the House, and that is what I have been attempting to do. I am not going to say we are afraid to debate the Newfoundland Railway Agreement, because we are not afraid. We are quite proud of it and quite prepared to debate it.

MR. BARRY:  
When!

MR. SIMMS:

Well, as we said earlier today for those who were not around, there are all kinds of opportunities. I have already said I am going to call the budget debate this week, and that is very wide-ranging.

Anyway, forget all that.

MR. TULK:

When?

MR. SIMMS:

This week. I said I am going to call it this week. Forgetting all of that, what the hon. member is asking me is would I go back to Order 3. I said, 'Yes, I will go back to Order 3. I would like to get the other third readings done, and you have my assurance that we will return to Order 3. Third readings will take five or ten minutes, and then we will revert to Order 3. While that is not exactly the railway debate either, it perhaps might be a bit broader to allow some comments as opposed to The Insurance Companies Tax Act. That is all I am saying. But I am quite prepared to do that, and I said that an hour ago. But the hon. member refused to listen to me, or perhaps just did not believe me, I do not know. That is what I am prepared to do.

MR. SPEAKER:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, I appreciate the Government House Leader trying to correct the mistake he made earlier in the day, but I have a responsibility to members on this side who may want to debate this legislation as well. I cannot make any commitments. That is for the Opposition House Leader to

decide. But I will say, Mr. Speaker, that I have many more remarks with respect to the debate on the Newfoundland railway than I have had the opportunity to only mention incidentally and in passing here. All I would say to members opposite is that The Insurance Companies Tax Act is going to be a very important piece of legislation in future years because taxes of all kinds are going to go up, including taxes on insurance companies, in order to help pay for the grievous mistake that is being made today by the present administration in signing off for too few dollars. There was a sellout. You know, I am not sure the word 'sellout' is appropriate to what has been done today, Mr. Speaker. It is more like a giveaway. I do not think 'sellout' is the right word. Because what is happening is that the responsibility of the Government of Canada to compensate this Province and to help us keep insurance companies' taxes down -

MR. SPEAKER:

Order, please!

The hon. member's time has elapsed.

MR. BARRY:

- is being given up for too little money.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. WELLS:

Mr. Speaker, I understand the hon. the House Leader is suggesting he wants to do third readings of those remaining on the Order Paper, and he would then revert immediately to third reading of

item 3.

MR. SIMMS:

That is correct.

MR. WELLS:

I have no objection to that, do you?

MR. TULK:

No.

MR. BARRY:

Adjourn debate on this one, just in case.

MR. WELLS:

No, I will not make life too difficult for him.

On the basis of that representation, we will take the hon. member at his word and move on.

On motion, the following bills were read a third time, ordered passed and their titles be as on the Order Paper:

A bill, "An Act To Amend The Insurance Companies Tax Act". (Bill No. 11).

A bill, "An Act To Amend The Public Utilities Act". (Bill No. 25).

A bill, "An Act To Amend The Retail Sales Tax Act, 1978". (Bill No. 10).

A bill, "An Act To Amend The Mineral Holdings Impost Act". (Bill No. 12).

A bill, "An Act To Amend The Newfoundland And Labrador Housing Corporation Act And To Repeal The Harmon Corporation Act, 1966-67". (Bill No. 6).

A bill, "An Act To Amend The Fish

Inspection Act". (Bill No. 15).

A bill, "An Act To Amend The Fatal Accidents Act". (Bill No. 15).

A bill, "An Act Respecting The Newfoundland Hospital And Nursing Home Association." (Bill No. 20).

A bill, "An Act Respecting An Increase Of Certain Pensions." (Bill No. 28).

A bill, "An Act To Incorporate The Newfoundland And Labrador School Trustees' Association." (Bill No. 9).

A bill, "An Act To Amend The Newfoundland Teacher (Collective Bargaining) Act, 1973." (Bill No. 27).

A bill, "An Act Respecting The Newfoundland Institute Of Agrologists." (Bill No. 38).

MR. SIMMS:

There were six notices given today. Could we get agreement to do first readings on those six notices so that they appear on the Order Paper tomorrow under second readings and the bills can be distributed? Otherwise, there is another day gone. There are only six notices. We have them in lists, so the Speaker could ask the Clerk to do read first readings of those six. The Speaker has the list as well. Then we will go to Order 3.

MR. SPEAKER:

Would you like each separate one?

MR. SIMMS:

No, just the first readings of Bills Nos. 61, 62, 63, 64, 65, 66, and the Clerk can so read, by agreement.

On motion, The following bills

were read a first time, ordered read a second time on tomorrow:

A bill, "An Act To Amend The Fishing Industry (Collective Bargaining) Act, 1971 and The Labor Relations Act, 1977."

A bill, "An Act Respecting The Registration And Licencing Of Hearing Aid Dealer."

A bill, "An Act To Amend The Physiotherapy Act."

A bill, "An Act Respecting The Establishment Of Services For Victims Of Crime".

A bill, "An Act To Amend The Provincial Court Act, 1974".

A bill, "An Act To Amend The City Of Corner Brook Act, 1985, The City Of St. John's Act and The Municipalities Act.

MR. SIMMS:  
Order 3, Mr. Speaker.

MR. SPEAKER:  
The hon. the Minister of Intergovernmental Affairs.

SOME HON. MEMBERS:  
Hear, hear!

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

MR. SPEAKER:  
Order, please!

A point of order, the hon. the member for Mount Scio - Bell Island.

MR. BARRY:  
Mr. Speaker, I would like for Your Honour to notice, and I would like for everybody present to notice, why I would not sit down while I still had time to continue my

remarks.

MR. SIMMS:  
Your time was up.

MR. BARRY:  
I said, and this confirms it, Mr. Speaker, that the Government House Leader could not be trusted to permit debate on the Newfoundland Railway this afternoon.

SOME HON. MEMBERS:  
Hear, hear!

MR. TOBIN:  
That is not a point of order, Mr. Speaker.

MR. BARRY:  
What we see now is the Minister of Transportation getting up and he will talk out the day and avoid debate.

MR. SIMMS:  
The hon. member finished an hour long speech a moment ago.

MR. BARRY:  
Do you want to interject?

MR. SIMMS:  
To the point of order, Mr. Speaker.

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

MR. SIMMS:  
Mr. Speaker, members on this side of the House have as much right to debate as members opposite. Surely the hon. member would agree to that.

MR. DAWE:  
Having put up with an hour of his drivel.

MR. SIMMS:  
There is no intent here for the Minister of Intergovernmental



Affairs to speak out the clock for the next half hour. We have no intention of doing that. We will give hon. members opposite lots of time to talk. But the minister over here wants to make a few introductory comments on this particular bill, which is An Act To Amend And Consolidate The Law Relating To The Use And Operation Of Vehicles. That is the only intent for five minutes or so, and then you can talk away. No big problem. Because third reading is very narrow and limited, and probably does not require much more than five minutes in the usual circumstances. That is all! Do not get excited!

AN HON. MEMBER:

He just had an hour.

MR. SPEAKER:

Order, please!

I am quite prepared to rule on the matter. Third reading was called and I recognized the hon. the minister. There is no point of order.

The hon. the Minister of Intergovernmental Affairs.

MR. DAWE:

Mr. Speaker, it is -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. DAWE:

Mr. Speaker, I would have preferred my colleague, the Minister of Transportation, to introduce this, as it is his bill. He was not here at the time, so I got to my feet and I am going to take the opportunity -

SOME HON. MEMBERS:

On third reading? This is third reading.

MR. DAWE:

Mr. Speaker, I understand it is third reading. A slip of the tongue is not necessarily a slip of the mind. I mean, we are going through it. We would have preferred that that had occurred.

However, in relationship to this particular bill, "An Act To Amend And Consolidate The Law Relating To The Use And Operation Of Vehicles", hon. members will recall that I was the former Minister of Transportation and had a great deal to do with bringing this forward, this consolidation of a number of amendments which affected the operation and government's control, if you will, of the highways in the Province.

This bill reflects a number of changes which have occurred over many years with respect to transportation in this Province; it reflects the number of laws that have changed with regard to violations and penalties and is outlined in this particular Act; it identifies a number of changes that have been found necessary as it relates to fines, and some programs have been removed from it. It also refers, Mr. Speaker, to a number of other activities, because it consolidates so many things in the area of transportation in the Province: It consolidates a number of amendments that have been relating to various aspects of highway transportation in this Province, and vehicular transportation.

Important aspects of new changes that have occurred, of course, have been the ongoing improvements to the transportation system in

the Province, which have required changes in speed limits and required changes in various aspects of individual driver habits, if you will, on the highway system.

I think it is important to point out, Mr. Speaker, that some of these changes are a result of this Province having the best safety record, and I think that is important for all members to realize. I think they can be proud as Newfoundlanders to highlight the fact that this Province has had the best safety record in the past eight to ten years within Canada, and we are always held up as an example: our various regulations, our changes we have initiated in the transportation sector in this Province, in seat belt legislation, in various other activities, and particularly as it relates to the improvement in our transportation system.

Mr. Speaker, the hon. the member from Mount Scio - Bell Island went into somewhat of a tirade about increasing taxes to pay somehow for this perception that there will be an increase in the maintenance cost.

Mr. Speaker, if you look at an hon. member's, unfortunately, play to politics rather than look at the record, out of the various budget speeches and the various programs for the Department of Transportation over the past ten years, you will be amazed, Mr. Speaker, and it is based on the kinds of things this consolidation of the Act addresses, the sorts of things that have been occurring, particularly in the area of

Maintenance, Mr. Speaker, has

continued to be at a very high level and is, I think, one of the major reasons why the safety record and the record of Newfoundland drivers is so exemplary in this country.

That, Mr. Speaker, is a given. There is a high, consistent standard of maintenance in this Province. And that is why some of these consolidations were necessary, because of the changes in the highroad system. What you will see is that the financial cost to government, the current cost to government of its maintenance program, I would suggest, has stabilized in real dollars. It has stabilized more than any other government program, and it is because of the improvements that have been made in the transportation system in this Province, to the highways system.

The hon. member referred to additional costs that would somehow be involved in the maintenance of the Trans-Canada Highway in fifteen years time, and other things. I would just like to point out to him, Mr. Speaker, if I may, because it does reflect directly on the contents of this whole consolidation, these amendments that are now being put in this particular act draw together all the things that we have been trying to do with regard to transportation and highway infrastructure in this Province over the years. What you will find, and what has been the record, and what will prove to be the case is instead of an increase in the cost of maintenance of the highway system in this Province, there will be, and it is proven year in and year out, a tremendous decrease in the real cost of maintenance of our highway system

in this Province, a dramatic and real, identifiable, year-by-year reduction in the maintenance costs associated with the highway system in this Province. That is a fact. It is certainly a trend, but it is a trend based on the fact that road improvements require and demand less maintenance cost.

Mr. Speaker, we have been involved in capital programs, cost-shared programs with the federal government and these have contributed to these significant improvements, and we will continue with what today was the largest highway program, or comprehensive transportation program, signed in Canada to date. We are very proud of that, because it takes this Province forward, into another century.

I have heard members opposite say, 'Well, we will be the only province in Canada without a railway, therefore, we will have one less mode of transportation than anybody else.' Mr. Speaker, I would like to point out that CN Marine has very few terminals in Saskatchewan or Alberta or Manitoba, and that this Province enjoys, as one of the intermodal methods of bringing in freight and passengers and personnel and doing business in this Province, a very important and a very cost-effective method of transportation, and that is our marine aspect, which is very positive for this Province and so contributes significantly to the economy of this particular part of Canada.

It is in that context that this new system that is being proposed, and will be developed over the next number of years, will integrate a number of the

strengths that we have with regard to transportation and, at the same time, develop new strengths in road and surface transportation, both on the Island part of the Province and on the Mainland part of the Province, in Labrador, and there is no question.

Members opposite, I have no idea where their arguments came from about maintenance costs. Because statistically, dramatically statistically and every other way, that is just the opposite from what will happen. In this particular agreement we are not adding any significant extra miles of road, with the exception of Labrador, and with the exception of a short piece of road into Petit Forte. I am sure, as this particular bill does in consolidating amendments that have occurred over the past number of years, the changes that will occur in the Newfoundland transportation system will cause us to be back here at some point in time putting forward another consolidation of the law relating to the use and operation of vehicles, based on a number of the significant improvements that will be occurring as they relate to speed limits, as they relate to signage policy, as they relate to the development of tourism, as they relate to the development of the service industry, as they relate to the ability of Newfoundlanders to generate revenue and economic benefits from a much improved and tremendously beneficial highway transportation system.

Mr. Speaker, hon. members may not realize that Newfoundland has more major, in the classification of major by Transport Canada, airports in this Province than all the rest of Atlantic Canada put together. We have more airports.

It is a recognition by the federal government that this Province has a vast geographic region which it has to address, and it is doing so. And it is the same with the marine services.

Now, Mr. Speaker, we have been able to take advantage of a significant amount of benevolence on behalf of the federal government who had no obligation to do this, and, at the same time, we are taking advantage of what has been recognized in this Province for a number of years, the tremendous negotiating abilities of the Premier and the leader of this particular government in developing this kind of program, and we are very proud of it.

MR. SIMMS:  
Before you adjourn the debate, a point of order, Mr. Speaker.

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

MR. SIMMS:  
With reference to the discussion and conversation the hon. member opposite and I had earlier, I would assume that hon. members opposite are not going to not want to adjourn the debate at five o'clock, or anything like that.

AN HON. MEMBER:  
(Inaudible).

MR. SIMMS:  
No? Well, we would like to know, because we are trying to accommodate everybody. We only have thirty minutes to speak. The minister wanted to speak for ten minutes.

MR. BARRY:  
Mr. Speaker.

MR. SIMMS:  
To the point of order?

MR. SPEAKER:  
To the point of order, the hon. the member for Mount Scio - Bell Island.

MR. BARRY:  
Mr. Speaker, there is no point of order. The Government House Leader gave a commitment that the minister would speak for approximately five minutes. He is now saying ten.

MR. SIMMS:  
No, I said five or ten.

MR. BARRY:  
If he wants ten, fine, but then we are entitled to make our remarks.

MR. SIMMS:  
Yes, but you did not respond to my point of order.

MR. BARRY:  
We would like the minister to be permitted to finish, and then we be permitted to make our remarks as was promised and committed by the Government House Leader.

MR. SIMMS:  
Sure! I am asking hon. members opposite if they are going to try and play another little game at 5:00 o'clock and not move adjournment? Otherwise, the minister has an hour to speak and he would be entitled to speak the same as you would.

MR. BARRY:  
What do you mean, otherwise? You made a commitment he is going to speak for five or ten minutes. What are you talking about?

MR. SIMMS:  
On the assumption you are going to play the game properly.

MR. SPEAKER:  
Order, please!

MR. SIMMS:  
You are not prepared to indicate to me, then, what you plan at five o'clock.

MR. BARRY:  
That is shocking! Mr. Speaker, is he in order?

MR. SIMMS:  
I am asking the hon. member a question. I am asking if at 5:00 o'clock the hon. members are not going to play a little game?

MR. BARRY:  
You are just wasting our time, now.

MR. SPEAKER:  
Order, please!

MR. TULK:  
The hon. gentleman asked us for a commitment that if we moved down through the Order Paper -

MR. SPEAKER:  
Order, please!

MR. TULK:  
I am on a point of order.

MR. SPEAKER:  
Order, please!

MR. TULK:  
Let me speak to the point of order.

MR. SPEAKER:  
On the previous point of order I ruled there was no point of order. Now, the hon. member is raising a different point of order.

MR. TULK:  
Mr. Speaker, if the hon. gentleman wants to speak for five or ten minutes let him go ahead, and whenever the time on the clock rolls around, we will see what

happens. That is the only commitment we have made.

MR. SIMMS:  
That is precisely my point, 'we will see what happens.' So, hon members opposite are not prepared to indicate that they are going to adjourn at 5:00 o'clock. They are not prepared to indicate that?

MR. BARRY:  
I would not even answer him. It is insulting.

MR. SIMMS:  
I was insulting? If you are not prepared to indicate that, the minister may very well speak for a bit longer.

MR. TULK:  
That is up to him.

MR. SPEAKER:  
The hon. the Minister of Intergovernmental Affairs.

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

What is actually happening is very obvious. The members opposite, particularly the Leader of the Opposition and now the former leader; the resurrected member from Mount Scio -- Bell Island, the Rip Van Winkle of the Liberal Opposition is now on his feet today, and it is somewhat of a welcome change from what we have been experiencing. But it is still the same old line they are using over there.

Mr. Speaker, bill 14 is a very important bill. Hon. members may not realize the significance and the impact of this particular bill. This is a very, very significant bill and has been a number of years in the making. It will serve to facilitate a number

of administrative problems which have occurred, both in the enforcement agencies and in other parts of the whole highway transportation system.

Mr. Speaker, unfortunately I got so excited about the agreement we are signing today and the inability of the members opposite to understand the import of the improvements in the transportation system, that I got somewhat carried away. I would apologize to the Leader of the Opposition. He did indicate my remarks would be in the order of about five minutes. I strayed over that. So, Mr. Speaker, I would like to conclude my remarks and allow members opposite to continue.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Thank you, Mr. Speaker.

We are now dealing with an act which is a new consolidation of The Act To Regulate Motor Vehicles in the Province. There is a lot in that legislation, Mr. Speaker. It is a very important piece of legislation for the people of this Province. It deals with the way in which we drive.

I am sure Your Honour never thought that it would be possible for anyone to drive on any but the right-hand side of the road. I knew it would never occur to Your Honour. Your Honour thought that that was a matter of a law of nature for people to drive on the right-hand side of the road. Well, in fact, Mr. Speaker, the only thing that sees us drive on

the right-hand side of the road is this piece of legislation, or the predecessor of this legislation which sets out that we shall drive on the right-hand side of the road.

We have matters in this bill relating to insurance for vehicles, responsibilities of the general public to have their motor vehicles insured and so forth. I was happy to see Your Honour permit the minister to discuss, in the context of third reading on this bill, the Newfoundland Railway and the money which the government would be receiving for the sellout of the Newfoundland Railway or the giveaway, and also to discuss the safety implications of the deal on the Newfoundland Railway.

What I would like to address, Your Honour, is whether there was enough money obtained to improve the safety of motorists travelling on our highways. Was there enough money obtained? Mr. Speaker, I do not think there was enough money obtained.

Why do I think there was not enough money obtained? Well, one of the reasons has to do with the fact that under our Terms of Union there was a reference to the Newfoundland Railway, and under our Terms of Union the Government of Canada had to put a certain amount of money into the railway side of our transportation system. That was getting pretty close to \$60 million a year. So, what was the value of that, Mr. Speaker, to our Province?

I would submit to Your Honour, it was a lot more. That was an increasing burden. That is in today's dollars. That infusion of funds, Mr. Speaker, was a lot more than what the Government of Canada

is now going to be infusing into our transportation system.

MR. J. CARTER:

Would the member permit question?

MR. BARRY:

Mr. Speaker, I would prefer, if I could, to continue. There are only a few minutes left, and members opposite have been able to manipulate it so that we only have fifteen minutes to debate one of the most significant events that has taken place since I have been in politics, in terms of how it affects the tradition, the heritage, of this Province, the Terms of Union, the Constitution of this Province.

I would like to, first of all, Mr. Speaker, point out that the Premier is giving us a one-paragraph legal opinion as the justification for his saying 'we did not have a leg to stand on in terms of negotiating with the Government of Canada, because we had no constitutional entitlement.'

