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

***Speaker: Honourable Thomas Lush***

Tuesday

[Preliminary Transcript]

3 April 1990

The House met at 2:00 p.m.

MR. SPEAKER (Lush):  
Order, please!

### Statements by Ministers

DR. KITCHEN:  
Mr. Speaker.

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

DR. KITCHEN:  
Mr. Speaker, it was with both surprise and shock that I saw and heard the news reports today of my remarks in the debate in this hon. House last night.

Various radio broadcasts this morning and the lead article in today's Evening Telegram have linked the current Meech Lake issue with the negotiations between this Province and the Province of Quebec over the Upper Churchill Hydro Development.

Anyone present in the House last night or anyone reading Hansard will realize that the quoted remarks were taken out of context and distort the tenor of my address and the depth of my positive feeling towards the people of Quebec.

However I want to make it abundantly clear that these remarks in no way reflected Government policy and were never intended to represent the views of my colleagues in Government.

Furthermore, I wish to state that there has never been any attempt by anyone acting for the Government of Newfoundland and Labrador to create such a link between Meech Lake and Churchill

Falls.

In reading the Hansard report of last night's debate I note that my reference to Churchill Falls was made while developing an argument on the economic prospects of this Province. Given the situation which we have been forced to accept as a result of the original Churchill Falls Power Deal, I probably expressed, personally, the frustration felt by many Newfoundlanders and Labradorians over seeing so much wealth lost to our Province.

However, Mr. Speaker, these remarks were made in the heat of debate and represented my personal views only. I regret that the widespread coverage which has been given to that portion of the debate, may have the effect of representing the comment to be the policy of this Government. I can assure the House and the people of Canada that such is not the case, and that the position of the Premier and the Government of this Province has always been that the Meech Lake issue is in no way related to negotiations on any other Federal - Provincial projects or programs.

SOME HON. MEMBERS:  
Hear, hear!

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

MR. RIDEOUT:  
Thank you, Mr. Speaker. As I looked across at the Minister of Finance, I could only think that he was standing with a gun to his head, the Premier's gun to his head forcing him to make this statement to the House today. If there ever was a case of the old cliché coming true of 'loose lips

sink ships', The hon. Minister of Finance's lips -

MR. SIMMS:

Not only on this.

MR. RIDEOUT:

Not only on this issue, but on a number of issues, this Minister has his foot in his mouth, more often than he has it anywhere else. Let us look at Hansard from last night, page L67, the Minister talks about Quebec making windfall profits and then he goes on to make the statement, 'and yet they refuse to negotiate,' then he goes on to say what was quoted right across this nation, I suspect today, Mr. Speaker, the following statement: 'We are stuck, they have us by the short hair on the Upper Churchill, raises the Minister of Finance, but now, I can tell you something else, we have them in the same place on Meech Lake', Mr. Speaker.

AN HON. MEMBER:

That is what he said.

MR. RIDEOUT:

Despite the flimsy effort of the Minister here, today, to make amends and make up for that infamous remark made in this House last night -

AN HON. MEMBER:

(Inaudible).

MR. RIDEOUT:

Yes, you can go just what you like. The Minister of Finance has embarrassed the Government, he has embarrassed Newfoundland and Labrador, the Premier told him to make this statement today. The Premier of this Province has been going all over this country trying to take a position against Meech Lake on a principle, so he says, but the Minister of Finance let

the cat out of the bag last night, the Government's position on Meech Lake is a position based on vengeance! That is exactly what it is. Let me say to the Minister that nobody, nobody in Quebec or nobody in Canada forced a foolish Government of Newfoundland and Labrador to sign away the birthright of this Province, it was Newfoundlanders and Labradorians who did that, not Quebecers. The Minister of Finance should do the honourable thing and step immediately out of the Cabinet and out of the Government of Newfoundland and Labrador.

SOME HON. MEMBERS:

Hear, hear!

O O O

MR. SIMMS:

Mr. Speaker, before Oral Questions, if I might?

MR. SPEAKER:

The hon. the Opposition House Leader.