DR. COLLINS:

The federal government said the same.

MR. BARRY:

Oh! The federal government said the same. Did they?

I would like to refer the Government House Leader to in March of 1986, Mr. Speaker, and there have been other statements. As a matter of fact, they have been Tabled in this House and referred to in this House last year during the debate on the railway. I will not belabour the House by going through all of them. I will just refer to one, where the hon. Eric Nielson, then the Government House Leader and Deputy Prime Minister, in response

to a question from the Leader of the NDP in Ottawa, when he referred to a campaign promise made by Mr. Mulroney in Halifax of August 2, 1984, when he said: "A Progressive Conservative Government will support and continue to operate the Newfoundland Railway".

Mr. Broadbent asked, "Will the Deputy Prime Minister assure us that since his task force recommends the abolition of this railway the government will live up to its election promise to the people of Newfoundland and keep that railway?"

What did Mr. Nielson reply? He said, "Mr. Speaker, what the Leader of the New Democratic Party is exposing is his ignorance of the Terms of Union between the Government of Canada and Newfoundland. Clearly all that the Prime Minister was saying in the speech that was quoted by the hon. gentleman was a reaffirmation that this government intends to honour the Terms of Union between Canada and Newfoundland and that is one of them."

This is the Deputy Prime Minister saying it is one of the Terms of Union to support and continue to operate the Newfoundland Railway. There have been on a number of other occasions, Mr. Speaker, the same commitment.

The irony is that the politicians in Ottawa of all parties were more committed to the fact that Newfoundland had protection for the railway under the Terms of Union than this present administration has been at least in recent years.

Mr. Speaker, we do have earlier statements from the current

Premier saying that, and I refer to a statement of the Premier on the 18th January, 1980, where he said, and I think this was at the time when he was proposing a new plan for, as this press release indicated, amongst other things, widening the Newfoundland Railway. The Premier was not prepared to give it up. He wanted it widened in 1980. "The railway must be made attractive to users. It must be made to work. The Government of Canada has that constitutional obligation under the Terms of Union."

AN HON. MEMBER:  
Who said that?

MR. BARRY:  
That is the Premier in January 18, 1980, said there was a constitutional obligation. That was a legal opinion.

Mr. Speaker, after the Sullivan report, we had the hon. Mr. Crosbie saying the federal Progressive Conservative Party is opposed to any abandonment of the Newfoundland Railway - that was while they were in opposition - and he questioned what position do members of other parties take on the issue. We have had other statements by ministers of the Crown in Ottawa like Mr. Nielson, for example, saying they recognize there was a constitutional obligation.

Mr. Speaker, on most issues one can waffle and find a legal opinion to suit the decision government wants to make. In this case, Mr. Speaker, it is just too serious.

AN HON. MEMBER:  
What would be yours?

MR. BARRY:

Well, mine, I had the opportunity of acting as legal advisor, not the sole legal advisor, but on the Terms of Union, I had the opportunity of having input into Sullivan's Royal Commission.

I indicated to the Sullivan Royal Commission, the same way as this legal opinion did, that there was some question because of the difference in wording of Section 32 and Section 31, because Section 32 requires the Government of Canada to maintain the coastal ferry system, if I can find my section here now.

Mr. Speaker, the section with respect to the Newfoundland Railway does not specifically say the Government of Canada shall maintain, but Your Honour should know that in addition, Mr. Speaker, to the reference in Section 31, that the federal government "will take over" the railway, it says it will, "At the date of union...relieve the Province of Newfoundland of the public costs incurred in respect of each service taken over."

Members will have to agree that the Government of Canada will no longer be relieving us of the costs of transportation of the goods that were carried on the railway when those goods are now moved onto the highway system in the Province. After this funding is completed, the Government of Canada will not be relieving this Province of those costs.

When you consider that section talks about relieving costs - it does not say for a year or two years or three year or four years or five years - there is an implication that it is a continuing thing.



That was why, Mr. Speaker, as the Royal Commission indicated in its report, a copy of which I have here, as far as it relates to the constitutional obligation, the Sullivan Royal Commission believed there was a very real obligation here on the part of the Government of Canada, particularly in light of the letter the Prime Minister of Canada then, Mr. St. Laurent, had given to government just prior to the signing of the Terms of Union.

Do you know what that letter said? That letter said, Mr. Speaker - and we should not forget - 'that after the date of union the Canadian National Railways will be entrusted with the responsibility of operating the Newfoundland railway and coastal steamship services' - and listen to this! - 'and it will be their responsibility to see that services are furnished commensurate with the traffic offering.' Now, that is referring to Section 31. Section 32 says, 'In accordance with the traffic offering.'

So the Prime Minister of Canada, instead of saying in accordance with the traffic offering, is saying commensurate with the traffic offering. In other words, Mr. Speaker, as long as there was traffic offering for the Newfoundland Railway, and there still is traffic offering for the Newfoundland Railway -

DR. COLLINS:

It is getting less and less.

MR. BARRY:

It does not matter if it is less and less. As long as there was traffic offering, the Government of Canada had an obligation, according to the then Prime

Minister of Canada, Mr. St. Laurent.

MR. J. CARTER:

One train a month or one a year.

MR. BARRY:

Mr. Speaker, it was for this reason that I pointed out that there was, and I believe is, a constitutional obligation.

MR. J. CARTER:

One train a century.

MR. BARRY:

You know something? The Government of Canada should be put on notice here today that there is going to have to be a constitutional amendment if they think they are getting off the hook on this, because the submission of this side of the House, Mr. Speaker, will be to force the Government of Canada to live up to its constitutional obligations, if there is no such constitutional amendment.

A legal opinion is not going to change the affect of the constitution. It is going to be a decision of the Supreme Court of Canada which will determine whether or not the Government of Canada is relieved of its responsibility. At some point in time that is going to occur, if there is not a constitutional amendment.

Well, whatever the constitutional obligation, assume the constitution will be amended. Now, when you ask, 'Did we get paid enough to give up that constitutional obligation?' I would have to refer members to the statistics contained in the report prepared by Trip Canada for the Canadian Construction Association. It is called, "The

Road Information Program of  
Canada," prepared December, 1986.

They were, at that time, saying it  
was costing the average individual  
\$600 each as a bad road's tax.

AN HON. MEMBER:

Come on, call it 5:00 o'clock.

MR. BARRY:

Yes, Mr. Speaker, I am aware of  
the time on the clock.

It is costing individual members  
of the general public of this  
Province \$600 a year in bad road's  
tax. Now, Your Honour, this  
association estimated it would  
cost approximately \$190 million  
annually to take away this \$600 a  
year cost for every  
Newfoundlander. That was just to  
get the highway system up to an  
acceptable level of standard, or  
maintain it to where it is now.

MR. TOBIN:

Play the game.

MR. BARRY:

Mr. Speaker, the member for Burin  
- Placentia West (Mr. Tobin) says,  
play the game. The name of the  
game is that there has got to be a  
debate today, Mr. Speaker, on the  
Newfoundland railway.

MR. SPEAKER:

Order, please!

MR. BARRY:

There has got to be a debate today  
on the Newfoundland Railway.

MR. SPEAKER:

Order, please!

It is now 5:00 o'clock. Would the  
hon. member care to adjourn the  
debate?

MR. BARRY:

No, Mr. Speaker. The members on  
this side of the House want to  
have the opportunity to debate the  
agreement. We want to debate this  
agreement. We would have debated  
it this afternoon, but we have  
been forced, Mr. Speaker, into  
debating it this evening and it is  
not our choice to do that.

MR. SIMMS:

On a point of order, to help Your  
Honour.

MR. SPEAKER:

The hon. the President of the  
Council.

MR. SIMMS:

We realize what has happened here,  
precisely what I thought might  
happen twenty minutes ago. But,  
for Your Honour's benefit now, can  
we agree that we will return at  
7:00 o'clock, and sit from 7:00  
o'clock to 10:00 o'clock, in  
keeping with our adjusted hours,  
as opposed to what it says in the  
Rules of Order, of 8:00 o'clock to  
11:00 o'clock, so Your Honour  
simply leaves the Chair and the  
House comes back at 7:00 o'clock.

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

As a matter of fact, if I read the  
clock correctly, and if I read  
Standing Order 7 correctly, Your  
Honour is no longer suppose to be  
in the Chair. He is suppose to  
have left some sixty-two seconds  
ago now. Of course, we have no  
objection from 7:00 o'clock to  
10:00 o'clock. We do want to  
debate this very important issue  
of the railway and we want to  
debate it tonight, and on that  
basis, we have no problems.

MR. SPEAKER (McNicholas):  
Order, please!

We will resume at 7:00 o'clock  
tonight.

The House resumed at 7:00 p.m.

MR. SPEAKER:

Order, please!

The hon. the member for Mount Scio  
- Bell Island.

MR. BARRY:

Thank you, Mr. Speaker.

Mr. Speaker, first of all I want to apologize to all hon. members for getting us back here on such a nice evening, but due to technical difficulties we are not able to get our debate on the railway today. It is a good example, I suppose, of how you can amend the rules of the House, the Standing Orders, all you want, but you are not going to make it an effective forum, as a matter of fact it is going to become less and less effective, you are going to have fewer and fewer people paying any attention to what goes on in the House of Assembly, if you have issues as significant as the closing of the Newfoundland Railway and a payout for that closure done without any reference or opportunity for debate in this House. How can the House of Assembly of the Province of Newfoundland and Labrador maintain any significance, be considered as having any impact upon how this Province develops if you can have decisions like that taken without any reference to this House?

Now the Government House Leader will say, oh, we were going to have a reference - in three days time or four days time or five days time we will have a debate on it. Mr. Speaker, timeliness of debate in this era of electronic communication is every bit as important as opportunity for debate. As a matter of fact, if you do not have a timely debate, I

would submit to Your Honour, you are not being given any debate at all. You are not being given any opportunity to consider the issue in this House of Assembly if it is being considered three or four or five or six days after the announcement has been made, after it has been covered in the media and people's attention goes on to something else. That is not good enough. On significant issues such as this you have to have a timely debate. And that, unfortunately, is why we are back here on this beautiful evening, the longest night of the year or the second longest night, whenever it is.

MR. DAWE:

Were you up to the golf club?

MR. BARRY:

Yes, I had five holes in in the break, and there might be a chance to get another thirteen finished before it gets dark tonight. It is a long night.

MR. SIMMS:

What is your handicap?

MR. BARRY:

My handicap is thirteen, and falling quickly. But, Mr. Speaker, we have more significant things to talk about now than my handicap.

My biggest handicap while I am in this House is interjections by members opposite.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

I am not going to take a lot of time of this House because I know there are other members who want to speak. With some difficulty, but recognizing the difficulty of

Your Honour as well, I had an opportunity to make a few brief comments this afternoon.

I would like to point out, however, that there are two major things to be considered here. Number one, there was a real obligation on the part of the Government of Canada; whether or not it was spelled out clearly in the Terms of Union, Mr. Speaker, politically the Government of Canada could not take that decision without the agreement of the administration of the day.

The Sullivan Commission recommended, by the way, a reference to the Supreme Court of Canada if there was going to be a closure of the railway and there was no agreement between the provincial and federal governments. The Sullivan Royal Commission recommended, Mr. Speaker, and I quote -

MR. WARREN:

Quote all of it, not just some of it.

MR. BARRY:

If I quote it all you will be here until next Thursday. This is just the last paragraph. "The Commission recommends that in any instance where subsequent specific recommendations of this report require government action adversely affecting maintenance of service in gulf, coastal or rail operations, prior agreement to such action be obtained between the federal and provincial governments."

When you consider that ministers of the Crown in Ottawa and the Prime Minister had recognized their obligation to continuing the railway in this Province, when you consider, Mr. Speaker, that legal

issue is very, very far from without doubt, that there was a very real question as to whether the Government of Canada was or is legally entitled to terminate the railway service, then one has to recognize that the present administration had a very real bargaining tool, had a good bargaining position with their Tory colleagues in Ottawa. We, therefore, have to ask, Mr. Speaker, did they get as good a price, considering their bargaining position, as they should have gotten if, in fact, it is a good thing to close out the railway at all? One has to ask is this something that we should have gotten a plebiscite or a referendum on? Is this something that we should have gotten some greater feedback, from the people of this Province on? Is this something that should be put to the people of the Province in an election?

DR. COLLINS:

You mean the Liberal Party does not know? Has the Liberal Party not made up its mind yet?

MR. BARRY:

Mr. Speaker, I am going to be delighted to hear the Minister of Health (Dr. Collins) when he gets up to speak. I will be happy to tell him what my position is: My position is still very, very questioning as to whether if Hibernia is developed, if Terra Nova is developed, if any of these projects that are being promised by members opposite ever come to fruition, I have very real concern that it may be something like the Come By Chance oil refinery, when members opposite were prepared to tear it down a few years before we had somebody ready to start it up again -

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

- we may find members opposite going around with egg on their faces when they see the volume of pipe and mud and cement and chemicals that are going to have to be brought in if any real offshore activity ever gets going. Now, maybe members opposite are saying, 'Ah, this is all pie in the sky. We know it is pie in the sky. Oil is never going to come. Do not wait for the oil, boy. Do not wait of the oil.'

DR. COLLINS:

Do you want to keep it?

MR. BARRY:

I would like more information that is not available to me. I would like more information from members opposite or from the Government of Canada, as to what we are talking about, as to why the front bench, most of whom were in Cabinet when the Premier was getting up and saying, 'We should widen the railway. We should turn it from a narrow gauge to a standard gauge,' when the famous Cabot Martin Report received the sanction of Cabinet.

MR. SIMMS:

Ten years ago.

MR. BARRY:

No. Less than eight years ago.

I would love to hear members opposite. Maybe I can be persuaded to speak in the course of this evening as to what has happened in the intervening eight years. I would be delighted to hear how the last eight years has made the railway unviable when it was viable, according to members

opposite, eight years ago.

Mr. Speaker, we have the question, 'How is their bargaining position?' We have the question, 'Really, should they be bargaining at all, should they be prepared at all to give up the railway?' If they did, 'What is their bargaining position?' The third thing is: 'How did they do in negotiating, in their bargaining? Did they get enough money to keep up our highway system, to make up for the additional traffic that is going to be there as a result of closing the railway?'

I was just referring, Mr. Speaker, to the report prepared in December, 1986, by TRIP Canada for the Canadian Construction Association. Now TRIP Canada is a public information committee of the Canadian Construction Association, for those who do not know. This committee pointed out that \$190 million a year are needed for our highways just to keep them to the standard they are today. They said that 52 percent of our primary roads need resurfacing, 32 percent of our secondary roads; 18 percent of our primary roads need reconstruction, and 48.8 percent of our secondary roads need reconstruction. They estimated, this was in 1986, an average cost of \$120,000 a kilometre for resurfacing our primary roads, and \$500,000 a kilometre for reconstruction of our primary roads. They said 499 kilometres had to be resurfaced at a cost of just under \$60 million, and 178 kilometres had to be reconstructed at a cost of just under \$90 million.

So \$150 million was required in work for our primary highways, and for our secondary highways, at an average cost of \$90,000 a

kilometre to resurface 1,477 kilometres, \$132 million and for reconstruction of 2,220 kilometres an average cost of \$300,000 per kilometre, \$666 million.

So they are figuring that you need \$798 million to resurface and reconstruct our primary and secondary roads. Now that is without any twinning of the Trans-Canada Highway, that is without any widening of the Trans-Canada Highway.

MR. DAWE:

No, it is not. It is all-inclusive. Talk to the man who wrote the report.

MR. BARRY:

Well, I will be glad to hear from the Minister of Transportation. In any event, if their figure is right, \$190 million a year is needed.

Now, if you listen to the press releases, if you listen to the statements by members opposite, it sounds like we are getting \$800 million for the railway. That is not so. That is not so.

We are getting, Mr. Speaker, less than \$400 million to deal with the Trans-Canada Highway.

But, Mr. Speaker, the significant thing is how it is going to be delivered. It is going to be delivered over a period of fifteen years.

Now what is the value of that? The value of that, if you were being paid a lump sum today to finance that project, is less than \$300 million.

And that is really all that we look at in this agreement. The Government of Canada, if the

railway were not closed, would still have to deal with the ordinary transportation requirements of this Province over the next fifteen years.

So it is double counting, it is cooking the books for members opposite to say that those amounts should be included for the closure of the Newfoundland Railway.

MR. DAWE:

It is all new dollars.

MR. BARRY:

Of course it is new money, just like it would be new money next year when the new highways agreement is negotiated, or five years down the road it will be new money, Mr. Speaker. It does not mean that the railway has to be closed. The Minister of Intergovernmental Affairs (Mr. Dawe), I did not hear him deal with his press release of October 31, 1980 when he got up to speak, when he said -

MR. DAWE:

Do you want me to answer that now?

MR. BARRY:

If the minister wanted to point out why he was saying we should not have to make a choice between the railway and the Trans-Canada Highway I will yield for a moment, provided I do not lose my turn.

MR. SPEAKER:

The hon. the Minister of Intergovernmental Affairs.

MR. DAWE:

Mr. Speaker, it is a very simple mathematical problem and the hon. member over there has dealt with it himself. What he believed in and what he said was the way government should work when he was on this side is completely

different than the way it is over there. Times change, circumstances change, Mr. Speaker, and what has happened since 1980 not only applies to the railway in Newfoundland but it applies to the railway all across Canada, it applies to the railway all across North America, it applies to a system that has changed the whole method of moving transportation goods through containerization, has changed the whole method right throughout North America and right throughout the world. What applied and what was relevant in 1980 in a transportation perspective is not relevant today because the traffic that was available to the railway at that time is not available to the railway at the present time. It is simple.

MR. DOYLE:

Exactly. It only has a 10 per cent share of the market now.

MR. SPEAKER:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

I am smoking them out.

Mr. Speaker, I am glad that the former Minister of Transportation responded because it actually was the former, former Minister of Transportation I was quoting from, but the former minister also made the same remark in 1981.

So, we have the former, former Minister of Transportation, and the former Minister of Transportation, and the present Minister of Transportation, and all three have said we should not have to chose between a proper highway system and a railway. Now, all of a sudden, they are saying, yes, we are going to be

forced to chose between a highway system and a railway. Mr. Speaker, the significant thing, and it is a real concern, is in fifteen years time we are going to have a super-duper Trans-Canada but not as good as people were expecting, not a four-lane Trans-Canada, not a twinned Trans-Canada right across the Province. We are not going to have that.

SOME HON. MEMBERS:

It is not needed.

MR. BARRY:

It is not needed? Members opposite say it is not needed.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. DOYLE:

There is one area of the Province where traffic volume justifies four lanes.

MR. BARRY:

Which area is that? Between here and how far?

MR. DOYLE:

From here to Whitbourne - Argenticia, the Argenticia turn-off. There are about 9,000 cars a day.

MR. BARRY:

From here to the Argenticia turn-off, members opposite are saying, is the only area of the Province where there should be twinning.

SOME HON. MEMBERS:

No. No.

MR. DAWE:

The second area is between Corner Brook and Deer Lake, and that is



in the agreement as well.

MR. BARRY:

The second area is between Corner Brook and Deer Lake. Well, I would say the people around Gander and Grand Falls are going to have a few things to say about that. The people around Clarendville are going to have something to say about that.

MR. DAWE:

It is four laned, but not twinned.

MR. DOYLE:

Not divided.

MR. SPEAKER:

Order, please!

MR. WARREN:

He has not been outside the overpass!

MR. BARRY:

That is true, I never go outside the overpass, Mr. Speaker.

By the way, now that I heard that burp from the right corner there, we should keep in mind that what is being said in the Mainland media is not correct, and I think people have fallen into it here: Newfoundland is not going to be without a railway. There is still going to be a railway in the Labrador portion of the Province, just to correct that technical misconception that Newfoundland is now without a railway. There is still a railway in Labrador, the QNS & L connection to Wabush and Labrador City will still be there, but for the Island portion of the Province, this is the end of the road for the Newfoundland Railway. There is no turning back after this agreement.

Now, Mr. Speaker, I have a very great concern that in fifteen

years time we are going to see a province burdened with an improved highway transportation system and without the wherewithal to maintain it. Now the former Minister of Transportation got up and said there is actually going to be less cost to maintain it.

MR. DAWE:

I did not say that.

MR. BARRY:

Now I would like to have the minister indicate to us how the laws of nature are going to be turned back, how the laws of nature are going to be stopped. We have parts of the highway system of the Roman Empire still there, Mr. Speaker, without maintenance. I have seen parts of it here and there across Europe. But, Mr. Speaker, even if for two years or three years or four years or five years there may be a period when maintenance costs are reduced because there has been a renewal of surfacing on the road, the Minister of Transportation is incorrect if he says that in perpetuity the cost of the maintenance of the highway system is going to be reduced if we put in four lanes instead of two going across this Province.

MR. DAWE:

There is more to this agreement than the Trans-Canada Highway.

MR. BARRY:

Well, there is more to this agreement than the Trans-Canada Highway, I agree with the member.

MR. DAWE:

Every time you pave a gravel road it costs less to maintain it.

MR. BARRY:

And I agree with the minister on that as well. Every time you pave

a gravel road it costs less to maintain, provided you continue to expend the dollars to keep it paved.

SOME HON. MEMBERS:  
Right. Right.

MR. BARRY:  
Mr. Speaker, we have certain money for a certain period of time under ERDA agreements, and I am sure we are going to have a better maintained highway system for the next fifteen years. But, Mr. Speaker, beyond that there is no commitment from the Government of Canada.

PREMIER PECKFORD:  
We have always had ERDA and we will always have ERDA.

MR. BARRY:  
Yes, but what has that got to do, Mr. Speaker, with what we are being paid to give up our rights with respect to the Newfoundland Railway? Nothing. The Premier was not here, but I agree completely with the Premier that these are monies under ERDA, or money that would come to the Province whether the railway was closed or not.

MR. TULK:  
That is right.

PREMIER PECKFORD:  
We have another 15 years to prepare for maintenance costs.

MR. BARRY:  
I agree. I agree, but it has nothing to do with the closing of the railway.

PREMIER PECKFORD:  
No, exactly.

MR. BARRY:  
I am glad to have the Premier

admit that.

After fifteen years, Mr. Speaker, in order to sustain the point the Premier is making, we would have to have a continuing commitment from the Government of Canada for an increased ERDA agreement, or an increased expenditure under ERDA. That is the only way that we would live up to that.

PREMIER PECKFORD:  
We will always have ERDA agreements.

MR. BARRY:  
Where is the commitment that we are going to have increased expenditures under ERDA? It is not there. And that is the real flaw in this agreement.

MR. DAWE:  
There have been ERDA agreements ever since we have had to repair 'We'll Finish the Drive in '65' projects.

MR. BARRY:  
Mr. Speaker, I want to say that I am prepared to keep an open mind in the course of this debate. I want to keep an open mind to have members opposite persuade me that the agreement they are presenting to this House is a good agreement that can be supported. But, Mr. Speaker, they have to deal with these issues. They have to explain how we can give up a right, which was there in the Terms of Union for perpetuity -

MR. DINN:  
That is where you are wrong again. It is not in the Terms of Union.

MR. BARRY:  
Oh! It is not there in the Terms of Union for perpetuity, despite Prime Minister St-Laurent saying

that the Government of Canada will continue to operate the Newfoundland Railway in accordance with traffic offering?

MR. DAWE:

Did he put that in the Terms of Union?

MR. BARRY:

Mr. Speaker, that is not in the Terms of Union, but the Sullivan Royal Commission -

MR. DAWE:

Oh, it is not in the Terms of Union!

MR. SPEAKER:

Order, please!

MR. BARRY:

I think I said that this afternoon, and I will say it again now in case members did not hear it. In the Sullivan Royal Commission, Mr. Speaker, and the -

MR. DAWE:

The Royal Commission is not in the Terms of Union either.

MR. BARRY:

- government of the day in this Province agreed to accept the appointment of that Royal Commission, the report of the Sullivan Royal Commission said that the Terms of Union had to be read in conjunction with that letter.

Now, I will quote from the Sullivan Royal Commission report, if the former Minister of Transportation has forgotten it.

MR. DAWE:

I have not forgotten, it is just that there is no relevance in the Terms of Union.

MR. BARRY:

Just one paragraph, Your Honour.

MR. DAWE:

Mr. Sullivan was not given a mandate to change the Terms of Union.

MR. BARRY:

'The Commission takes the position that this letter must be read together with the Terms of Union in order to arrive at the full constitutional obligation and undertaking of Canada.'

'If the Commission's opinion in this letter is correct, it is clear that the Terms of Union must be considered to be modified to a significant degree by the letter, in that by the letter the operation of the Newfoundland railway and coastal service were placed on the same footing, for all practical purposes, as the operation of the Gulf service and that there is, therefore, an obligation to maintain the rail and coastal services, regardless of cost, as long as traffic reasonably offers and at level commensurate or in accordance with that offering.'

Mr. Speaker, the Sullivan Royal Commission identified a continuing obligation on the part of the Government of Canada. The present administration is accepting that the Government of Canada can cancel that continuing obligation for a once and for all payment. That is a very, very serious flaw, as far as I can see, in the agreement which members are agreeing to. They are not looking to the future for this Province. They are putting a yoke and millstone around the neck of this Province by adopting a once and for all, one-shot payment, and they are saying, 'Let us leave it to the government of fifteen years

time to decide how to get the Province out of the mess that we are now going to leave them in.' Now, that is not responsible, Mr. Speaker. That is not a proper approach. It is not responsible and it is not a proper approach.

Mr. Speaker, as far as that letter from the then Prime Minister is concerned, in that letter, which the Royal Commission said we have to read as well as the Terms of Union, there is an express commitment here to maintain a certain level of service commensurate with the traffic offering.

Mr. Speaker, look at it from a moral point of view. You know that sweeping majority that voted to bring us into Confederation, that massive majority, Mr. Speaker, of 1 percent. How many of those were induced - How do we know? We will never be able to say - to agree to that Confederation Referendum because they were aware of that letter from the Prime Minister of Canada of the day which was sent to the National Convention and widely published around this Province, that the Prime Minister of Canada, as part of the inducement to getting Newfoundland into Canada, was saying, "We will continue to operate the railway"? And it is ironic, I find, that members opposite are less supportive of this Province in its constitutional entitlement under the Terms of Union than are members of the government in Ottawa, many of whose ministers have gotten up and said that they recognize the constitutional obligation. And it is a fact that the Premier has in the past, and if he wants chapter, verse and dates I can give them to him, has said-

PREMIER PECKFORD:

You must have a good memory.

MR. BARRY:

Well, I will just refer the Premier to one place where he said it, when he issued his report, the Cabot Martin Submission.

MR. SIMMS:

How many years ago was that?

MR. BARRY:

Back around 1980.

MR. SIMMS:

Well, things have changed since then.

MR. BARRY:

It is very intriguing, Mr. Speaker, what is being submitted by the Government House Leader now. The Premier said there was a constitutional obligation in 1980, but circumstances have changed and it is not a constitutional obligation in 1988.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

Now that is a very curious submission.

AN HON. MEMBER:

You must have.

MR. BARRY:

I used to be a half-decent chess player, Mr. Speaker, in my day, but I have not played recently.

Mr. Speaker, on January 18, 1980, to be specific, the Premier said, "The railway must be made attractive to users. It must be made to work. The Government of Canada has that constitutional obligation under the Terms of Union." And then on October 9, 1980, "Newfoundland sees its

demands for an improved railway system, including resumption of passenger service, as being a right under the Terms of Union with Canada and not linked with possible federal spending on needed highway improvement."

Mr. Speaker, I would like the Premier to deal with those statements made at those specific times. Now, let us see what the Premier said on October 18, 1979, following a train ride from Whitbourne to Bishop's Falls. The Premier said, "However, let us not allow the railway detractors any cheap shots. Our policy on the railway is not based on nostalgia but on the certain fact that we will need the railway in an energy expensive future, that we will need the railway to meet the demands of offshore oil, that we will need the railway to ensure that we have the flexibility and intermodal competition of direct water, truck and rail."

Now I would like the Premier to tell us, Mr. Speaker, is he saying that we are no longer going to have an energy expensive future, that energy prices are not going to rise any more? Is this the Premier's conclusion? Are we not going to have the demands of offshore oil? Is that what the Premier is saying? Are these the circumstances that have changed? Because the wording, Mr. Speaker, of the Terms of Union and the wording of that letter of Prime Minister St-Laurent have not changed. They remain the same now as they were in 1979 and 1980.

So these are a few of the questions, Mr. Speaker, that I would like to hear members opposite deal with. I could go on for a long time, but, Mr. Speaker, I would rather have and encourage

a free flow of debate.

AN HON. MEMBER:  
(Inaudible) Argentia Access.

MR. BARRY:  
I would rather have a free flow of debate, Mr. Speaker. Yes, under the Argentia Access and the Carbonear Access and the Bonavista Access. There are very real questions as to-

PREMIER PECKFORD:  
We have to rebuild the Argentia Access again. There is no reopening in there.

MR. DOYLE:  
No maintenance agreement, either.

MR. BARRY:  
Mr. Speaker, mea culpa, mea culpa, mea culpa for anything I did to close down the Argentia Access, but I do not think I had very much to do with it.

MR. SIMMS:  
What is your party's position?

MR. BARRY:  
Mr. Speaker, one very real part of our party's position is that there should be a debate in this Legislature when decisions of this nature are taken.

SOME HON. MEMBERS:  
Hear, hear!

MR. BARRY:  
And I say that with firmness and with authority, Mr. Speaker. Members opposite had to be hauled kicking and screaming into this debate.

Mr. Speaker, we have had the opportunity to set out our position in the past. We have said that the work should be done. We have said that the

highway system should be put in place, and we should see whether that is adequate to meet the needs of the Province before we yank up the rails. We have persistently said that.

Mr. Speaker, we have said that energy and other developments in the foreseeable future, as somebody else said a few years ago, as I just quoted, will be such that railways, Mr. Speaker, could become, again, the most efficient and effective transportation system in North America, and we want to be shown that that is not the case.

MR. SIMMS:

So your position is to keep the railway?

MR. FUREY:

Listen, boy, listen!

MR. SIMMS:

Listen to what is talking over there!

MR. BARRY:

Mr. Speaker one of the things I have not commented on, by the way, that causes me concern and that we point out, is that we want to make sure that railway employees are properly dealt with, and there are some 300, I understand, whose futures are uncertain. Many of them have been looked after, but there are around 300, according to the President of the Union, whom I listened to when the House closed as I was driving in my car, and he was saying that some 300 of his members were left with an uncertain future as a result of this agreement.

Mr. Speaker, we have said, and we still say, that the Government of Canada should pay the capital cost of twinning the Trans-Canada

Highway, and also should pay annually the additional operating costs made necessary as a result of twinning the highway. I just got through reiterating that earlier. That is the position that has been set forth again today by the Leader of the Party. It is the same position that we have adopted in the past, and it is the same position, by the way, that was receiving very sympathetic response from members opposite only a year ago. Mr. Speaker, the other point is the one that I made this afternoon, that the Terms of Union must be amended if there is to be any certainty to this deal because despite that one paragraph legal opinion which the Premier submitted to this House.

MR. WELLS:

It was not an opinion, but a synopsis.

MR. BARRY:

Yes, it is called a synopsis.

Mr. Speaker, as I said earlier today I gave an opinion that there was a very real doubt as to whether the Government of Canada was entitled to discontinue the railway and that it should be in fact referred to a decision. As I said, there is a very real bargaining power in the present administration. If the railway is to be closed, if the decision is made after proper debate that that should be done, there was a very great bargaining power, which I regret members gave up for the pittance, Mr. Speaker. We have heard of thirty pieces of silver, but we never before heard of thirty pieces of silver paid out over fifteen years which is what we are dealing with here.

MR. SIMMONS:

Judas on instalments.

MR. BARRY:

Yes, the instalment plan. Mr. Speaker, I will end with this remark. I cannot see from the statements that have been made by the Premier over the last ten years how he can be very proud of the announcement made today. I think the Premier regrets what was done today. If he was forced into it, if he had to do it, then I would like for him to get up and let us know and maybe we can sympathize, or maybe we can assist him in his problems, in his time of travail.

PREMIER PECKFORD:

You had your chance to solve these problems.

MR. BARRY:

Yes, Mr. Speaker, I did the best I could at any opportunity. I did the best I could.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

I do not have to hang my head, Mr. Speaker, on anything I have done since I have been in public life in this Province. Mr. Speaker, do you know something? My positions are standing the test of time a lot better than positions that have been taken by many members opposite, whether it be on the Come By Chance refinery, Mr. Speaker -

MR. BAKER:

They said it could not be done.

MR. BARRY:

They said it could not be done. Who were they? Only members opposite.

- or whether it be with respect to

the development of offshore oil, or any other decision I have had an input into in this Province since I have been in public life, I am willing to have it stand the test of time.

MR. CALLAN:

You are the one that is going down the tube.

MR. BARRY:

Mr. Speaker, I appreciate the vote of confidence from the member for Bellevue. I have to say that I am getting a lot of support from the constituents of Mount Scio - Bell Island, because I think they appreciate my position, whether it be on the railway or offshore oil, or Newfoundland Hydro, the Upper Churchill, the Lower Churchill, the Come By Chance refinery.

MR. DINN:

How about Bell Island?

MR. BARRY:

I just had the opportunity, only a couple of days ago, of seeing additional benefits go to my constituents on Bell Island.

MR. DOYLE:

I am going to capture Bell Island.

MR. BARRY:

Mr. Speaker, I am glad that the Minister of Transportation has listened to my appeals in the House, the appeals of council, the appeals of residents on Bell Island.

MR. DOYLE:

All good friends over there.

MR. BARRY:

I agree, the Minister of Transportation has to be complimented, Mr. Speaker. We are dealing with why would the people of Mount Scio - Bell Island vote

for me, if they felt that positions I had taken had swung with the wind. But, Mr. Speaker, my positions have been firm and unwavering, whether it be on Come by Chance, whether it be on offshore oil or whether it be on the Newfoundland Railway. I ask members opposite to take the same unwavering position now as they took a few years ago.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. DAWF:  
You will hear some common sense now, and you will have to shove your head in the sand.

DR. COLLINS:  
Mr. Speaker.

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

DR. COLLINS:  
Mr. Speaker, I suppose there was a certain surprise as to why our friends opposite did what they did today. We had in third reading some bills and then they turned the House into sort of a joke. They did not allow the business of the House to go through. They violated all sorts of traditions in the House. They ignored Your Honour's directions and all that sort of thing.

I suppose a lot of people wondered why they would go to that extreme. Why do they become so disruptive and so much against the traditions of this House that have stood us in good stead since 1949?

Well, of course, the answer is quite obvious tonight. The members opposite wanted to find

out what the railway situation in Newfoundland was all about. They have not the slightest clue what the issues are. They heard an announcement today, an announcement welcomed, if one can gauge what one hears in the streaks, and what one hears on the media, and what one is known previously from conversations, an announcement that was welcomed by the vast majority of Newfoundlanders.

SOME HON. MEMBERS:  
Hear, hear!

DR. COLLINS:  
They were totally oblivious to what the issues were. So they said, 'Look, something went on this morning. We better find out what this railway thing is all about. We better get a debate going.' The reason why they wanted to do it was to try to arrive at a position, because it is clear the hon. member who just sat down has no opinion on the matter. A former leader of the Liberal Party, a former potential Premier of this Province, he has an open mind or I prefer to call it a vacant mind -

SOME HON. MEMBERS:  
Oh, oh!

MR. SIMMS:  
He cannot take the heat, look!

DR. COLLINS:  
- on the railway situation. He has no position. He has no firm idea where he would lead this Province on the railway.

Does that apply to the rest of the Opposition opposite? I suggest it does because we have heard also the Leader of the Liberal Party (Mr. Wells) opposite, he himself has made some remarks which show



he has not given this any thought whatsoever. He has made remarks like: 'We should have held out for more money. We should have been firm against the federal government.' We should have told the federal government, 'Back off, give us more money or we will do you great damage over the railway.' Now, that is the position, in essence, of the Leader of the Liberal Party.

One has to ask how are we going to tell the federal government to back off? What are we going to threaten with?

PREMIER PECKFORD:

They would drive us into the ground and we would get nothing.

DR. COLLINS:

That is right. What are we going to threaten them with over the railway? This is the sort of mushroomey or the mushey type of thinking we are getting from our friends opposite.

They have no concept or what is going on in real terms in almost any public issue that comes up. For the Leader of the Opposition to say, 'The issue here is money.' It is not principle. It is not to say whether there should be a hard decision made, a decision the Newfoundland people have to think about, that this government has to think about for the last year or more, a hard, hard decision, come down and say, is this right or this wrong for the people? It is not that. It is just that is there a bit more money in it? That is the Leader of the Opposition's position.

MR. DAWF:

He has established what he is. He is just going to establish the price.

DR. COLLINS:

Now that is where we take grave exception to the Opposition's approach on this whole matter.

Surely it is to be expected that government should have in its mind what it wants to do with the railway. It just should not go from pillar to post. It should not just say, 'Give us an extra \$10 or another extra \$100 or an extra \$1,000 or an extra \$1 million or even an extra \$10 million, yes, and we will change our policy.'

The government should not act that way. The government should say, 'Here is where we stand on the railway. We are going to persevere to the end, no matter what,' or, 'We are going to take a definitive position and say that the railway has served its purpose well, the time has now come to change, and we will do our best to put in place an alternative.' That is a sensible, rational decision, and that is what this government said.

The Opposition do not say that. They say, 'It is only a money matter. Give us an extra bit of money. We do not have any policy. We do not have any firm conviction on things. Just give us another bit of money and we will go one way. Do not give us so much money and we will go the other way.'

So we do have to think the Opposition potentially has to take the reigns of power in this Province. Now, if that is the way the Opposition thinks, if that is the degree of development, it is pathetic. The Opposition has been in the wilderness in this Province since 1972. What is that? Sixteen years they have been in the wilderness.

When you are in the political wilderness you are supposed to evolve new strategies, you are supposed to test public opinion, and you are supposed to evolve new ways of doing things, innovative ways of doing things. After sixteen years, if the Opposition is still just saying, 'Give us a bit more money and we will change our policy whichever way is to our benefit,' how can the people of this Province take any comfort in that? How can they even imagine that the Opposition could ever be given the responsibility of taking the hard decisions, the indepth decisions, that have to be made? Clearly they will not.

Mr. Speaker, I guess that is why we have had - what is it? - seven leaders of the Opposition since 1975. I believe it is seven. I may be out one or two. But sooner or later the Liberal Party has to come up with policies and it has to come up with firm leadership.

MR. DOYLE:  
Alternatives.