MR. SIMMS:

I just want to raise a minor matter. I probably could have done it in the private period. Last Friday, fateful Friday as we now know it, was a confusing enough day as it was, but I now understand that the transcript of Hansard for Friday has some pages duplicated, repeated, pages 51 and 52, or at least parts of pages 51 and 52 are reprinted on pages 53 and 54, although not in their entirety. Apparently there is some confusion and mixup. I would like to see it corrected somehow or another, because that day was confusing enough for all of us.

MR. BAKER:  
Mr. Speaker.

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

MR. BAKER:  
Mr. Speaker, that is a Preliminary Transcript. I believe it says on the cover Preliminary Transcript, does it not? At least I have one that says that. I noticed the error, and I am assuming it will be corrected.

MR. SPEAKER:  
Before going on to Oral Questions, then, on behalf of hon. Members I would like to welcome to the House of Assembly fourteen Grade VI students from the Roman Catholic School Board Enrichment Program, accompanied by their teacher Pat Donnelly, from the St. John's area.

SOME HON. MEMBERS:  
Hear, hear!

### Oral Questions

MR. RIDEOUT:  
Mr. Speaker.

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

MR. RIDEOUT:  
Mr. Speaker, despite the action we just saw from the Minister of Finance (Dr. Kitchen), the Minister of Finance in a flight of rhetoric last night in this House, may have inadvertently given the real reason for the Government's opposition to the Meech Lake Accord.

SOME HON. MEMBERS:  
Hear, hear!

MR. RIDEOUT:  
In very explicit language, Mr. Speaker, the Minister said clearly that Quebec had us, Newfoundland and Labrador, by the short hairs', as I just quoted from yesterday's Hansard, for a number of years, but now, with Meech Lake, we have them by the short hairs. Everybody in the Province, I suspect everybody in the country by this time, Mr. Speaker, have heard that.

Now, Mr. Speaker, I want to ask the Premier, will the Premier tell the House whether or not the Minister of Finance in these comments last night clearly revealed the underlying reason, the real reason for the Government's Meech Lake position?

MR. SIMMS:  
A good question.

MR. SPEAKER:  
The hon. the Premier.

PREMIER WELLS:  
Absolutely not, Mr. Speaker. And for anybody to suggest that now is to fly in the face of all reality and all events of the past. As a matter of fact, Mr. Speaker, if one looks back to the Hansard of May 17, 1988, one will see, as the Minister of Development (Mr. Furey) quoted yesterday, the position taken then, that after the next election, when we had a Liberal Government, we would introduce a resolution to rescind the Meech Lake approval. So clearly it is not a policy developed by this Government as an act of vengeance, as the hon. Member suggests, and he does Newfoundland and the people of Newfoundland a great disservice to suggest it.

Mr. Speaker, let me finish by



saying that comment of the Minister of Finance last night is as unacceptable and as offensive to me personally and the Government's policy as the comment by Monsieur Bourassa, that Newfoundland had better watch its P's and Q's because the Federal Government pays it 50 per cent of its Provincial revenue and Ontario and Quebec pays 68 per cent of the Federal tax. That was totally unacceptable. The Minister of Finance knows and he acknowledges that his comment last night is as unacceptable to me as that is. The Minister of Finance, as the Leader of the Opposition said, was in a flight of rhetoric. And I guess that is what it was. All of us at one time or another will have a flight of rhetoric when we say things that are not sensible, not the proper thing to say, and may, indeed, in fact, reflect a kind of personal frustration with a state of events. And whether that reflected the Minister Finance's personal frustration or not, it did not reflect Government policy and position.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. RIDEOUT:

Mr. Speaker, the Premier knows full well that a Minister does not have the luxury of drooling off about personal preferences if he is going to retain his position as a Minister of the Crown.

Now, Mr. Speaker, would the Premier tell the House what impact such statements by a senior Minister in Government in this case, the Minister of Finance, what impact this will have on negotiations with Quebec on Labrador Hydro development? Does the Premier believe that such

statements will have a positive or negative effect on current negotiations, or is the Premier still naive enough to believe that such statements will, in fact, have no effect at all, Mr. Speaker?