DR. COLLINS:  
As my hon. friend says, it has to come up with viable alternatives. It cannot just be coming in, Johnny Come Lately on the issues, not knowing what is going on, and reacting to media comments. Almost all the questions we get in this House do not come from convinced liberal policies. They come from reading the latest newspaper or they come from hearing **Here and Now** the night before, or whatever.

AN HON. MEMBER:  
(Inaudible).

DR. COLLINS:  
Or some fulminations from Harry Steele's henchmen.

MR. DAWE:  
Written on the back of his cheque.

DR. COLLINS:  
We demand the Liberal Party, our opponents, to give us something to fight against. You know, it is like a sponge. Reacting to the Opposition is like reacting to a sponge, or it is like reacting to a silk scarf. You try to hit it and there is nothing there. It just fads away. We want some solid thought from members opposite.

Now, the railway has shown them up in their worst light. The hardest position they have taken on the railway is on the constitutional question.

MR. HODDER:  
They let the passenger service go themselves.

DR. COLLINS:  
That is right. The passenger service went in - what was it? - 1938.

MR. FUREY:  
You were supposed to bring it back.

DR. COLLINS:  
Where was the great constitutional issue that was to be brought forward at that stage by the Liberal Party? You know, it is only a change in manner. It is not a change in kind, that the freight railway is now finally going. The same issue was there when the passenger service went from the railway. That was long before the Moores Government came in. That was in the Smallwood days. I do not think the hon. leader of the Opposition was actually in government at the time. He was a supporter. He never divorced himself from the party.

SOME HON. MEMBERS:

Oh, oh!

PREMIER PECKFORD:

He (inaudible) about the offshore, (inaudible), and everything else.

MR. DOYLE:

He was there when they closed down the Argentia passenger service.

DR. COLLINS:

Absolutely.

MR. DOYLE:

He never did anything about that.

DR. COLLINS:

That is the hardest position our opponents came up with, it was on the constitution. All the rest of it you could dismiss. A grade nine student, and I am saying this with nothing against grade nine students, but I am just saying a grade nine student could come up with a better objection to this railway deal than the Opposition did, except possibly on the constitutional point.

Let us look at the constitution argument. There are 600 workers out there going to have their working style changed. There are workers out there who are now largely based in the urban areas, like say, St. John's and Grand Falls, who will have some negative benefit or potential negative benefit from this arrangement.

In counter distinction to that, if you want to think of that as being negative, the positive aspect is that there are going to get many more workers, I think about double the number of people, in rural areas, which will get employment out of the increased road development, 600 to 800 people a year.

The members opposite are taking that approach, to keep the railway and the urban workers and they do not want to bring in an alternative whereby there will be double the amount of rural workers involved. This is in a Province where most of the unemployment is in the rural areas. Now why does the Opposition want the rural areas not to get benefits from the alternatives to the railway situation. Surely they must have given some thought to the spin off, to the implications of this deal, that this is going to be good for rural Newfoundland, for employment in rural Newfoundland. Sure, there may be some negative run off or spin off in urban Newfoundland. But in urban Newfoundland the employment problem is not as great, so why does not the Opposition say, if we are going to keep the railway and have less rural unemployment or, go for the alternative and have greater rural employment. Why do they not go that way? The reason is, of course, they do not have their policy alternatives, they do not have their policy implications, they do not have their policy thoughts in line.

Mr. Speaker, no matter what the Opposition, how much emphasis they put on the constitutional question, the people of Newfoundland are not that interested in the constitution niceties. The people of Newfoundland are interested in the practicalities.

The people of Newfoundland are not interested in keeping the railway just because there is something in the constitution which says they should keep it, even though the railway is now past its point of contribution to our economy. The people of Newfoundland are saying,

'Is it good for our economy to have the railway, or is it better to have something in place of the railway?' If the hon. members opposite say, "You must disregard all that thought, it is the constitutionality, it is the legalisms of all this thing that are important." This is where they are so much out of step with the realities in Newfoundland and this is where the Newfoundland people are not paying much attention to their arguments.

Mr. Speaker, just let us have a look at the maintenance aspect of things.

MR. SIMMONS:

This should not take long.

SOME HON. MEMBERS:

Hear, hear!

DR. COLLINS:

This is suppose to be the crux of the argument. The argument goes that up to now the federal government was responsible for maintaining the transportation system in this Province, and in the future, the Province will be responsible for maintaining it.

Now, there is a small misstep in thinking there because in the 40s and 50s the federal government was indeed responsible for the maintenance of about 70 per cent of our transportation system. So, if the Liberal Party is mired in the 50s and early 60s, their thinking is right. Of course, I think the point is that they are mired in the 50s and 60s. They have not really developed beyond that mind-set.

If the 50s and 60s were with us today, yes, you would have to say the federal government was responsible for 70 per cent of the

maintenance of our transportation system. Now, what the Liberal opponents have forgotten is that this is not the 50s; this is not the 60s; this is not the 70s; it is not even the early 80s; it is the late 80s and the federal government is not responsible for the maintenance of 70 per cent of the transportation system in Newfoundland.

At the most, the federal government at the present time, is responsible for the maintenance of 15 per cent of our transportation system. If we look at recent years, we will find that in two, three, or four years that percentage will decrease to 10 per cent, 7 per cent, or 5 per cent.

This great, large argument that the Opposition have come up with, that the deal is bad because of the maintenance, is the crux of the matter, comes down to 5 per cent of the maintenance cost, if you project into the early 90s. Of course, even at 5 per cent, it is not likely to be there because, at the present time, the railway transportation system is a overland route that is going to be replaced to a very large extent by water routes, by routes from Port aux Basques to Argentia, by routes from Halifax to St. John's, so there will not even be the 5 per cent maintenance expense that will be transferred from the federal government to the provincial government.

In any case, even if it were greater than that, what we are saying is an outmoded railway, if you hold onto that no matter what, and do not go with the way the world is going, that is that you have to put in place a modern system, a modern system based on intermodal traffic, if you are so

uncertain of the future, or your plans for the future you cannot make that shift from the outmoded to the present day, if you cannot do that, sure, you can come up with this maintenance argument.

But if you do understand things change, there are modern ways of doing things, this Province has to move ahead like the rest of the country, and indeed this Province has to lead Eastern Canada - it has the resources, there is juxtaposition of resources and opportunity and any number of other matters which will make this Province a leader in Eastern Canada, and if we cannot make that change, if we are afraid to do that because we might lose 5 or 10 per cent of the maintenance cost of our transportation system, I do not think we deserve to be in the position we are in.

Now, that is the large argument put forward by the Liberal Party. It is an argument based in the 1950s and the early 1960s concept. I think this is where the Liberal Party, after sixteen years in the wilderness, has not yet re-thought its position.

Every argument it puts up, every policy of government it resists is based on arguments which have their validity, if they ever had any validity, back in the 1950s and the 1960s and the railway argument is absolute typically of this. The maintenance thing is immaterial. The fact that the federal government, sure, it has to maintain track, it had to maintain bridges, it has to maintain switches, it had to maintain the right-of-way and so on, sure, that is absolutely true and that was important in the 1950s and the 1960s.

It is not important in the late 1980s. It will be of miniscule importance in the 1990s. For the Liberal Party to say this agreement falls on that score is just an index of how outdated is their thinking, how lacking they are in following through with logical thought on modern day governmental policies. It is incredible that this is where they are.

Mr. Speaker, let me just be very local on this.

MR. J. CARTER:

What about the horse and long carts?

DR. COLLINS:

A large part of the employment and a large part of the real estate, a large part of the headquarter activity of the railway in Newfoundland is actually sitting in my district, in St. John's South. I have had a fair number of conversations and quite a bit of contact with the every day person who is working in the railway system in my district and also with labour leaders and with others down there. I can say without fear of contradiction that 90 per cent of those have said, 'The time is passed to retain the outmoded railway. We feel that there has to be a new arrangement.'

They know that in a province almost the same size as the British Isles, no, I think about half the size of the British Isle, but anyway, where there are 60 million people living, whereas in this Province there is 500,000 people living, they know you cannot put in place the sort of modern railway that only highly industrialized and populated countries can sustain.

Look at the countries around the world that have, as the hon. member says, a modern railway. You have your Japan, you have your France. I will not say Britain because they do not have a modern railway. You have Germany and perhaps Italy. Anyway, very populated, very industrialized countries can sustain the railway mode, the modern railway mode. Small countries, unless they have no road system, unless they have no other means of transportation, have changed from railways to other modes of transportation, mainly road modes.

So the modernization option which is again, pie in the sky, is really not practical political thinking. This again is where the Liberal Party falls down so badly. It is really not practical political thinking to think we can put in this Province a railway system that equates to France or to Japan or to any of the other modern railway transportation systems.

The alternative is, we are going to stick with an outmoded railway or we are going to go with the more up-to-date mode of transportation that is road transportation. Now, that is a definitive decision this government has made. It has worked on it for at least the past year with the federal government, and we have come up with an agreement that will be, I think, looked back on as a more worthwhile agreement than, say, the agreement in the early 1960s, up to 1965, when there was an agreement made with the federal government to put in the TCH for the first time in this Province.

When the TCH was put in place for the first time in this Province,

it was a rush job. The hon. member for Twillingate (Mr. W. Carter) will remember this. I am sure he was objecting the whole time when it was done. It was done on a fly-by-night arrangement.

As far as I recall, some of it was done in the Wintertime, for obvious purposes. That arrangement, although it was to some extent a new era for Newfoundland, will pale into insignificance when this arrangement we heard about today is put into historic context.

We are now moving finally, after great difficulty, from a period of time in this Province when we were being held back by our transportation system, into an area where our transportation system is going to contribute to our economic development. We have, up to now, had an inefficient railway, an inadequate road system, and an underdeveloped water transportation system. We have now bitten the bullet.

We have said, 'The railway system is not longer a practicality. We are going to get rid of the outmoded railway. We are now going to put in place a modern system. I think it is important to note that in the releases today, our road system, by the time the 15 years are up, will comply and be equivalent to national standards.

That is something we do not have much of in this Province. Many of our institutions and many of our resources and many of the things we have to deal with for economic growth are not of national standard.

We are finally going to have one

of the large elements necessary for economic development, that is, a good transportation system. It is going to be a transportation system of national standard. I would say that is a watershed event.

The other thing that is important is that we, as an island, have never had an adequately developed water transportation system.

SOME HON. MEMBERS:

Oh, oh!

PRFMJER PECKFORD:

Oh, it was wrong, was it?

SOME HON. MEMBERS:

Oh, oh!

DR. COLLINS:

What is that outmoded article you are flicking around there?

MR. SIMMONS:

How about a 1967 (inaudible).

DR. COLLINS:

1967! I am surprised that you are thinking that modernly. I thought you usually only thought in the 1950s. So you are improving if you are up to 1967.

Anyway, the other point about our transportation system: As an Island we should have had good water connections with Mainland Canada. We have not had good water connections with Mainland Canada. Even the Port aux Basques - North Sydney connection has only in recent times begun to measure up.

I am sure many of us have been on ferry systems in other parts of the world and, in comparison to those, our North Sydney - Port aux Basques system has not been the greatest.

Now, for the first time, we are going to have what as an Island people we should always have had, good water transportation systems into the Argentea area and into the St. John's area. Of course, in Eastern Newfoundland, where the bulk of the population live, where the bulk of the economic activity goes on, this is where we have to have a particularly good connection. We are going to have it for the first time, unless one wants to go back, say to the early part of the century, when there was no such thing as, I suppose, a well developed railway even. We had good water connections from the United Kingdom into St. John's and from New York into St. John's. But from the early decades of this century, up until this present time, we have had a most inadequate water transportation system for an island people.

Now, with this agreement we are entering into, we tend to think mainly of the roads. They are very, very important, but I suggest another aspect of this agreement which will stand us in very good stead over the years ahead of us is the development of a water transportation system also.

Mr. Speaker, with those few words, which I think have absolutely devastated the Liberal case, put the Opposition totally to flight, with those few words, I will plead with the Opposition to finally make up your mind on this question.

Until this House sat tonight at seven o'clock, it was clear that the Liberal Party had no railway policy. They were saying, 'My mind is open, please convince me.'

One member of the Opposition was

saying one thing, it is all money. The other member of the Opposition was saying, it is another thing, it is all constitutional thing. I do not know what my friend from Port de Grave will say, but I suspect that he will say something sensible, because he comes from a sensible part of the Province, Conception Bay. So I suspect he will ask a sensible question.

Anyway, up until seven o'clock tonight, the Liberal Party had no railway policy and I think that that says something about -

MR. SIMMS:

Very consistent with all their other positions.

DR. COLLINS:

Oh, yes. As my friend says, they are consistent. They have almost no policy on anything.

I certainly will entertain a question from the member for Port de Grave.

MR. SPEAKER:

The hon. the member for Port de Grave.

MR. EFFORD:

I have one question. I thank the minister for this question. It has to do with maintenance because I have listened very carefully to what the Minister of Health said in his speech. The maintenance agreement is not the responsibility in the future of the federal government, nor should it be.

I would ask the minister in light of the statements he has made that this Province cannot finance our health and education system, where is the money going to come from to maintain the highway?

MR. SPEAKER:

The hon. the Minister of Health.

DR. COLLINS:

Well, the hon. member makes a point, and I am going to answer it very briefly.

We will be only able to support our hospital system, our school system, -

PREMIER PECKFORD:

Ask him what the Liberal government did in 1967 on maintenance.

DR. COLLINS:

- and our transportation system, we will only be able to support any of these things by good economic growth. And the economic growth is going to come from things such as we are putting in place here, a modern transportation system.

SOME HON. MEMBERS:

Hear, hear!

DR. COLLINS:

We will never be able to sustain and maintain the level of public services that as Canadians we have accepted as the norm even though, up until now, we have not had the economic potential and the economic fortunes of the richer parts of the country who have set the pace. They set the pace and we have to live up to it. We can never actually make those two things meet unless our economic growth improves and it is only going to improve by such things as a modern transportation system, the development of new resources such as our offshore oil resources, our tourism resources, our Labrador forestry resources, and these types of things. That is where we have got to aim.



The one thing we should not do is say, 'We are going to stick in the 1950s and early 1960s with our policies and expect somehow or other to have the money to pay for these services we have to try to support,' services that have a 1980 complex.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fortune - Hermitage.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

Mr. Speaker, I too want to have just a few words to say on this important debate. As many of you will know, I grew up in a railway town in Bishop's Falls and my father spent his working life with the railway in Bishop's Falls. The old Newfoundland Railway went down in front of our front garden, and the old ANCO Railway, the Grand Falls Central it became later, went down behind our back garden. We lived literally between the tracks, thereby covering my bets not to be on the wrong side of the tracks later on.

But, for that reason, Mr. Speaker, the railway is for me, of course, an emotional issue. It is an issue I grew up with and I could give you, were the time available, lots of anecdotes which relate to my involvement with the railway. I will just leave you with one.

MR. J. CARTER:

If the hon. member will permit, I have a serious question.

MR. SIMMONS:

Yes.

MR. SPEAKER:

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

MR. J. CARTER:

I would like the member to address the fact that we have a narrow gauge railway which I am told is seven times as expensive to run per ton mile as the standard gauge in Western Canada. That is something I would like you to address at some point in your remarks.

MR. SPEAKER:

The hon. the member for Fortune - Hermitage.

MR. SIMMONS:

I can only assume that the gentleman is suggesting that somehow that affected my growth between those tracks or something. I quite agree with him, it is a subject that needs to be addressed. I have a problem, I say to him, that I have my own agenda here and I intend to have a go at that, and hopefully in the process I -

MR. J. CARTER:

You might mention the gauge. (Inaudible).

MR. SIMMONS:

Indeed! And I look forward to hearing from the member on it.

As I said, there are a number of issues I could mention in terms of nostalgia, but this is an issue that far exceeds the bounds and the field of nostalgia. This is a gut issue, in the economic sense, but also in the constitutional sense. In the sense of political strategies or the inability to arrive at political strategies,

this is very telling, Mr. Speaker.

In watching this government, what they have done on this one, they have been able to fool some of the people some of the time with their shouting in both directions on factory freezer trawlers, they have been able to do it on offshore, and convince people on the Atlantic Accord, although we know it to be a worse agreement than what was offered to them three or four years before, they have managed, by talking from both sides of their mouth, to convince people of various things at various times.

On this one, though, Mr. Speaker, the chickens have come home to roost. The jig is up!

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

People see this for what it is! They see a bunch of mercenaries, desperate mercenaries, who need a few bucks to finance once last binge and they will do what they have to do to get that last few bucks.

Mr. Speaker, the people in Fortune - Hermitage who live down that road, Route 352 and 353, are delighted tonight that the road is going to be paved, that there is going to be \$8.8 million spent. But do you know what one man said to me on the phone since I left here at five o'clock?

He said, 'Yes, we are glad to have our share of it, but it subtracts something from it to know it was blood money.' To know it was blood money! To know, Mr. Speaker, that the motivation was strictly mercenary, for its extraction! How else can you

explain the insult to the people of Port aux Basques, I say?

I made a point of saying I come from Bishop's Falls because I can say this, knowing exactly where I am coming from. Bishop's Falls has a number of employees involved there, thirty-four or thirty-five, I believe. Port aux Basques has fifty-four directly employed by Terra Transport, plus another number, from fifty to sixty and maybe more, with Marine Atlantic who got completely overlooked in the agreement. Nobody raised a peep. Not the member over there who did not even know about it until today. Not the federal member!

Mr. Speaker, here we are Bishop's Falls getting \$7 million, I suppose that is adequate, I do not know. They must have had some formula. But I put it to you this way, if \$7 million is an adequate figure for Bishop's Falls, who has lost its thirty-four jobs and that is substantial. I do not argue that point. But surely, in proportionate terms, the amount for Port aux Basques ought to be something more than \$7 million given that the direct job loss is over one hundred, three times what the Bishop's Falls job loss is and secondly, Mr. Speaker, given that this agreement does something to Port aux Basques that it does not do to Bishop's Falls. It does not try and relocate Bishop's Falls somewhere. This agreement effectively tries to locate Port aux Basques down the coast in Argentinia. This tears the guts out of the very foundation, the very cornerstone of the industry in Port aux Basques.

MR. LUSH:

What about the member for LaPoile (Mr. Mitchell)?

MR. SIMMONS:

As I said, he did not even know about the impact on the Marine Atlantic people until he was told today. He wondered why the people for Port aux Basques walked out of the meeting. He was lucky, Mr. Speaker, they walked out before they did him any damage.

MR. MITCHELL:

On a point of order, Mr. Speaker.

MR. SPEAKER (Parsons):

Order, please!

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

MR. MITCHELL:

The hon. member is making a fine speech.

MR. SIMMONS:

Thank you.

MR. MITCHELL:

But he may be a little bit wrong in his facts. I will be speaking on the debate later on. So, Mr. Speaker, I would appreciate if he kept his comments factual.

Thank you.

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

There is no point of order. It is just a difference of opinion.

The hon. the member for Fortune - Hermitage.

MR. SIMMONS:

Now, Mr. Speaker, I expect that kind of thing. I expect hon. members not to agree with me. That may be because they know me to be wrong. That is possible, or it may be because they disagree with something I am saying which

is right, or maybe it is because I am saying something they do not particularly like. If I were the member for LaPoile (Mr. Mitchell) and had my delegation walk out under my nose this morning when the agreement was being signed, I would not be a very happy man tonight either.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

And I would not be at all happy if in the process I just found out for the first time fifty or sixty of my direct constituents are about to get the axe here who have not been even addressed in the agreement. No, I would not expect him to be in a happy mood tonight. I appreciate his tenderness. I appreciate he is a bit touchy on this particular point.