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

I can only speak from one side of the negotiations and say they will have no impact on our position. I do not know what impact it will have on the position of Quebec. I do not know how they will react to it, but I can say that if Quebec has any integrity in its dealings with this Province, it will do the same as Newfoundland is doing in relation to the comments by Monsieur Bourassa. It will not have any impact on our negotiations with respect to the development of Hydro power, we will go on and continue with those negotiations on the basis of the pure merit of it.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. RIDEOUT:

Thank you, Mr. Speaker.

In view of the fact that the Premier has made it clear in the past that he was not prepared to bargain kilowatt hours for Constitutional compromise, and in view of the fact that the Minister of Finance has now clearly linked Labrador Hydro negotiations with the Government's Meech Lake position, whether the Premier wants to accept that or not, would the Premier not now agree, Mr. Speaker, that the loose lips of the Minister of Finance has severely weakened our bargaining position with Quebec on Hydro

matters and have, in addition to that, Mr. Speaker, made a mockery of the Premier's Meech Lake position?

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

I would agree that the most unfortunate, inappropriate comment of the Minister of Finance, as the Leader of the Opposition said, in a flight of rhetoric in this House similar to what others have said in the past, was most unfortunate and, in fact, indeed was probably embarrassing to the Government's position. I would have to be a fool to deny that. Of course it is. It does not -

MR. HYNES:

(Inaudible).

PREMIER WELLS:

Mr. Speaker, the hon. the Member for Trinity North has not been asked to answer this question. I have and I will answer it and speak for the Government. Whoever he speaks for, he does not speak for the Government.

Now, Mr. Speaker -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! Order, please!

PREMIER WELLS:

Mr. Speaker, I frankly admit it may well have caused embarrassment to the Government, and I greatly regret that. It does not reflect Government policy, as I have indicated from the beginning. We will continue these discussions, and I say without fear of hesitation, Newfoundland's position on the Meech Lake Accord

would be precisely the same. If the entire benefit of the Churchill Falls was flowing directly to the Treasury of this Province, our position on the issues in the Meech Lake Accord would be precisely the same as they are now, ready, willing and able to compromise on a reasonable basis for the whole nation to do what is right for the nation. We are not prepared to bargain constitutional principles for kilowatt hours of electricity, tons of fish, miles of Trans-Canada Highway or anything else.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. RIDEOUT:

Thank you, Mr. Speaker.

I agree totally with the Premier. His position has not changed. We know it is totally inflexible, his way or no way. Let me ask the Premier this, Mr. Speaker. In view of the fact that those intemperate, inappropriate statements by the Minister of Finance last night were greeted with tumultuous desk thumping from the other side of the House, in view of that fact, Mr. Speaker, has the Premier already, today, or will he if he has not, made a call to Premier Bourassa and said, look, disregard those intemperate, inappropriate statements, let them not have any influence on our negotiations but let us act as if those statements were, in fact, never made?

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

No, Mr. Speaker, I have not called Premier Bourassa. Will I? Yes. If I thought it would do a moment's good I would call Premier Bourassa, and I probably will, to assure him of our position and of our high esteem. Monsieur Bourassa did not call me after his intemperate remarks, but I will not hold that against him. I will probably call Premier Bourassa and ensure that he does not mistakenly misconstrue the comments of the Minister of Finance.

MS DUFF:

Mr. Speaker.

MR. SPEAKER:

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

MS DUFF:

Thank you, Mr. Speaker.

In last the number of weeks we have had some public statements by both the Minister of Social Services and the Premier relating to the influx of refugees and the costs. I would like to direct this question to the Minister of Finance because the effect of those statements, even though I think that was inadvertent, has certainly been to give the impression that the refugees are costing the Province of Newfoundland \$2.5 million a month. In the interests of accuracy, could the Minister tell this House what the net cost benefit has been from the recent influx of refugees to this Province?

AN HON. MEMBER:

The net cost?

MS DUFF:

To the Minister of Finance.

MR. SPEAKER:

The hon. the Minister of Social Services.

MS DUFF:

It is a financial question.

MR. EFFORD:

Thank you, Mr. Speaker.

MR. SPEAKER:

Order, please!

Hon. Members cannot dictate as to which Minister will answer the question.

The hon. the Minister of Social Services.

MR. EFFORD:

Mr. Speaker, the financial aspect as incurred by the Department of Social Services, the money paid out for the cost of accommodating all refugees in the Province, comes out of the Social Services budget, so I thought it necessary that I answer the question, as I have been dealing mainly with social assistance.

The situation is the refugees are costing the Province a substantial amount of money for accommodations in hotels, food and transportation. The Department of Social Services has estimated the cost of the refugees to the Department of Social Services, based on an average cost, as \$1,100 per month per individual. The net cost to the Province for this, that is cost-shared, under the Social Assistance - Canada Assistance Plan, 50 per cent by the Federal Department. I did not get the first part of the question, so I just want to give the background.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:  
Order, please!

I would ask the hon. Minister to take his place, and maybe the Member can frame the question again.

MR. EFFORD:  
If I may, Mr. Speaker, I was following up on the question of what it would cost per month, the net cost to the Province.

MR. SPEAKER:  
Order, please!

I thought the hon. Minister said he did not understand the question.

MR. EFFORD:  
No, no. No!

MR. SPEAKER:  
I have asked the Member for St. John's East to direct the question again.

MS DUFF:  
(Inaudible) understand it, and I think, perhaps, there is some misunderstanding here. My question is an economic question and it did relate to the Minister of Finance. It is: In the interest of accuracy, could the Minister tell this House what the net cost benefit has been to the Newfoundland economy from the recent influx of refugees since the beginning of the year? - not the cost per month to the Department of Social Services.

MR. SPEAKER:  
The hon. the Minister of Social Services.

MR. EFFORD:  
Mr. Speaker, that is what I was about to do. I had to give some background information leading into what the benefit is to the

Newfoundland economy, jobs and services we are giving. The cost is very simple, what it cost the Province.

SOME HON. MEMBERS:  
Oh, oh!

MR. EFFORD:  
Mr. Speaker, if the Opposition wants an answer to the question I will give it, but I am not going to answer question when every time I open my mouth there is some interference from the other side. If you want an answer to the question you will get it, to the best of my ability.

AN HON. MEMBER:  
Then answer it.

MR. SPEAKER:  
Order, please!

The hon. the Minister of Social Services.

MR. EFFORD:  
We spent approximately, and we are talking about today's figures. I will not go back as far as January, I will talk about the number of the people in the Province today. There are approximately 2,250 people in the Province today, costing approximately \$1,100 per month per person.

That is putting into the economy - I cannot give you the exact figure, I would have to have a calculator to do it - approximately \$2.5 million per month.

Approximately 200 jobs have been created in the Newfoundland economy as a result of the influx in the service industry. The total input to the economy is something I would have to

calculate and give to the Minister of Finance. To date, he has not received the exact figures of what we are spending in the Province.

MR. SPEAKER:  
Order, please!

I think maybe that type of question, being a more detailed question, is more appropriately put on the Order Paper.

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

MS DUFF:  
Mr. Speaker, I do not think it is that complex, unless the Minister does not understand the concept of net cost benefit, which does not relate to one department or to the expenditure side.

I would like the Minister of Finance to answer this question, because it is an economic question. In doing calculations - and I understand some calculations have been done - is the Government taking into account that 50 per cent of the Provincial funding is completely recycled within the Province, that 50 per cent of the Federal contribution is new money, also totally recycled in the economy with a multiplier effect of four for new money, that there is a significant increase in employment, that there is an increase in business in the retail and service sectors with resulting increases in RST, personal income tax, corporate taxes and a general improvement to the hospitality industry? Can the Minister rule out the possibility that there has, in fact, been a net benefit to the Newfoundland economy as a result of the recent influx of refugees?

AN HON. MEMBER:

Let the Minister of Finance answer it next.

MR. SIMMS:  
Let him take his foot out of his mouth and answer the question.

MR. SPEAKER:  
The hon. the Member for Mount Pearl.

MR. WINDSOR:  
If the Minister of Finance is going to speak, I would be delighted to hear him, Mr. Speaker.

MR. SPEAKER:  
The hon. the Member for Mount Pearl.