Now, Mr. Speaker, -

MR. MITCHELL:

You are wrong and you are always wrong. (Inaudible).

MR. SIMMONS:

No, Mr. Speaker, I am wrong some of the time.

MR. TULK:

Not very often.

MR. SIMMONS:

Some of the time.

MR. J. CARTER:

Ten days out of ten.

MR. SIMMONS:

I am wrong some of the time.

Now, Mr. Speaker, where is my good friend the Minister of Health (Dr. Collins)?

AN HON. MEMBER:  
He is (inaudible).

MR. SIMMONS:  
I certainly hope so because I listened with great interest as he entered the debate tonight with his own particular brand of logic. I hope he diagnosis medically a lot better than he analyzes politically. Mr. Speaker, anticonfederate, antediluvian, prehistoric John at his vintage best tonight.

MR. TULK:  
That is right.

MR. SIMMONS:  
My, Mr. Speaker, he almost rolled in his grave as he talked. Here he was, Mr. Speaker, who did not believe we should have a Canada one time.

AN HON. MEMBER:  
That is right.

MR. SIMMONS:  
Let alone a railway running through it, and tonight he is the resident authority on the Terms of Union.

Mr. Speaker, I agree with him that the people of Newfoundland are not in his choice phrase, 'Caught up in the constitutional niceties'. That is what we have been trying to tell this government on Meech Lake all along.

If they think they are going to get a free ride on what they have done in Terms of Meech Lake, they should listen to the Minister of Health (Dr. Collins) who understands something about the Newfoundland mentality. They are not out there tonight getting their jollies over the Constitution niceties, whether it is railway or Meech Lake. I can

tell him that. He is right on that. But, Mr. Speaker, they do know, when they are being taken for a ride.

SOME HON. MEMBERS:  
Hear, hear!

MR. SIMMONS:  
They know a bunch of mercenaries when they see them, and on this one, they have seen them, Mr. Speaker.

MR. J. CARTER:  
They know a bunch of pirates.

MR. SIMMONS:  
You are right. They know a bunch of pirates who will do an about-face, blind either eye, depending on who they are trying to fool at a given time.

MR. J. CARTER:  
Hoist the 'Jolly Roger', Roger.

MR. SIMMONS:  
Mr. Speaker, the Premier's own words. In January, 1980 the Premier says, "The Government of Canada has a constitutional obligation under the Terms of Union." He is talking about the railway of course. In 1986 he sang something quite different. "We have no case," he says, "I was engaging in deception as political posturing." These are his words, Mr. Speaker.

Mr. Speaker, somehow he believes, somehow he hopes, I suppose desperation does wonderful things to people, as the gentleman from St. John's North would know, desperation does marvellous things to people. He is now beginning to think that, 'Yes, they will believe what I said in 1980 and what I said in 1986, and what I said when I took the train ride a year or so ago. They will believe

all those things, even though they are mutually exclusive, even though they are contradictory, even though they do not jibe with each other, even though one wipes out the other in terms of basic logic.' He goes on hoping that.

Mr. Speaker, as you go around the Province in the last few months, do you know what you get more and more of? People ask every politician, of course, the same question: 'When is the election going to be? Newfoundlanders love elections. They love elections. If they had their way, they would have two a year. They love elections. So the first question after, 'How is your wife,' and 'Nice weather,' is, 'When is the election going to be,' and then they proceed to give you, whether you want it or not, their analysis of what the outcome is going to be and why it is going to be that way.

A common thread in all these analysis the past few months is, 'Peckford is not going to fool us anymore, boy. He fooled us twice on the offshore.' They say, 'I hear on the radio now they got Hibernia, they got Terra Nova, and they got another delineation well,' and then they proceed to say, 'I suppose he thinks he can suck us in with that, another announcement.' That is the general attitude, Mr. Speaker.

MR. TULK:  
Have you been to Fogo?

MR. SIMMONS:  
Well, there are so many Fogos in this Province, because there are good, sensible people in Fogo, and there are in Grand Bank, good sensible people down in Arnold's Cove, and all over this Province.

MR. CALLAN:  
Are they the same people who voted for Joey Smallwood seven times or eight?

MR. SIMMONS:  
Yes, indeed, Mr. Speaker, and what sense they had.

SOME HON. MEMBERS:  
Hear, hear!

MR. TULK:  
The hon. member ran for him.

MR. SIMMONS:  
What has the member got against his former Liberal Reform Leader? He and three other men stood, he and Mr. Rod Moores and Mr. Eric Dawe and Mr. Smallwood, the four of them, sat here. Is he disowning that?

How many parties has this fellow disowned, Mr. Speaker?

SOME HON. MEMBERS:  
Hear, hear!

SOME HON. MEMBERS:  
Oh, oh!

MR. SIMMONS:  
Mr. Speaker, I suppose it is a matter of who disowned who.

MR. CALLAN:  
What do you think (inaudible).

SOME HON. MEMBERS:  
Oh, oh!

MR. SIMMONS:  
Mr. Speaker, pardon me for the pause, but it is important when you have a fellow in the fits to let him spin the fit out. So we will spin out the fit and then we will go on.

Now, Mr. Speaker, in 1980 -

MR. CALLAN:

If there is any fit on the go, it is in your mouth and that is not half the story.

MR. SIMMONS:

I know you do not want to hear this, but would you please just listen. You might learn something.

MR. CALLAN:

I am sick and tired (inaudible).

MR. SIMMONS:

It so happens, you see, Mr. Speaker, it is not a matter of whether he is sick or tired. If there are some rules - by the way, are the rules going to be enforced tonight or what? What are we doing here tonight? Is there any chance we could pull out the blue book and have a little order so I can say a few things?

MR. SPEAKER (Parsons):

Order, please!

MR. CALLAN:

Are you questioning the Speaker?

MR. TULK:

No, just asking.

MR. SIMMONS:

Mr. Speaker, thank you.

SOME HON. MEMBERS:

Oh, oh!

MR. CALLAN:

You usually try to stare down the Speaker. You do not talk to him.

MR. SIMMONS:

Mr. Speaker, the speaker is giving such a fine maiden speech I hesitate to interrupt him, to tell you the God's truth. I really do. The first time I have heard more than three sentences from him since he has been in this Chamber, certainly since he is in our

caucus, or when he is in our caucus.

MR. TULK:

His Tory maiden speech.

SOME HON. MEMBERS:

Oh, oh!

MR. SIMMONS:

Mr. Speaker, they can scream and bawl and yell all they want, they will not put away the shame of what they have done today to the people of Newfoundland with this railway thing!

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

It is a scandal, an absolute scandal! It makes Terra Nova Investments look decent by comparison with what was done there. It makes Round Pond Road look like second heaven! What was done today is a living scandal that you guys are going to live with and regret for a long time!

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

Now, yell all you want. What you did to the people of Port aux Basques, you will never get forgiveness for.

AN HON. MEMBER:

Oh, oh!

MR. SPEAKER:

Order, please! Order, please!

MR. BAIRD:

Come out with your brother to the West and try it.

MR. SIMMONS:

Mr. Speaker, my brother will look after you, do not worry about that.

SOME HON. MEMBERS:  
Oh, oh!

MR. BAIRD:  
He is home looking after his hens,  
is he not?

SOME HON. MEMBERS:  
Hear, hear!

MR. SIMMONS:  
Yes, and come election he is going  
to look after a chicken.

SOME HON. MEMBERS:  
Hear, hear!

MR. SIMMONS:  
He came within seventy-five votes  
the last time.

MR. TULK:  
Eighty-one.

MR. SIMMONS:  
No, on the recount seventy-five.

SOME HON. MEMBERS:  
Oh, oh!

MR. K. AYIWARD:  
Order, Mr. Speaker, I cannot hear  
my colleague.

MR. BAIRD:  
I was up in Bonne Bay last weekend  
(inaudible).

MR. SIMMONS:  
Could we restrain the -

MR. SPEAKER:  
Order, please!

MR. MATTHEWS:  
Go back to Toronto.

MR. SIMMONS:  
Mr. Speaker, somebody earlier  
tonight mentioned Judas Iscariot  
in relation to this event today.  
That does injustice to Judas  
Iscariot because he even had the

sense to get all his money up  
front, but this one is on the  
instalment plan. This is Judas  
Iscariot on the instalment plan.

Mr. Speaker, it is like saying to  
a youngster who gets a weekly  
allowance, Mr. Speaker, do you  
want your dollar a week or would  
you like to have your fifty-two  
weeks now? And, of course, the  
youngster thinking he is getting a  
good thing grabs the fifty-two  
weeks all at once and goes throw  
it inside of a couple of weeks and  
realizes he does not have enough  
to keep him through the rest of  
the time. This is what we have  
here, Mr. Speaker.

MR. CALLAN:  
My youngsters put it in the bank  
and gain interest on it.

MR. SIMMONS:  
Here, Mr. Speaker, adults put it  
in the bank, politically children,  
Mr. Speaker, run off and buy the  
candy now.

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER:  
Order, please!

MR. SIMMONS:  
- and they have no money to  
maintain the dental plan later  
on. That is what is happening  
here, the highway dental plan.  
There will be no maintenance and  
no way to cure the cavities, Mr.  
Speaker, down the road.

Mr. Speaker, somebody said today  
this was a sellout.

MR. BAIRD:  
If I had caught you that night,  
you would need a dental plan.

SOME HON. MEMBERS:

Oh, oh!

MR. SIMMONS:

Now, I reject, Mr. Speaker, -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. SIMMONS:

- the idea that this is a sellout. Because, Mr. Speaker, a sellout connotes something on both sides, where you will get something for something. Somebody suggested it was a giveaway, Mr. Speaker, but that presumes that somebody knowingly does the giving. It is none of these, Mr. Speaker. This is an absolute, unfettered sleight of hand by our good friend Brian up in Ottawa and Crosbie and the boys. This is what this is, a sleight of hand. But it is not hard to trick this crowd anyway.

MR. TULK:

That is right.

MR. SIMMONS:

They have been tricked before. They were tricked on the line about inflicting prosperity. They were tricked by factory freezer trawlers. They were tricked on refinery capacity in Ontario, and somebody convinced them that somehow Eastern Quebec and Ontario were an extension of the Newfoundland Island so they said, 'Let us sign it. To heck with clause 54. Let us just sign the thing anyway.'

These guys, Mr. Speaker, have been tricked many times before, so it was not difficult for Ottawa Brian to do a sleight of hand on these guys and hoodwink this crowd.

MR. CALLAN:

Is he the one who was going to lead the Liberal Party?

MR. SIMMONS:

Mr. Speaker, not a sellout, no, not a giveaway, but what a hoodwink job, what a job! Those poor, desparate fellows hang onto power by their fingernails. How they got sucked in this time, fellows. Did they ever get sucked in on this one. Grabbed the money and ran and what have they got, Mr. Speaker? What have they got?

Where is my good friend the Minister of Health? Here he is. He says, by the way, in a moment of real candidness, that we are responsible for maintaining the highway. Well, I want to say to him I hope he does a better job maintaining these new highways than they are doing right now maintaining the Burgeo Road and the Bay d'Espoir Highway; I hope they find some way of doing then what they do not know how to do now.

That Burgeo Road, Mr. Speaker, is a disgrace. The Federal Government spent \$35 million building it, and this crowd cannot find a few dollars to keep the snow off it in the Winter or to put up a few snow fences.

MR. MATTHEWS:

Why did you not do it when you were up there?

MR. SIMMONS:

I found most of the \$35 million we just mentioned, if you want to know. I can also tell you what I did on restructuring while you were hiding away -

MR. MATTHEWS:

You did? You wanted to close it up.



MR. SIMMONS:

- while you were scared, while you were trying to run me out of town because I suggested secondary processing for Burin, which is now the salvation of Burin. At the time, you guys never had the guts to mention it!

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

I am sick and tired of the newspeak that says, 'It is this way; it is dark because I say it is dark, and it is this way because Bill Matthews says it is this way.' Well, Bill Matthews was against secondary processing in Burin.

AN HON. MEMBER:

Was he?

MR. SIMMONS:

He was, and I have him on the written record. But now it is convenient for him to be for it. Well, bully for him! But when I made the announcement that night before 600 people in Burin -

MR. MATTHEWS:

You made the announcement?

MR. SIMMONS:

I made the announcement.

MR. TOBIN:

You were not allowed in Burin.

MR. SIMMONS:

I made the announcement before 600 people that there would be secondary processing, and I was nearly run out of town by people who were being led by the gentleman for Grand Bank and the gentleman for Burin - Placentia West.

The truth has out, Mr. Speaker.

We now have secondary processing, even over that minister's objections, and so I get a certain amount of amusement when I sit here and hear the guys rewrite history. Well, they are going to write it again now.

MR. MATTHEWS:

You were going to shut down the South Coast.

MR. SIMMONS:

Remember, Mr. Speaker, the people who said the refinery was only good for scrap? We sat here and said, 'Please, is there a way we can get this refinery going again?' They laughed at us, and the Minister of Health, as he now is, and the Premier kept saying, 'Not a chance, we are going to sell it for scrap.'

MR. TULK:

We were against it.

MR. SIMMONS:

We would not let them do it. You are right.

MR. HODDER:

You were in Ottawa.

MR. SIMMONS:

That is right. The gentleman for Port au Port is absolutely right. When the Premier wanted to scrap Come By Chance, I was in Ottawa and we arranged for Petro-Can to step in so they would not scrap her. That is right.

Mr. Speaker, a few moments ago the Minister of Health was telling us that the provincial government was going to maintain all this. This same minister, I say to my friend for Port de Grave, is now talking about maintaining four-lane highways and last week he could not find the money to open a few more hospital beds. I cannot see

how this crowd is going to maintain anything, Mr. Speaker, and that is why the people of Newfoundland are waiting for an election.

The Minister of Health's one solution, by the way, are water routes. Now, there is innovative thinking, water routes. How many more ways can you run a boat from North Sydney to Port Aux Basques or to Argentia? How many more routes can you set? I suppose you could run her around Cape Race, up around that way, or Cape Ray.

MR. TULK:

Yes, up around the Northern Peninsula, and down the Northeast Coast to Argentia.

MR. SIMMONS:

Yes, via the Funks, and so on. Unless he is talking about bringing back the coastal service. Maybe that is his answer to the problem.

MR. TULK:

That is what he is into.

MR. SIMMONS:

Mr. Speaker, I agree with the minister on something else, too.

MR. MATTHEWS:

You did not give me much to help (inaudible).

MR. FUREY:

What is that thing saying there now?

MR. SIMMONS:

Mr. Speaker, I have indulged him enough. Would you ask him to shut up so that I can say a few things? Could I have a little order so I can say a few things? Could I have a little order while I say a few things?

MR. SPEAKER:

I believe you have the order you need.

MR. SIMMONS:

Thank you, Sir.

Mr. Speaker, the gentleman for St. John's South mentioned the ferry service. In passing, I just want to say to him that I agree, but again he is on to that old-as-the-hills Tory tactic that somehow by admitting things are all wrong, you are on the side of right. But that is not enough, because a good part of the wrong is your responsibility.

I say to the Minister of Health, if this ferry system is in such lousy condition, and it is, it is still hardly more than a cattle boat in terms of the way people are treated aboard that one. I was aboard her last Summer. You do not herd people in anywhere else in the civilized universe and have them sleeping on the decks, literally. I am not talking one or two, I am talking hundreds of people bringing their pillows aboard so they can sleep on the floor, and you trip over them to get from point 'A' to point 'B'. It does not go on on the West Coast of Canada, I will tell you, with the same government operating the boats. It is a different world altogether out there, Mr. Speaker. Why?

One of the reasons why is the Government of Canada got the signal from this government that second best was good enough, that cap in hand was good enough, that just something to kick-start the economy was good enough. That is the message they got from the former Minister of Finance, so he must take some of the responsibility for that mess on

the ferry situation between Port Aux Basques and North Sydney.

Now, Mr. Speaker, let me address something else the Minister of Health raised tonight. Talking about newspeak and talking about saying often enough what you want to be the case so you believe it to be the case, what is wrong over there? I have to have a talk to the Leader of the Opposition privately, because I want to know where he was. The only thing he has not been accused of so far is signing the Treaty of Versailles and the Monroe Doctrine. Were you mixed up in that Trojan Horse thing, too? Because everything else he has been blamed for already, and the one conclusion I can draw from that is that he is at least immortal, at least all that.

But, Mr. Speaker, between building the pyramids and dragging in that horse and ducking the Monroe Doctrine, he wrote a letter to the Premier, that is the gentleman for Green Bay, I say to the Minister for Terra Nova, on January 8 and in that particular letter - now, I am not talking about the member for Terra Nova, I am talking about the Minister for Terra Nova - the Leader of the Opposition spelled out chapter and verse exactly, 'The Liberal Party would only support the discontinuance of the railway in Newfoundland under the following conditions: One, two, three, etc. My time is running out, but it is all there. I will give the minister a copy of the letter from Clyde K. Wells, Leader of the Opposition, to the Premier on January 9. There are six points here, Mr. Speaker, spelled out in detail.

It is dishonest for the Minister of Health, dishonest. I do not

particularly enjoy giving people a flick, but he took an awful flick at a person outside this House when he spoke, and it is not fair. When he threw in the name of an entrepreneur in this Province by the name of Mr. Steele, he took an awfully cowardly flick at a man who is not here to defend himself, and it is beneath that particular minister.

DR. COLLINS:

What about his influences?

MR. SIMMONS:

He can insinuate all he wants to and dig the hole all he wants to, but we will not go down the hole with him. Sometimes it is hard to stay up, Mr. Speaker.

MR. WARREN:

(Inaudible) the stand yet.

DR. COLLINS:

It is the truth.

MR. SIMMONS:

Mr. Speaker, there the member goes again, scurrying and ducking the issue as he is so good at. I told him, as a man I have always had respect for, that his flick at a person outside this House, who is not here to answer for himself, is beneath him. Why does he not just have enough basic humility to admit that and get on with it, instead of digging the hole a little deeper? It is beneath him. It is absolutely beneath him.

DR. COLLINS:

It is actually the truth.

MR. SIMMONS:

Is it true that he should be maligned in this House in his absence? No, it is not true. No, it is not true, and I say that for any person out there, John Jones, Mary Smith, anybody. It is not

true.

The minister, for all his rights, Mr. Speaker, does not have the freedom to come in here and malign people who are not in this House. He does not have that right. That is not a right, Mr. Speaker, that is an exercise in cowardice, and he knows that.

MR. DINN:

I sat here and listened to you do it for years.

DR. COLLINS:

He has influences here. It is nothing against him.

MR. SIMMONS:

I heard the minister and I want him to hear me.

Finally, Mr. Speaker, I refer him to the letter of January 8 to the Premier, because I see him as a sincere seeker after truth. I believe him when he says he does not know what our position is, but, I say to him, the fault is on his side. The Premier would not give him a copy of the letter, for some reason. So we will give him a copy of the letter in which the leader spells out point by point - six points - exactly the things we are saying in this debate and will continue to say now that we have railroaded you into having the debate, the debate you did not want to have in the first place.

MR. TULK:

That is right.

MR. SIMMONS:

You cannot be terribly proud of what you have done today, and I understand that, because there is not much in it to be proud of.