MR. MATTHEWS:  
No answer. That is shocking!

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

DR. KITCHEN:  
I will take that question under advisement.

MR. SPEAKER:  
The hon. the Member for St. John's East.

MS DUFF:  
Well, in view of the fact that the impression left in the minds of people concerning the cost of the refugee situation is causing ill-feeling and resentment towards refugees, and in view of the fact that a true and accurate picture should be made public, would the Minister be prepared to have his officials do an analysis of the net cost benefit of the influx of refugees on the economy of this Province and table the results within a reasonable period of time in the House of Assembly?

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. EFFORD:

Mr. Speaker, first of all, the Opposition today is trying to create the feeling in the Province that there is some backlash because of the fact there are some refugees in the Province, and that is totally wrong. The position taken by this Government, by the Department of Social Services and by me as Minister is that it is not and it should not be a provincial responsibility, it should be the responsibility of the Federal Government. We are spending approximately \$2.5 million a month.

MR. SPEAKER:

Order, please!

There was a very specific question addressed to the Minister. I have allowed the Minister a little leeway with it, and if the Minister is not going to answer the question, I will ask him to take his place.

MR. EFFORD:

Mr. Speaker, it is not a matter of cost. What the refugees are costing the Province today is not the main issue. The main issue is as I set it out to be. But we also have another concern, the net cost to the Province and the net income to the Province. We are now into the tourist season and the tourist industry is bringing new dollars into the Province. We do not have the accommodations, we do not have the facilities to take care of those people in the Province.

MR. SPEAKER:

Order, please!

I ask the hon. Minister to take

his place.

MR. WINDSOR:

Mr. Speaker.

MR. SPEAKER:

The hon. the Member for Mount Pearl.

MR. WINDSOR:

Thank you, Mr. Speaker.

In view of the fact that the Premier and the Minister of Municipal Affairs have refused to meet with the City of Mount Pearl to discuss a fire department in that City, I would like to ask a question to the Minister of Municipal Affairs. And I beg Your Honour's indulgence if my preamble may seem to Your Honour to be a little bit lengthy, but I think this is a serious question.

The City of Mount Pearl, Mr. Speaker, under The City of Mount Pearl Act has not only the right but the responsibility to provide fire protection services in the City of Mount Pearl. Studies by various Government Departments and by outside consultants have proven very conclusively that the City of Mount Pearl is not now adequately protected by fire protection services and that a fire department should be established, or at least a fire hall should be established in Mount Pearl on an urgent basis.

Mr. Speaker, the City of Mount Pearl, with the support and approval of the previous Administration, I might add, has proceeded to construct a fire hall and has taken delivery of most of the vehicles and equipment necessary to outfit that fire hall at a cost of something like \$1.5 million to date, and I think about \$26,000 a month in interest.

Union agreements have been signed, personnel have been interviewed - 600 applications on file. Will the Minister now tell the House why the City is being denied the right to fulfill their responsibility to provide adequate fire protection to the people of Mount Pearl?

MR. SPEAKER:

The hon. the Minister of Municipal and Provincial Affairs.

MR. GULLAGE:

First of all, Mr. Speaker, Mount Pearl has not been denied any rights. Mount Pearl is part of the St. John's fire department right now. Unfortunately, that name applies. It could more rightly be called a metro fire department, because it services the urban region on the northeast Avalon. The fact of the matter is, that as the Minister I offered last year to put firefighters in the Mount Pearl station, to man that station while we were dealing with the regional fire department and the options that were available to us.

Latterly, Mount Pearl Council along with the St. John's Council - the two major players in the region - agreed not to have any further discussion in public about the fire department because we are entering into Union negotiations. And that is where we are right now. I do not really wish to comment too much about the fire department because the two Mayors, my officials and myself have agreed that as long as union negotiations are ongoing, and we are dealing with the broader picture of a regional fire service and legislation forthcoming to enable the Municipalities to manage the fire fighting service, it is wiser that we not discuss

the details of union negotiation at this time.

MR. SPEAKER:

The hon. the Member for Mount Pearl.