Yes, you got a bit of blood money; yes, Mr. Speaker, as a

bunch of mercenaries, you got a little kitty to go out and build some roads. Yes, I understand all that, but in the process you bartered away something for less than half the price. Because, Mr. Speaker, the essence is this:

The debate is not over whether the railway should go or stay, that debate has been settled long ago, in effect, and we have said that. The debate and the essence of the issue is twofold, whether the railway is being adequately replaced in a manner we can afford down the road, and secondly, whether the constitutional responsibility of the federal government is in tact.

Those, Mr. Speaker, are the two main indictments of this party here today: One, the let the federal government off the hook on a constitutional matter, and that will be to their eternal shame. For a mess of materialistic pottage they let the federal government off the constitutional hook and they displayed absolutely sloppy bargaining capability, lousy bargaining capability.

But when you go with your cap in your hand, when you go to the federal Tories in Ottawa, when you go to the federal pawnshop, as it were, and say, 'Look, we have a railway here and we would like to have a few bucks on it to fight an election', what else can you expect? What else can you expect when you go into the pawnshop but to be taken to the cleaners. What else can you expect when your agenda is all over your face, that you are saying, 'Please, give us something so we can go down and set up for an election?' And the guys on the other side of the pawnshop counter, Mr. Mulroney and Mr. Crosbie, they were willing to

take your pawn, they were will to shove a few sheckles across the counter, Mr. Speaker, because they knew exactly what the game was. They know what people look like when they are across the barrel, they know what people look like when they are desparate to hang onto power despite the highest unemployment rate in all of Canada, despite the mismanagement of the economy. Yes, the Ottawa crowd saw you coming and they were ready for you and they took them for a ride, Mr. Speaker.

Two points in closing: One, this government will never be forgiven for letting the federal government off the constitutional hook, and there is the man, walking in the Chamber right now, who must bear the same for that. He is the person who, with his fast talk, his double-talk, talking out of both sides of his mouth on this issue, both sides of his mouth, Mr. Speaker, he is the man who must bear the brunt of this because most of them over there, including the person who is shouting now, are basic followers, they are basic sheep in this whole process.

There is the person right there, Mr. Speaker, who will never be forgiven, who will go down in history, Mr. Speaker, as the person who got sucked in so easily on the constitutional issue by Brian Mulroney. The super salesman has done it again. He has done it to the Premier of this Province.

Now, Mr. Speaker, that in itself would be just a minor tragedy for the former Secretary of the Liberal Association. At the time he got a letter from you, the Leader of the Opposition, he was trying to get into the party as

Secretary of the Liberal Association in Green Bay. He should know that.

PREMIER PECKFORD:  
That was a long time ago.

MR. SPEAKER:  
Order, please!

The hon. the President of the Council.

MR. SIMMS:  
I believe the hon. member's time has expired, Mr. Speaker.

MR. SPEAKER:  
The hon. member's time has elapsed.  
The hon. the Premier.

SOME HON. MEMBERS:  
Hear, hear!

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

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

MR. SIMMONS:  
Mr. Speaker, I understand that when a member has five minutes, he gets a little note, such as I got, and then at some point the Premier, I mean, the Speaker says - and that was a Freudian slip that made me nearer the truth than I thought -

MR. SIMMS:  
We all know the rules.

MR. SIMMONS:  
The Speaker says, 'The member's time is expired.'

MR. SIMMS:  
He just said that.

MR. SIMMONS:

I did not hear him say that. Mr. Speaker, here is my point of order: I am getting fed up -

SOME HON. MEMBERS:  
Hear, hear!

MR. SIMMONS:  
- with the rulings coming from that side of the House.

MR. SPEAKER:  
Order, please!

That is not a valid point of order. Actually the hon. member had run over his time by almost two minutes, and I allowed the hon. member to conclude.

So I now recognize the hon. the Premier.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
Mr. Speaker, listening to the member for Fortune - Hermitage is hilarious!

Mr. Speaker, I am very pleased to be able to participate in this debate this evening as it relates to the whole question of the railway.

I think, first of all, what I should do is put at rest a number of the very shallow arguments which are coming from the opposite side. I have a letter here from Mr. Pickersgill, the then minister, and I think the hon. the Leader of the Opposition was in the Cabinet of the Government of Newfoundland at the time this letter was written, and it had to do with the railway. It is too bad the hon. the member for Mount Scio - Bell Island is not here, because he and hon. members opposite, especially the Leader of

the Opposition - perhaps the members who were not around at that time can be forgiven for still being a part of the Liberal Party later, but as for the Leader of the Opposition and the member for Mount Scio - Bell Island and others, I do not understand how they can sustain their arguments.

MR. TULK:  
You saw the light.

PREMIER PECKFORD:  
Yes, and when I saw the light, I got out.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
When I saw the light, Mr. Speaker, I got out to get rid of the people who were there in the party at the time.

Hon. members opposite are talking about all of the Terms of Union and the constitutional responsibility and legal responsibility of the Government of Canada. It is really strange that here is a party which was in power and which agreed to or allowed the passenger train service to go from the scene in Newfoundland. Now if there were the legal position that the Government of Canada had an obligation to continue the railway in Newfoundland, how come the passenger service was downgraded and eliminated, Mr. Speaker? How come? It is that party which formed the Government of Newfoundland, and even if there had been a legal - which there is not - obligation on behalf of the federal government, they destroyed any legal obligation by setting the precedent in the downgrading of the railway back in the 1960s.

Now, here is a letter from the Minister of Transport for Canada when the Leader of the Opposition was a member of the Cabinet of Newfoundland: "Insofar as the application for abandonment is concerned of the Argentia service, it is being undertaken principally on an understanding reached with the Government of Newfoundland when the federal government undertook to pay the full cost of building a modern highway from Argentia to the Trans-Canada Highway. At that time the provincial government agreed that it would offer no objection to the abandonment of the railway, after the highway had been opened. Without such assurance, the federal government would not have undertaken this very substantial expenditure which will result both in greatly improved transport services and in a smaller burden on the federal treasury." No maintenance, no Terms of Union, Mr. Speaker, nothing!

That was in the 1960s. Here is when the great damage was done to the railway of Newfoundland and Labrador, Mr. Speaker. Here is when the damage was done.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
And the hon. the Leader of the Opposition, in 1988, reincarnated -

MR. SIMMS:  
Reborn.

PREMIER PECKFORD:  
- reborn, a renaissance of the brain, gets up in this House and starts arguing sanctimoniously about the Terms of Union and about maintenance of the Trans-Canada Highway, Mr. Speaker.

MR. SIMMS:  
Right on! Right on! He set the precedent.

PREMIER PECKFORD:  
And the erosion of the railway happened many, many years ago, two decades ago, by the Leader of the Opposition and the party he represents, and here is Exhibit A which proves that point. What happened when we lost the passenger service? What did we get in return? The buses. Did we get any big, substantial sum -

MR. SIMMS:  
No.

PREMIER PECKFORD:  
- for one of the critical components of the railway in Newfoundland being phased out, Mr. Speaker? Did we get anything substantial in return? Absolutely nothing. I would agree with those who suggest that it was partly due to the actions of the Liberal Party of the day and the Liberal Government at the time, as well as those people in CN, and whoever were running the railway at the time, who had an attitude which said that we want to see the railway go. It was not singlehandedly. The Liberal Party of Newfoundland and Labrador, of which the hon. member was a member of the Cabinet at the time, helped orchestrate the death knell of the railway in Newfoundland, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. SIMMS:  
'It was only a branch line,' he said, that is all.' It was only a branch line.

PREMIER PECKFORD:  
Only a branch line. What about

the passenger service, Mr. Speaker? Was the passenger service a branch line too?

Mr. Speaker, if you look at the series of events that occurred back through the 1960s, right on up through to today, there is a constant thread of abandonment. Then it was the Carbonear line, and the Bonavista line and so on, Mr. Speaker. Where were the Terms of Union? Did it say branch lines and not the main line?

MR. SIMMS:  
No.

PREMIER PECKFORD:  
All the Terms of Union talked about was the Newfoundland Railway, and the Argentinia line was just as much a part of it as any other part of the rail lines in Newfoundland and Labrador.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
The same Leader of the Opposition, in talking about deals with Newfoundland, was a member of the Cabinet when the letter of intent for the power contract was agreed to.

SOME HON. MEMBERS:  
Hear, hear!

MR. SIMMS:  
Right on! The same fellow, all of a sudden reborn.

PREMIER PECKFORD:  
The same hon. gentleman. Yet he stands up in his place now sanctimoniously talking about Terms of Union. Any good lawyer knows - we had it researched for the last two or three years - that there is no legal obligation. And even if there were, it would

be diluted now from what the Liberal Government did years ago. There is no legal obligation on the federal government to keep the railway going in Newfoundland, Mr. Speaker.

MR. SIMMS:  
And no objection to the abandonment of the railway.

AN HON. MEMBER:  
That is not true.

PREMIER PECKFORD:  
There is not. Any good lawyer knows that to be true, Mr. Speaker. But to add insult to injury on it all, if there were a case, it would be diluted to nothing before any court. Even if there was stronger wording in the Terms of Union, what the Liberal Government did in the 1960s, in the abandonment of the passenger service as well as the Branch lines, would dilute any legal position that we may have had if the wording was different. That all would have come out in court. So it is a bit late now, Mr. Speaker, when the horse has left the barn, to start arguing about something which was done by other hands.

Now, Mr. Speaker, let me get to the point of what I tried to do in 1979. In anything that I have pursued or tried to pursue on behalf of the people of Newfoundland and Labrador, whether it be the offshore, contrary to what the Leader of the Opposition did, or whether it be Hydro, contrary to what the Leader of the Opposition did, or whether it be Canada/France, contrary to what the Leader of the Opposition did, I used every single arsenal at my disposal. That is what I did in 1979. I was not convinced in 1979 that we could not have a viable



railway. Notwithstanding what the Liberals did in the 1960s to dilute it anyway, I used every single argument, including the Terms of Union, to back up our case. And what did it succeed in doing? It succeeded in getting a containerization of the railway and giving it another chance to succeed, and getting \$70 million for Newfoundland.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
I will use any legitimate lever at my disposal to fight on behalf of the people of Newfoundland and Labrador, whether it be the railway, or the offshore, or hydro, or fisheries, Mr. Speaker. That is what I did in 1979, and I make no apologies to anybody on the opposite side or anybody in Newfoundland for trying to do that. I wanted to give it another chance.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
I was not willing to do what the Liberals did in the 1960s and just say Okay, take away the passenger service, take away Argentia and give us a little bit of road, I wanted to give it another chance and I used every lever at my disposal to try to give it another chance.

But here we are today, after going through that and spending \$70 million or \$80 million on containerization, seeing the railway continuing to be downgraded, that freight going to other modes of transportation.

In recent years you see an increased emphasis on water

transport, both into Corner Brook and into St. John's, and the railway is losing \$40 million a year, \$30 million plus interest. You fought, you used every lever at your disposal, but there comes a time, therefore, Mr. Speaker, when you have to look at where your future is. Do we want the Trans-Labrador Highway completed?

MR. WARREN:  
No, they do not want it.

PREMIER PECKFORD:  
Do we want the Trans-Labrador completed, a very heavy cost for Newfoundland to do alone?

SOME HON. MEMBERS:  
No, they do not.

PREMIER PECKFORD:  
Do we want the Burgeo Road upgraded and paved?

SOME HON. MEMBERS:  
We do. They do not.

PREMIER PECKFORD:  
Do we want Plum Point to Englee upgraded and paved?

SOME HON. MEMBERS:  
No.

PREMIER PECKFORD:  
Do we want the South Coast of the Province and the Fortune Bay area to be improved?

MR. SIMMS:  
No, they are against that.

SOME HON. MEMBERS:  
No.

PREMIER PECKFORD:  
Do we want the Bonavista Highway to be improved? Do we want the roads around Port Blandford to the Trans-Canada improved?

SOME HON. MEMBERS:

No.

PREMIER PECKFORD:

Mr. Speaker, do we want our ports improved?

SOME HON. MEMBERS:

Yes.

PREMIER PECKFORD:

At some point, therefore, you have to look -

AN HON. MEMBER:

(Inaudible).

MR. SIMMS:

That is not the issue.

PREMIER PECKFORD:

- at where you are and where you want to be and how you are going to get there, Mr. Speaker.

MR. SIMMONS:

On the train.

PREMIER PECKFORD:

It is not on the train, because you people made sure of that a long time ago.

MR. SIMMS:

Right on! Right on! In 1967.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

Mr. Speaker, after looking at that and looking at all of the dimensions of our transportation system in the Province, we had to make a fundamental decision, will we go on arguing? At the time, Mr. Speaker, when we argued, the members of the Opposition laughed at us in this House because we were trying to keep the railway going, when we tried to make the pitch for the railway. At the time, the only ones who were

supportive in anyway when we were arguing to retain the railway were not members of the Opposition, it was The Evening Telegram and some union leaders, 'some' union leaders. Nobody else in the Province lifted a hand in support of what we were doing in 1979, Mr. Speaker.

MR. MORGAN:

The Liberals laughed.

PREMIER PECKFORD:

They never lifted a hand, it was all just a gimmick, and all I wanted was another fight, Mr. Speaker.

AN HON. MEMBER:

You were posturing.

PREMIER PECKFORD:

I was just posturing and wanted another fight. We got \$70 million out of it to containerize, and the containers will be used now on the trucks. It was not a lost expense or a lost investment, because it can still be used now on the trucks.

So, Mr. Speaker, there comes a time when you look at that, where you came from and where you want to go. And the people of Newfoundland and Labrador, the business community of Newfoundland and Labrador, at the present moment 80 per cent of the freight is travelling by truck or water, it is not travelling on the railway. Now if the thing were reversed and 80 per cent of the freight was still going on the railway and 20 per cent on water and truck, you would have an argument, Mr. Speaker. You would have an argument. But we do not have that argument.

Then you have to look at the timing, Mr. Speaker. Given that

there is not a legal obligation on behalf of the federal government to keep the railway going and, therefore, they could close it down at their whim, when is the best time to get the best compensation package for something that they do not have to do legally anyway, Mr. Speaker? That is the other thing, then, the timing of it. If it is as most Newfoundlanders and Labradorians agree, that the railway was going to go anyway, it was on its last legs, and with the attitude CN has towards it and others, then you just let it go and, as Mr. Crosbie said this morning, let it cough its last cough three years from now and then the people who are now working with the railway get laid off over time, insidiously over time, do not get a good compensation package, the communities are suffering slowly but surely, done very subtly and very insidiously, until one day we wake up and there is no railway and we have no compensation package for the communities, for the workers or for the roads in the Province. Because that is what has been happening since the containerization was announced and got underway and was finished. Since that time it has been going downhill, not to use a pun. It has been going downhill!

Are we to be in the history books to be looked upon - not even in the history books - twenty years from now as a government here in Newfoundland that knew and saw that the Liberal Governments had seen to it that there was no passenger service, the Liberal Governments had seen to it that there was no Argentia, no Carbonear, no Bonavista, that there was no freight travelling. You would have to be a fool not to see that there is no freight

travelling. What were they doing back in 1988? They had no legal obligation and they had their own political colour in Ottawa? Why did they not do a deal rather than see Port aux Basques destroyed and Bishop's Falls destroyed and see the workers destroyed, and no Trans-Labrador Highway finished for about ten or fifteen years, or no better Trans-Canada? What a bunch of nincompoops they were in 1988 not to see the handwriting on the wall and to do a deal, and the best deal they could do at that time, given there was no legal obligation on behalf of the Government of Canada. Do we wait and see it downgraded more, because that is what is happening, and do nothing for the workers, do nothing for the communities, and nothing more to upgrade the basic road infrastructure and port infrastructure of the Province?

What a stupid approach, Mr. Speaker, for a government to take, looking ahead to its own future with all the regional trunk roads as well as the Trans-Canada that need to be upgraded.

Just look at it, Mr. Speaker. Look ahead and look back at what anybody would say about a government that would take that kind of an approach and not have the courage to stand up and say enough is enough, the timing is right to get a good compensation deal and we will have the courage and the leadership to look to the future to put in place something that will be good beyond our time.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

The easy way, I suppose, would be to continue to perpetrate the status quo and continue to mouth

in this House and around the Province the railway is still here and we are getting another roads agreement of \$30 million or \$40 million, or even another \$180 million like we got in 1985; we will continue to get our ERDA agreements and so on, and we have the railway, when everybody and his dog knows there is no railway. And then you hear of a few more layoffs coming, and you hear that Port aux Basques is in trouble, and we need more money for port development, and we need more money to complete the Trans-Labrador Highway and all the other roads. We could dance a good little jig, Mr. Speaker, on that to the people of Newfoundland, instead of grasping at the opportunity when it comes along and looking ahead and standing up and saying clearly and unmistakably and truthfully to the people of Newfoundland, not perpetrating some myth that we have this wonderful railway here, this wonderful railway that nobody uses.

We do not have the luxury, as romantic as the railway is, as we have never had the luxury in Newfoundland, to be able to romanticize about a few tracks and a few cars that we used to use or our parents used to use. We do not have the luxury to forget the future of our own children and our children's children, we do not have that kind of luxury here in Newfoundland. And I do not even know what country does have that kind of luxury, that they would perpetrate that kind of myth on everybody, that everything is hunky-dory while the ship sinks, or while the train goes into the cliff. We do not have that kind of luxury.

And given no legal obligation and

given the precedent set years ago for no maintenance anywhere in Canada, and given that we can get the kind of deal that we have been able to strike now with a reopener clause, unlike the Upper Churchill, with a reopener clause after eight years, Mr. Speaker -

SOME HON. MEMBERS:  
Hear, hear!

MR. SIMMS:  
If only you had had that sense, Clyde. If only you had had that sense.

SOME HON. MEMBERS:  
No reopener clause!

PREMIER PECKFORD:  
It will haunt the Leader of the Opposition to his dying day that he agreed to a letter of intent from the Government of Newfoundland on the power contract with no reopener clause.

MR. SIMMS:  
October, 1966.

PREMIER PECKFORD:  
No reopener clause, and he was a member of the Cabinet of the day.

Mr. Speaker, we as much as anybody, and especially what this party stands for, believe in retaining and enriching the values from our past, whatever they might be, because that is a sign of a good Conservative. And there are many things in our past, the values of the past, of our ancestors, that are extremely important in building a society today and tomorrow. Those values are very important.

And hopefully, Mr. Speaker, as we begin the job of dismantling and so on, we can have - there are already proposals in - certain

parts of the railbed become tourist attractions to remind future generations of what was the Newfie Bullet. We can still do that. There are proposals already in. Most of the assets, almost all the railbed, is going to come back to the Province, is going to be transferred back to the Province and we will get ownership back of those lands that were given away a long time ago, in the 19th. Century, which Sir Robert Bond tried to renegotiate in 1903 - 1905, Mr. Speaker.

So we will be able to do that. But you have to look at today and you have to look at tomorrow and you have to make decisions. As I was telling some of the CBC reporters today, I can remember running around the tracks in Whitbourne, back in the 1940s and early 1950s, and going down to the train station when the train came in, and taking the train from Whitbourne to St. John's. That was how we travelled back and forth to St. John's in those days, on the train. As a matter of fact, my first year in university, when I went back to Lewisporte from here it was on the train. So I know all about the train. I was born with it and lived with it for many years. But times change and we have to change with them, not hook, line and sinker, but to adapt to that change. And now the timing is right for us. I do not think there is a better person that we could have had in Ottawa at this point in time to help us get this deal through than John Crosbie. I do not think there was a better person around who could have helped us get this deal through, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. BAIRD:

The Rat Pack would never do it for us.

MR. SIMMS:

Superb speech! Common sense.

PREMIER PECKFORD:

So, Mr. Speaker, we have to look for a tomorrow. We have to look at what is happening around our Province. Do we really want to open up Labrador? Do we want to finish the road to Red Bay with the tourism potential that is going on there?

MR. SIMMS:

Hear, hear!

PREMIER PECKFORD:

One of the greatest short-term benefits from this agreement today will be the tourist industry. One of the first big beneficiaries of this program of road development will be the tourist industry. Last year, I think it was first in percentage increase of all the industries in Newfoundland, Mr. Speaker.

So we have to look for a tomorrow. It does not mean we forget about yesterday, but we must know where we are today and look to tomorrow. And that is what this is doing. This is a forward-looking approach. We never just decided that this had to go because somebody else tried and failed. I do not agree that because somebody else tried and failed I am necessarily going to try and fail. That was never my philosophy. Because somebody else failed, that does not mean I am going to. So we gave it the good college try. We put everything we had into it, and it has proven not to be a viable option from a transportation viewpoint as we look out into the future, Mr.

Speaker.

AN HON. MEMBER:  
You sold the shop.

MR. SIMMS:  
You are the experts in selling shops, brother!

PREMIER PECKFORD:  
So we have a deal. We have deal for ports. Corner Brook is going to get not even under this agreement, separate from this agreement altogether, a \$17 million revitalization for port development - Argentia, St. John's. We have three roads packages; \$100 million top-up on an ERDA agreement that has not even run out yet. We have a \$405 million TCH agreement. There is 3 per cent of the Trans-Canada Highway in New Brunswick that is twinned. This agreement will make ours 18 per cent, Mr. Speaker. There is zero in Nova Scotia. There is a bit of twinning in Nova Scotia but it is provincial. It is not the TCH. We have a compensation package, Mr. Speaker, for the workers which will total \$70 million-plus, and then the two most affected communities, Port aux Basques and Bishop's Falls, will have \$7 million development funds to help them diversify. There are fifty-four or fifty-five workers in Port aux Basques who will be laid off directly as a result of this move by Terratransport.

AN HON. MEMBER:  
How many?

PREMIER PECKFORD:  
Around fifty-four.

Question: Is it reasonable to expect that that \$7 million development fund will create at least fifty-four jobs in Port aux

Basques over the next few years, \$7 million? It seems to me that that money used wisely will create double or triple or quadruple the number of jobs that are going to be lost, remembering that whilst the jobs are lost the individuals will be protected. The same way in Bishop's Falls, where there are forty-some-odd employees to be laid off who will be protected and still have income. It will not hurt the municipal tax base of the communities, because all of those individuals who are laid off will have just as much money now as they did before. They will still be able to pay their taxes, so there is no direct tax loss to the municipalities. Even though that is there, we recognize that we need to do some economic diversification so the \$7 million development fund comes into play, Mr. Speaker.

So when you look at all the components of the agreement, given that there was no legal obligation for the federal government to do anything, and given that the Liberal Government of twenty years ago did the same thing as we are doing now and got no compensation, \$800 million looks pretty good.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
No compensation! 'You are just going to get,' Pickersgill said, 'a new highway,' and that was a very substantial expenditure, to build the Argentia Access Road. 'A very substantial expenditure' the Minister of Transport said twenty years ago, 'to do the Argentia Access Road.' The Government of Newfoundland of the day, and the Leader of the Opposition was a part of it, agreed, 'Go right ahead and do

it.' 'We will build the Argentia Access Road. We will give you no other compensation.' There is nothing in here for the employees. I do not know what they did with the employees at the time, and what the employees got. Did the community get anything? Mr. Speaker, did the community get anything? Was there anything in here to do with maintenance that they are arguing about over there now, Mr. Speaker? Not a thing! Nothing! A silly, foolish agreement, Mr. Speaker.

Mr. Speaker, from 1979 up to this year we tried to make a difference to the railway to see if it could work, and millions and millions of dollars were spent on it. It is now losing \$40 million a year. Three hundred and two million dollars have been lost on the railway since 1979. Now, what do we do? We go ahead and let it keep losing more and more and laying off workers and have nothing in return for its gradual demise over time, and then we will all clap our hands and be happy that we perpetrated this wonderful myth on the people of Newfoundland and Labrador, that the railway will always be here, then its closed out and we still have this horrendous demand for financial assistance to complete the Trans-Labrador Highway and upgrade the Trans-Canada Highway and all the other regional trunk roads in the Province. That is what the Liberal Party is saying today.

I do not know, as some speakers have already said, what they are really saying. We do not know if they really agree with the railway closing down. If they do, they cannot say it is a bad deal, because it comes back to fly right in their faces that they did not even have as good a deal as this,

Mr. Speaker. So they are in a bit of a conundrum, and I guess that is why they are dancing all over the place.

It is like the Canada/France situation. It is the same kind of thing. The Leader of the Opposition always tries to have his cake and eat it too. 'Oh, yes, you know,' with this Canada/France thing, 'give them a little bit of fish.' He is trying to show the people of Newfoundland that he is reasonable and, at the same time that he is reasonable, do not give them anything; give them a little bit but not too much. It is this business of having one leg on one side of the picket fence and one leg on the other. The only problem with that is when he falls, I do not know what is going to happen to him, Mr. Speaker. It is that weasel way, Mr. Speaker, of trying to have the best of all possible worlds.

The Leader of the Opposition must know by now, for his short time back reincarnated, that the people of Newfoundland have changed since he was here last. Mr. Speaker, they have changed. He cannot go using the tactics of the 1960s on the people of Newfoundland in the 1980s and the 1990s. They recognize it.

I have had the opportunity over the last number of weeks to meet with a number of people whom the Leader of the Opposition has met with, trying to get them to run for his party, and what has come back to me is just that point: 'I asked him a number of questions and he did not answer them. He was here and then he was there and he was all over the place.' 'Well', I said, 'I am glad you found out for yourself.'

MR. SIMMS:

That is what the people of Newfoundland are saying about him, too.

PREMIER PECKFORD:

That is what is happening, Mr. Speaker.

MR. WELLS:

(Inaudible).

MR. SIMMS:

One of your candidates.

PREMIER PECKFORD:

A number of your so-called candidates who are supposed to have already declared their candidacy for the Liberal Party, but have withdrawn their desire.

MR. SIMMS:

The caucus does not know that yet. He did not tell any of them.

PREMIER PECKFORD:

Perhaps the Leader never told the caucus about these people with whom he met -

MR. SIMMS:

Declared candidates like Eric.

PREMIER PECKFORD:

- some of whom, of course, were supposed to replace some of the existing members over there. There are some members over there who are not supposed to return, and I do not know if they know that, either. That might be another Argentina deal. There is no reopener clause for some of these people over there, Mr. Speaker. It is over when the next election is called, with no reopeners. They cannot run again. They are going to be organized out of their party and out of the House of Assembly.

MR. SIMMS:

Some ran out and had early nominations to try to catch Clyde off guard.

MR. EFFORD:

Call the election. I do not care.

MR. SIMMS:

No more do we. We are at him every day to call one.

PREMIER PECKFORD:

Mr. Speaker, if the members of the Opposition somehow think that we are not proud of this agreement and that this is a good deal for Newfoundland and Labrador, I might just take them up on that. If they tempt me too much, I just might call an election, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

I just might call an election. But I would not want to be the person to eliminate a number of those people over there, because their leader is going to do it for me in any case, Mr. Speaker. I would rather let the leader go ahead and do his back-room engineering on some of you people. I will not be blamed for it. You will only have your own leader to blame. But, Mr. Speaker, if I am forced, and if they think that based on this agreement that they have an opportunity to do anything but lose seats over there, if they think that, then I will tell you they had better get their polling devices out and working pretty fast, Mr. Speaker. They better start getting some polling done pretty fast.

AN HON. MEMBER:

We have done them.



PREMIER PECKFORD:

Yes, I have seen some of them.

While you do have some loyal people in the back rooms, you also have some people who are not so loyal. You better be very careful, because there are sheets of paper that I see from that side over there, not every two or three weeks but once every two or three months. So I know your polls, and I know what you are doing and all the rest of it.

Mr. Speaker, we are proud of this agreement, very, very proud. We have a much better deal than the governments of the past have ever gotten on matters dealing with the railway, a much better deal than any other provincial government has ever gotten on dealing with the railway.

MR. WELLS:

Who says?

PREMIER PECKFORD:

Mr. Speaker, I say, because the details of the agreement are far better, and its terms and conditions, than was gotten on the Argentia Access Road, for example, or on the phase-down of the passenger service in Newfoundland. Where was the compensation when half of the railway went, or more than half when the passenger service went? Where was the compensation? Where are the reopener clauses? Where is the assistance for various parts of the transportation system because the passenger service was phased out? Where are all these things that are in this agreement? Where were they in the Liberal agreement when the passenger service went, Mr. Speaker?

MR. SIMMS:

Read the other little paragraph. You did not read the last line, 'having enquiries made about the possible removal...' -

PREMIER PECKFORD:

Oh, yes! The last paragraph of that letter was, "I am having inquiries made about the possible removal of the south west coast terminal from Argentia to St. John's. As soon as I have some word about this from Canadian National I will be in touch with you again."

MR. SIMMS:

There is more you want. No objection.

PREMIER PECKFORD:

Mr. Speaker, as I say, we think we have struck a good deal here. Somebody asked me today about this whole question, Well, what happens after fifteen years and so on? And it was raised here in the House today about it as well. If you look at the history of roads agreements between the federal government and the provincial government and the ERDA agreements that we have signed, the largest one in our history before now was signed in 1985, \$180 million, as was the inshore fisheries agreement the largest inshore fisheries agreement ever signed. There will be an ongoing federal/provincial agreement on highways as there is on rural development, as there is on agriculture. As a matter of fact, I think there is one to be signed tomorrow. Just imagine, Mr. Speaker, the provision that we already have in the railway agreement shows itself in spades tomorrow when we sign an agricultural agreement, which proves that this agreement has no bearing on other regional economic development initiatives that we

will have in the Province.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

So we have our ongoing regional development program for forestry, we have it for mining, we have it for rural development and tourism, we have it for highways, and these will continue. There are Memorandums of Understanding signed which dictate ongoing ERDA agreements. But the key after fifteen years, though, is the eight year reopener, because you will have a better view of what is needed after the fifteenth year, after eight years have expired, than you do today, Mr. Speaker, far better. And let us not forget that in that reopener there is a provision for inflation not only how far have we achieved, how far have we gotten in relation to where we said we would get in 1988, but the inflation factor has also to be considered. And I commend that to the Leader of the Opposition as a difference between that and the Upper Churchill contract and other deals that were signed on the railway years ago by his government, Mr. Speaker. A big, big difference!

Then if you look at the agreement, if you want to do a little sum, Mr. Speaker, we are talking about, say it is \$800 million - we have \$800.6 million or whatever - we spend now, today, in 1988 with our limited financial resources, \$40 million a year. Obviously that is going to increase over the next few years. Each year that is going to be more than \$40 million. But let us forget how much that will increase per year. It will be, reasonably speaking, for argument's sake, at least \$40 million a year. So \$40 million

times fifteen is what? \$600 million. Six hundred million added to the \$800 million is \$1.4 billion, and that does not include new ERDA agreements that the federal government are authorized and have to sign with us when these run out. So, Mr. Speaker, that is \$1.4 billion plus that will be spent on the highway system of Newfoundland and Labrador in the next fifteen years.

MR. SIMMS:

One hundred million dollars a year.

PREMIER PECKFORD:

And if you add ERDA agreements to that it is not unrealistic to expect that you are going to get close to \$2 billion over the next fifteen years spent upon the transportation system of Newfoundland and Labrador, Mr. Speaker. Alleluia!

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

One hundred million dollars a year. Over \$100 million a year, Mr. Speaker. There is still about \$80 million left in the old agreement.

PREMIER PECKFORD:

Exactly. In the old agreement there is still \$80 million that we have not spent yet, and we have \$235 million that has been unallocated to this point in time, because what we wanted to do was take a look at what happens over the next year, where the major trouble spots are in our roads system, not prejudge everything, and over the next year or so come to a decision with the federal government on how that \$235 million will be allocated.

And if you look at what we have

done on this one, forgetting the principles of the agreement which are so much superior to anything that the Leader of the Opposition had anything to do with when he was in government, forgetting all of that, that it is a much superior agreement, in the funds that we have allocated, Mr. Speaker, have the funds been allocated fairly? Have they just been going to particular areas of the Province which are more favorable to us than to the members opposite? Not on your life, Mr. Speaker. Not on your life. That money is going all over the Province, where the need is greatest. And the same way with the \$100 million top-up. It has been done fairly and objectively, Mr. Speaker, in the worst areas of the Province.

For example, I think of the member for Roddickton there. I did not mention it at the time, but when the member for Burgeo - Bay d'Espoir was arguing legitimately for more work to be done on the Burgeo Road, one cannot forget, and I was very insistent on this, by the way, and I think the hon. member will believe me when I say that, because there was in the negotiations as to where the money was to be spent various areas mentioned and the need, and whilst there is no question that the Burgeo Highway has to be upgraded and paved, one has to look at history and look at how long the people from Roddickton or Englee to Plum Point have gone with their road for many, many years. It was there long before the Burgeo Road was ever built. And if there was ever any road that needs to be upgraded and paved right across, it is that road from Plum Point right across to Roddickton, Mr. Speaker.

We made sure that even though the people of Roddickton and Plum Point were not out on the highways picketing or threatening legal action on the Government of Newfoundland or whatever, even though they did not, because that is not necessary to do, we ensured that the people of the Plum Point and Roddickton area, that road, were still looked after in that agreement, Mr. Speaker, and rightly so.

There are a lot of old highways. I still have them in my own constituency, and I have been a member since 1972, from Harry's Harbour to King's Point, which have not seen very much road work. That is sixteen years. I must be a bad member, a very poor member. If you look at the roads on Little Bay Islands, if you look at the roads on Long Island, this is why I have so much argument with the member for Burgeo - Bay D'Espoir and other members who sarcastically attack me or attack the government as it relates to we do not know what potholes are like and all the rest of it.

Mr. Speaker, I can take the hon. member for Burgeo - Bay d'Espoir, or any members opposite out to Long Island, Beaumont and Lushes Bight or, better said, Beaumont North, Beaumont South, Beaumont Central, Wards Harbour and Lushes Bight, and I will take them over a dirt road. I have been over the Burgeo Road, and I have been over the roads on Long Island and Little Bay Islands, too, and I can tell the hon. member -

MR. SIMMS:

You have been to McCallum.

PREMIER PECKFORD:

Yes, and Francois, and Rencontre West, you name the place. I was a

social worker down in Grey Island and did a special report on Grey Island in 1964, let me tell the hon. member. I know a little bit about Grey Island. I do not need the hon. member to educate me about his district, I have been in every nook and cranny. And I have been in coves that he has not been in, because now there are some who do not live there and they did when I was a social worker down there.

So, Mr. Speaker, we have dispersed the funds in what I consider to be a most equitable and fair manner right across the Province. If you look at the Trans-Canada Highway and where the money is being allocated, it is being allocated to the most needy areas. When all of this is completed, Mr. Speaker, when all this money is spent and all those projects are completed, there will be a vastly different highway than we have now.

Now let us get on to the four lanes. There is another myth, Mr. Speaker. There is another pie-in-the-sky situation. You talk about a good Newfie joke, Mr. Speaker! It would be a good Newfie joke if suddenly we were able to get from the federal government or from the United Nations, wherever we got it, enough money to twin the Trans-Canada Highway. Because on many parts of the Trans-Canada Highway, the traffic does not demand it. It would be a waste of public funds. It is a wonderful thing, and a lot of us, if we go to Toronto and we see their turnpikes or their 400s or whatever, we think we have to have that in Newfoundland, without considering that the demand is not there. It must be a function of people, it must be a function of use, Mr. Speaker. It would be

silly to sacrifice the Trans-Labrador Highway on the back of a twinned TCH from St. John's to Port aux Basques. It would be a joke to do it.

MR. SIMMS:  
Right on!

PREMIER PECKFORD:  
But it is not a joke to look at where the traffic is very heavy and where use dictates it to be a reasonable proposition and, therefore, if you will look at the Trans-Canada, given that now the area near Grand Falls has been upgraded with a three-laner -

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
- there is no back-up.

MR. SIMMS:  
It is actually four lanes.

PREMIER PECKFORD:  
You could even say, well, let us four-lane from Botwood to Grand Falls. You could.

MR. SIMMS:  
A lot of traffic.

PREMIER PECKFORD:  
A fair amount of traffic. But still, it is a function of use. And now when you travel out to Central Newfoundland and you drive through that area, after you come off the Bond bridge, there really is not in anybody's sensible way of looking at things, any need, especially when the money can be used more profitably somewhere else for a new highway or an improved highway in Burgeo or Plum Point or Coomb's Cove or Port Blandford, wherever it happens to be. You cannot justify putting a four-laner in there and allowing,

therefore, that money not to be spent on Plum Point to Englee. That is not a reasonable proposition. But yes, from St. John's to Whitbourne, that is a very highly used highway, because this happens to be the capital city and you have a lot of people travelling back and forth daily to work, as well as coming in here to the capital to meet with business and government. So that can be justified.

In the same manner, if you look at what has happened between Deer Lake and Corner Brook, there is justification, especially now with the absolute increase we have seen in the tourism industry and the business climate of the West Coast, especially in the Deer Lake/ Pasadena/Corner Brook area. There is no question. Even in the middle of the Winter now, when Marble Mountain is going strong, you have problems with traffic. There are dangerous parts to that highway. So it is legitimate and reasonable to look at a twinning of the highway from Deer Lake to Corner Brook.

After saying that, there are areas - I do not know if it is because of the foundation of the road or the contractors, or a combination of both - of the Trans-Canada which have stood up a lot better than others. Today, somebody asked me a question, Mr. Speaker, about the extra traffic now coming on the highway. Everybody forgets from about 1974 to 1984, that ten-year period, the number of pulpwood trucks on the highway from my constituency West to Corner Brook. I have, I suppose, more pulpwood truckers per capita than any other constituency in the Province. There is just one steady stream. I have young businessmen out in my district

with four and five tractor-trailers going full blast. There must be somewhere around thirty or forty trucks just from that small section of Green Bay that you see when you pass through on the Trans-Canada, taking that road to Corner Brook, much more weight traffic, pulpwood trucks going from my area and coming down the Baie Verte Peninsula, as well, and joining the Trans-Canada than this additional freight will mean in the closing of the railway. And nobody once complained about the extra weight on the Trans-Canada Highway from Springdale turn-off to Corner Brook. And it stood up, even under that exceedingly greater amount of pressure.

But now it is the last area of the Province and it will be a number of years yet before that part of the Trans-Canada is upgraded. That is in need of it. We have done a lot of work on the East Coast and West Coast, and there will be more done, as this agreement points out.

But there will also be, because anybody who travels the Trans-Canada very much knows, that from Badger to Howley Junction, there has been no work done, none. With woods industry is out in that area, the bridges are all deteriorated. Some of the sides of the bridges have fallen down. It is incredible the amount of work to be done on that, and if it is left very much longer, Mr. Speaker, it will be a really desperate situation.