MR. WINDSOR:

Mr. Speaker, the Minister has had more than a year to deal with this particular problem, and the Minister knows full well that the legal advice given to the City of Mount Pearl is that if the Minister put personnel in that department, in spite of the fact that they have already signed an agreement with another union, that there would be a problem.

MR. SPEAKER:

Order, please!

MR. WINDSOR:

I will get to the supplementary.

MR. SPEAKER:

The hon. Member is asking a supplementary question, and I am waiting for the Member to ask his supplementary.

MR. WINDSOR:

Yes, Mr. Speaker, you are quite right. I will get to my supplementary.

Will the Minister confirm that the Province's chief advisor on fire protection services, the Fire Commissioner, has done a report for the Minister, that the first report he submitted was returned, and that the Fire Commissioner refused to change it and sent it back unchanged?

Will he confirm that the Fire commissioner indicates that a regional fire protection service is not necessarily the best for this region, and that the City of Mount Pearl should be allowed to

proceed on its own immediately?  
Will the Minister confirm that?  
And will he provide a copy of the  
Fire Commissioner's report?

MR. SPEAKER:

The hon. the Minister of Municipal  
and Provincial Affairs.

MR. GULLAGE:

Supplementary questions, Mr.  
Speaker.

MR. R. AYLWARD:

Just answer it. That is all.

MR. GULLAGE:

At this time, as I said earlier,  
we are in negotiations with the  
union with the objective of moving  
the firefighting services into  
municipal hands, with a regional  
firefighting service administered  
through a regional services  
authority. We have had  
discussions with many, many  
people, including the Fire  
Commissioner. In fact, the Fire  
Commissioner, the Fire Chief, the  
City Managers of both cities, in  
particular, have been very much a  
part of the discussions. As for  
talking about the Fire  
Commissioner's report to me, and  
there were several reports and  
discussions and meetings and so  
on, again I do not think it is  
appropriate considering we have  
ongoing union negotiations with  
this particular union. I am sure  
even the union would not want me  
to make comment at this time.  
Thank you.

MR. SPEAKER:

The hon. the Member for Mount  
Pearl.

MR. WINDSOR:

Thank you, Mr. Speaker.

The Minister may have ongoing  
union negotiations with one

union. I point out again the City  
of Mount Pearl has already signed  
an agreement until 1994 with their  
union. Will the Minister now stop  
procrastinating? Will he stop  
playing games with the safety and  
the lives of the people of Mount  
Pearl and authorize the City to  
proceed with their responsibility  
of providing fire protection to  
the people of Mount Pearl?

MR. SPEAKER:

The hon. the Minister of Municipal  
and Provincial Affairs.

MR. GULLAGE:

No, Mr. Speaker. I have an  
agreement with both mayors and  
both city managers. We have a  
gentleman's agreement that we will  
not openly discuss any of the  
details of the ongoing union  
discussions, and I think that is  
wise.

MR. WINDSOR:

It is not acceptable.

MR. GULLAGE:

As for Mount Pearl having a  
separate fire department,  
obviously that is option. It is  
an option for every city, every  
town in this particular region.  
But the fact of the matter is, we  
have agreed in good faith to  
proceed with the formation of a  
regional fire service, a regional  
fire authority and, contrary to  
the Member's comment, both mayors  
and both city managers have agreed  
that we proceed on that basis. If  
that is not a workable  
arrangement, only time will tell.  
Certainly we have agreed that we  
will proceed on that basis, and we  
have done just that.

MR. WINDSOR:

That was months ago.

MR. SPEAKER:



Order, please!

MS VERGE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Member for Humber East.

MS VERGE:

Thank you, Mr. Speaker.

My questions are for the Premier. I would like the Premier to say whether the type of fairness and balance he espouses is reflected in his Government's appointment to high-paying public offices of Gordon Seabright, our defeated Liberal candidate; Grant Chalker, a long-time Liberal campaign worker; Beaton Tulk another defeated Liberal candidate; Fraser Lush, the Liberal campaign manager in the last election; and Scott Simmons, yet another defeated Liberal candidate?

MR. SIMMS:

A good question.