So there is an unbelievable need, not only to finish the Trans-Labrador Highway, the Burgeo road, the Plum Point road and all the other regional trunk roads - the Bonavista Highway, look at the

Bonavista Highway, with the kind of economic activity that is going on between Clarenville and Bonavista, with the Catalina fish plant and the other smaller fish plants in the area, Clarenville being a sort of service centre coming down South and Bonavista a service centre going North. There is a fantastic amount of extra pressure being put there.

That has to be addressed, Mr. Speaker. And you cannot address that in half-million or million dollar chunks. By the time you get it all finished, you have to start at the other end again, Mr. Speaker.

Now, of course, if our economy were such, as the member for Mount Scio - Bell Island pointed out, there is still a railway in Newfoundland. It is in Labrador, but it is a private railway dedicated to a particular resource product. If you look at what most analysts in the world today are saying, sure, there is still a place for railways, but they are in place where you are going to be moving large bulk shipments over a long period of time, like the grain and the minerals of Western Canada, as well as the minerals in Labrador.

Now it is the water transport into Newfoundland, as we are proving with Newfoundland Energy and with Long Harbour, because they are exporting now through water transport some of their slags down to Florida to build roads. Water transport has taken on a far bigger presence in the economics of Canada than it had hithertofore. So those things are there.

It is a function then of the kind of economy you have, the numbers

of people you have and the amount of use you have. You can have lots of people, I suppose, and if you still do not have use, then the railway is still of no consequence.

Moreso, I suppose, in the British Isles and in Europe, it has been, as I guess, the Newfoundland Railway has been to some degree in Newfoundland, sort of a tradition. But even in places with heavy population concentrations and fairly high use, there is a tremendous subsidy that has to go on those systems by the governments and people of those areas. I suppose, even in parts of Japan, where you have millions of people travelling every day, there is the question of whether, in fact, the level of subsidy is justified by what they really need in those countries.

So, Mr. Speaker, when you look at that, when you look at people, when you look at use and when you look at the dynamics of our economy, how much water transport is now going to play, as well as how much we have agreed that trucks are going to play, we have decided, the business community of Newfoundland has decided that they would rather ship their freight by truck and by water. As deregulation occurs and has occurred over the last while, we have seen that increase in water transport that is happening on the West Coast and will be happening here on the East Coast.

So you cannot deny the economic regulatory reality of Canada. Whether one agrees with the bill put through the House of Commons on deregulation or whether one does not agree with it, it is the law of the country. Some government might come in some day

and change it, sobeit, but as long as it is there and people are adjusting to the law, then we have to, in our little corner of the world, respond and grasp the opportunities it provides. To ignore it and to just bury our heads in the sand will only hurt us economically and every other way.

So, Mr. Speaker, it seems to me that if you look at it either on a global basis or if you look at it on a national basis or if you look at it on a provincial basis, based upon use or economics or whatever, if you look at it in terms of the recent history of the railway, the kinds of losses we are incurring, coupled with the unbelievable demands of our people for more and better roads - I have never gotten a letter. I will have to look up my files. I do not know, as I said earlier, if I got two or three letters when we argued for the railway in 1979 and fought for it. I do not know if I got two or three letters. I do not remember too many open line programs getting very excited about what I was trying to do then, even though I was successful in accessing about \$70 or \$80 million from the federal government to start a -

AN HON. MEMBER:  
(Inaudible).

PREMIER PECKFORD:  
Yes, but there were not many people in the Province, either Chambers of Commerce, Rural Development Associations.

When there is an issue - we all know that in this House - which the people, quote, unquote, really feel strongly about, you will hear from them. You will hear from the Rural Development Associations, the Federation of Labour, the

Federation of Municipalities, and other groups. You will hear from them all. But as it relates to the railway, Mr. Speaker, we did not hear from any provincial organizations, from any individuals or organizations anywhere.

Now, the timing is right, Mr. Speaker. I think if we had waited any longer, we would have only gotten less in compensation, unfortunately.

Mr. Speaker, I have not been afraid of going to court on anything to do with trying to protect Newfoundland's rights.

MR. SIMMS:  
You have always fought.

PREMIER PECKFORD:  
Yes, I fought the good fight.

MR. MORGAN:  
(Inaudible) not fight against it.

PREMIER PECKFORD:  
Yes, exactly. But I have always had reasonable grounds from those people who have been consulted worldwide that I had some chance of success, even though we lost and lost badly in some cases.

But on this one there is no basis to put the Newfoundland people through another three or four years, or two or three years, of litigation whilst the railway continues to deteriorate and the people of Newfoundland are demanding more and better roads, and a better system, Mr. Speaker. This is not something which will endear us in getting any kind of - especially if you look at letters like this where the dye was cast in any case, even if there were some stronger words in there which would give you a better legal

case. It was gone anyway. The passenger service going proved that. The Argentia line proved that. It is all part of the Newfoundland Railway, Mr. Speaker. That is the shame.

As I said in The Past in the Present, so much of our present is so tied up with our past we cannot seem to work ourselves out of the web of the perpetual way in which, from time to time, we have governed ourselves, allowed ourselves to be governed, and allowed ourselves to be colonialized, Mr. Speaker.

I think this agreement will stand in good stead. All of the provisions of this agreement, Mr. Speaker, will stand in stark contrast to anything those hon. gentlemen opposite have tried to do in the past and would try to do in the future, if, by some streak of lightning, they ever form the government of this Province.

SOME HON. MEMBERS:  
Hear, hear!

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

MR. WELLS:  
Thank you, Mr. Speaker.

Mr. Speaker, we on this side of the House can always tell when we are scoring telling points. There is no trouble to tell when we are scoring telling points. How come these phony letters and these charges and these personal attacks, and away they go to divert attention and say somebody back in the dark ages rode the Trojan horse and therefore that caused us to do this. We can always tell when we are scoring points.

SOME HON. MEMBERS:  
Hear, hear!

MR. WELLS:  
I intend to deal with those letters in some detail before I sit down, Mr. Speaker.

But let me pick up sort of where the Premier left off, when he talked about the condition of the Trans-Canada Highway in this Province. As any member who has driven over that Trans-Canada Highway in the last little while knows, major portions of it are a virtual deadtrap in certain weather conditions, everybody knows that. There are ruts down each side of the driving surface, so in wet weather these ruts are covered with water, in some cases an inch to an inch and a half of water. If you drive on it or end up on it, you can well hydroplane and find the car rolled off the road. What drivers have taken to doing -

SOME HON. MEMBERS:  
Oh, oh!

MR. WELLS:  
No trouble to tell when you are scoring the points. You get the rubber mouths going.

MR. PATTERSON:  
Tell us about your salary.

MR. WELLS:  
You see, Mr. Speaker, the rubber mouths are at it again. The points are telling. So I will keep on on that same line, Mr. Speaker.

Mr. Speaker, when you drive down the Trans-Canada Highway, I was driving on it on Saturday. The driver who was in the car was commenting on the ruts in the road and he was driving right on the



white line, dangerously close to other traffic coming in the other direction who were doing the same thing. They would have to try and pull away enough to pass without having an accident.

That is the state of at least 50 per cent of the Trans-Canada and the minister stood this afternoon and spoke and said, 'The cost of maintenance have stabilized.' They sure have! They have not spent any money maintaining it in the last ten years!

SOME HON. MEMBERS:  
Hear, hear!

MR. WELLS:  
No wonder costs have stablized! Costs have stablized in direct proportions to the extent to which the highway has deteriorated. That is how they stablized, by highway deterioration and that is exactly what has happened.

SOME HON. MEMBERS:  
Oh, oh!

MR. WELLS:  
Now that is the position we are in, Mr. Speaker, with our highways at the moment.

MR. DAWE:  
It was built over bogs and across ponds. (Inaudible).

MR. WELLS:  
Outside people have assessed it and said 83 per cent of it is defective and needs to be replaced.

SOME HON. MEMBERS:  
Oh, oh!

MR. WELLS:  
Because they have not done anything. They have only spent marginally more than little PEI with a surface area smaller than

the Avalon Peninsula. That little province is going to spend \$35 million on capital highway works this year and we, with five times their population and many, many times their size, are only going to spend \$70 million. That is it, Mr. Speaker. The same standard applied last year, Mr. Speaker. That is why the highway is in that condition.

DR. COLLINS:  
Perhaps you should take some money from the hospitals.

MR. SIMMONS:  
Or from Sprung.

SOME HON. MEMBERS:  
Oh, oh!

MR. REID:  
Remember 'Finish the Drive in '65" and how it froze up?

MR. WELLS:  
Mr. Speaker, they cannot do anything with it because they do not have any money. They are closing down hospital beds and children have to go out and raise money so that schools could have materials to operate with. They do not have the money to do it because they have destroyed the economy of this Province.

Mr. Speaker, that is the highway to which they intend to divert all of the traffic presently on the railway. That is the highway to which they intend to divert all of that traffic and they stand here in the House, the minister stood here and told us, 'It is only going to produce fourteen more trucks a day.'

MR. J. CARTER:  
A lot of it can come in by boat.

MR. WELLS:

Well, I do not know if the people on that side of the House are sufficiently stupid to accept that, if they think we are so stupid that we are going to accept it, and the people of Newfoundland are collectively so stupid that they will accept it. Sure, it is going to come in by boat. It is going to come into Corner Brook by boat. And what are they going to do, leave it all on the wharf at Corner Brook? Or are they going to truck it to Grand Falls, Stephenville, Gander, and all the other places it will have to go? What good is it all going to do left on the wharf at Corner Brook? Stupid!

MR. MORGAN:

It is being done now by truck.

MR. WELLS:

Mr. Speaker, that already overburdened highway is going to be greatly burdened again by an excessive amount of freight traffic. Now, in addition to the increase in freight traffic, it is also going to be burdened with something that is not on it at the moment, hazardous and dangerous substances are going to be diverted onto the highway because there is no railway to carry it, chemical substances, all hazardous material that presently have to be shipped on a railway. Any, all, everything, that is presently shipped on a highway. I will provide you with a list tomorrow.

AN HON. MEMBER:

(Inaudible) know what they are.

SOME HON. MEMBERS:

Oh, oh!

MR. WELLS:

That is right. They will be provided tomorrow. That is all going to now be diverted on a

highway that is acknowledged by all to be incompetent, 83 per cent defective, that cannot take the traffic that is on it now, that is suddenly going to be diverted on it as of 1 September, and that, Mr. Speaker, I suggest shows a callous disregard for the safety and health of our people, to do that. It is different if the highway were rebuilt and then the railway were phased out, it might be a different story, an entirely different story.

Mr. Speaker, that this traffic is going to be diverted onto the highway that is incompetent to take it is a direct result of the provisions of this agreement because it provides for the immediate phase out of the railway. In fact, CN have been closing it down for the last two or three months, even though the members opposite, every time they were asked about it, denied it. 'Oh no, there is no such agreement. Nobody knows anything about any such agreement, no agreement in principle', and here was CN implementing it.

The Minister of Transportation (Mr. Doyle) now sits and laughs and he thinks he is being clever with the people of this Province. He thinks he has really pulled the wool over the eyes of the people of this Province. Well, he can sit there and laugh if he wants to, but I can tell him that the people of this Province are going to have the last laugh on election day.

SOME HON. MEMBERS:

Hear, hear!

MR. WELLS:

The purpose of this agreement, Mr. Speaker, is to eliminate a mode of transportation in this Province,

the railway mode of transportation, without any provision for adequate alternatives. We have clearly said if it is established that the railway cannot be made an effective, efficient means of transportation, there is no point in maintaining it in perpetuity as an ineffective, inefficient means of transportation.

MR. J. CARTER:

You are speaking out off both sides of your mouth.

MR. WELLS:

The hon. member is as stupid as he has always been.

Mr. Speaker, we have stated a position very clearly since last January on several occasions. We wrote it to the Premier, we wrote it to Mr. Crosbie, we issued it to the media, and they published it. What we said, Mr. Speaker, clearly, is if the federal and provincial governments are satisfied that that railway cannot be made into an effective, efficient means of transportation, then there is not much point sustaining it that condition, if you can put an alternative highway in its place as a good means of transportation, but you have to have adequate alternative.

That is not my opinion alone. That opinion has been expressed by, well, the Premier has been quoted here tonight, the member for Mount Scio - Bell Island and the member for Fortune - Hermitage also spelled that out. The hon. member for Humber East the Minister of Justice (Ms. Verge) made a similar statement a number of years ago.

The Federal minister, Mr. Crosbie, the other man who was a party to

this dastardly deal today, has said similar things in the past. For example, he said this: "Some people think that Newfoundland should lose its rail service altogether. We are not losing the rail service. I do not care what any Royal Commission recommends. There will be a rail service in Newfoundland and it will not be taken away from us. Unless the rail service is totally abandoned in Canada, it will not be abandoned in Newfoundland." That was Mr. Crosbie's position a few years ago, 1978, "Unless it is abandoned in Canada, it will not be abandoned in Newfoundland."

Now I do not disagree with that position. I do not even mind having Newfoundland the first place where it is abandoned, provided the federal government continues its responsibility to maintain throughout this country the national transportation system. That is what this country was founded on. That concept, that there would be a transportation connection from one coast to the other in this country is how we came into existence in the first instance. That was the whole purpose in 1867, that was its whole purpose at the time, Mr. Speaker.

If, Mr. Speaker, this country were being built today and there was no transportation system in place, I doubt that we would be building a railroad. I suspect we would be building a competent highway from coast to coast as the most effective, efficient means of transportation in this day and age.

But, Mr. Speaker, it would be the federal government that would be responsible for maintaining it to keep this country together.

SOME HON. MEMBERS:  
Hear, hear!

MR. WELLS:  
If, Mr. Speaker, the day does in fact come and it may well come, when the railway through Quebec, Ontario, and Nova Scotia, and New Brunswick and the Prairies and the Western provinces is abandoned, one after the other, that may well come, you will find, Mr. Speaker, that the federal government will be maintaining the basic highway connection from coast to coast in this country.

They should start doing it now in Newfoundland, if they are abandoning the portion of the national transportation system here.

SOME HON. MEMBERS:  
Hear, hear!

DR. COLLINS:  
And what if pigs could fly?

AN HON. MEMBER:  
Hypocrite.

MR. WELLS:  
It is obvious that the member does not know the meaning of the word or he would be too ashamed to use it because he is the classic hypocrite of this House.

SOME HON. MEMBERS:  
Hear, hear!

MR. WELLS:  
We will have to tell him the meaning of the word one of these days.

Mr. Speaker, there is an answer to this problem. We did not have to abandon the railway to get these highway payments we would have gotten anyway. In fact, Mr. Speaker, if you look at the

numbers, you will find that over the last ten years, if you converted today's dollars we got more for the Trans-Canada Highway under the ordinary TCH program for restructuring than we are proposed to get under this deal for the next fifteen.

MR. TULK:  
That is right.

MR. WELLS:  
That is how bad this deal is!  
That is how bad this deal is!

SOME HON. MEMBERS:  
Hear, hear!

MR. WELLS:  
We have been sold out by the provincial government, Mr. Speaker, our constitutional rights have been sold out and they have been abandoned by the federal government.

Now, Mr. Speaker, the Premier has talked about the opinions, and stood in this House today and pretended he was Tabling an opinion. He never Tabled an opinion.

MR. DAWE:  
He did so.

MR. WELLS:  
He did not! There was no legal opinion submitted there.

MR. DAWE:  
There was so!

MR. WELLS:  
Well, tell it to anybody who knows what it is and they will tell you that it is not a legal opinion. It is an synopsis of somebody's comments on it. I would like to see the real legal opinion from which that was taken.

MR. SIMMS:

You know you were. Tell the truth boy. You were briefed on it. You were told.

MR. WELLS:

I was no such thing.

AN HON. MEMBER:

You were briefed on the whole package.

MR. SPEAKER:

Order, please!

MR. WELLS:

No, that is totally incorrect.

MR. TULK:

It is beneath you, Len, to do that kind of stuff when it is not right.

MR. WELLS:

Mr. Speaker, we have not seen the legal opinion on which this is based. The Premier said he changed his mind because - not that he changed his mind. What he says is that earlier I was practicing a deception. Those are his words, spoken in this House. He was practicing a deception for political posturing purposes.

Well, is he practicing a deception now for political posturing purposes?

MR. MORGAN:

Why do you not say outside the House what he said?

MR. WELLS:

How do you know when he says he is practicing a political deception? Is he doing it now? People believed him when it says he was doing it earlier. Is he still doing it?

MR. SIMMS:

He is honest.

MR. WELLS:

Yes, indeed!

MR. SIMMS:

It is more than we can say for you.

MR. WELLS:

Let us deal with the real issues now. We know that the points are being scored again when the personal attack starts. There is no trouble to tell.

Mr. Speaker, let us look at what we were doing in 1947 and 1948 when these Terms of Union were being negotiated. It is clear, Mr. Speaker, that when they were talking about taking over the Newfoundland Railway and the related steamship services, what they were talking about was integrating the Newfoundland transportation system into the national transportation system, and that was acknowledged at the time. There are several pre-Confederation documents which spell that out clearly.

For example, this document, dated Monday, July 7, 1947, Minutes of a meeting -

MR. SPEAKER:

Order, please!

It is almost ten o'clock, and I am going to adjourn the House until tomorrow at 2:00 p.m.

MR. WELLS:

Okay, Mr. Speaker. We will carry on tomorrow.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (McNicholas):

The House stands adjourned until 2:00 p.m. tomorrow.

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**Answers to Questions**

**tabled**

**June 20, 1988**

Handled

Tabled by Hon. Minister  
of Environment & Lands,  
20 June, 1988

Answer to Question #102 on Order Paper dated March 15, 1988 by the Honourable Member for Fortune-Hermitage:

- a) The vehicle currently used by the Minister is owned by the Department of Environment and Lands. Information has been tabled by the Honourable Minister of Public Works and Services indicating that the purchase of this vehicle was made on a priority basis.

Answer to Question #122 on Order Paper dated March 18, 1988 by the Honourable Member for Menihek:

The following information is provided respecting employees of the Department of Environment and Lands who form a part of the Minister's staff:

<u>Name</u>	<u>Position Title</u>	<u>Date Started</u>	<u>Order-in -Council</u>	<u>Salary</u>
Bernice Mulrooney	Secretary to Minister	March 15, 1988	323-'88	\$22,422.
Ellen Kendell	Secretary to Minister	Jan. 6, 1988	17-'88	\$23,543.
Basil Jamieson	Press Secretary	March 28, 1988	350-'88	\$27,827.
Jack Jewer	Special Assistant	Jan. 6, 1988	17-'88	\$37,241.

*Hansen*

REPLY TO ORAL QUESTION BY THE HONOURABLE MEMBER  
FOR WATERFORD-KENMOUNT

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REGULATION OF FINANCIAL INSTITUTIONS

Financial Institutions in Newfoundland are regulated as follows:

- (1) Insurance, trust and loan companies - regulated by the Department of Consumer Affairs and Communications. The responsible official is the Director of Commercial Relations, who also holds the position of Superintendent of Insurance.
- (2) Credit Unions - regulated by the Department of Rural, Agricultural and Northern Development. The responsible official is the Director of Co-Operative Development.
- (3) Investment Dealers (Stockbrokers) - regulated by the Department of Justice. The responsible official is the Registrar of Deeds, Companies and Securities.



- (4) Banks - under the Canadian constitution, banking is an area which falls exclusively under the jurisdiction of the Federal government. Consequently the Provinces have no authority in this area. However, the Federal Government usually follows a consultative process when proposing changes to the Bank Act. These proposed changes are reviewed by the Director of Commercial Relations and the Department of Consumer Affairs and Communications.

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