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

I guess they do not, Mr. Speaker, because I have been so scrupulous about trying to avoid the appearance of political patronage, that I have damaged Liberals. I have done great injury to Liberals in the Province, and I fear I am going to have to take positive steps to correct it this.

SOME HON. MEMBERS:

Hear, hear!

PREMIER WELLS:

You see, it is easy for the hon. Member to stand up in this House and suggest that, but, Mr. Speaker, I will not refrain from

appointing people because they have ever in the past had anything to do with the Liberal Party. We are going to restore fairness and balance to this Province and that means fairness and balance for everybody, Liberals as well as Conservatives and NDP and others.

MR. RIDEOUT:

The half truth man rides again.

MR. SPEAKER:

The hon. the Member for Humber East.

MS VERGE:

Thank you, Mr. Speaker.

I would like to ask the Premier how he squares the revelations of the Hughes Inquiry about what can go wrong when the authorities responsible for child welfare do not do their jobs properly, or cannot do their jobs properly, with his patronage appointment of Beaton Tulk, a defeated Liberal candidate with absolutely no social work qualifications and no public service experience, to the critically important position of Assistant Deputy Minister of Social Services, responsible for child welfare?

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

It is fairly easy, Mr. Speaker. The hon. Member can try and prejudice the point of view with the fact that Mr. Tulk was a well-known Liberal and a former Liberal Member.

The simple fact is, he is very well qualified as well; he is an experienced teacher and Administrator and Regional School Principal, who is used to dealing

with children and young people and has done an excellent job, and I have no doubt will make a tremendous contribution -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! Order please!

PREMIER WELLS:

The fact that he was astute enough in the past to be a Liberal, probably indicates that he has a high level of perception and is a very bright and able fellow.

MR. SPEAKER:

The hon. the Member for Humber East.

MS VERGE:

Thank you, Mr. Speaker.

Finally, I would like to ask the Premier how he can justify what I would term this shocking departure from the practice followed by PC Administrations, of appointing Deputy Ministers and Assistant Deputy Ministers based on merit, and generally promoting experienced career public servants. How does the Premier justify this departure?

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

There is no departure from propriety. Whether there is a departure from the past practice of the former Administration, I would have to go back and look at all of their appointments. Some of their appointments which come quickly to mind caused me a good deal of concern, and I do not see the evidence of it, particularly in a place like the Public Service Commission, where I believe a Mr.

Vince Rossiter, who was the President of the PC Party, was appointed to fill that position, so do not - Joe Goudie, John McLennon, there is a whole host of others. So how it compares to the former PC Administration's practice, I would have to go back and check. But I would point out, Mr. Speaker -

MS VERGE:

Les Thoms, Phonse Faour.

PREMIER WELLS:

I would point out, Mr. Speaker, -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

PREMIER WELLS:

I would point out, Mr. Speaker, that when we formed the new Administration, long overdue I admit, but when we formed the new Administration, essentially there were no changes outside the Public Service. There were two or three people, I believe, whom we found were not really suitable for the job. One or two people wanted to go anyway, and were eminently suitable and with whom we had no quarrel, but there were two or three people in whose competence we really did not have any confidence and we moved them out of the positions. But it was a question of competence, not anything else.

MR. WOODFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Member for Humber Valley.

MR. WOODFORD:

Thank you, Mr. Speaker.

My question, Mr. Speaker, is to the Minister responsible for Forestry and Agriculture. In view of the fact that the Abitibi-Price mill in Stephenville will be experiencing a wood shortage over the next eight or ten years, and in view of the fact that there is a downturn now in the newsprint industry, and that 25 per cent of the cost of the Abitibi-Price mill in Stephenville is their high electricity cost, that, coupled with the fact that compared with Kruger in Corner Brook and Abitibi-Price in Grand Falls who have their own electrical systems to provide most of their power they are still having problems, would the Minister inform the House whether he had any discussions lately with Abitibi-Price concerning their high cost of electricity?

MR. SPEAKER:

The hon. the Minister of Forestry.

MR. FLIGHT:

Thank you, Mr. Speaker.

I thank the hon. Member for his question. I can tell the hon. Member that the few times that I have talked with Abitibi Officials, they have indeed indicated their concern about the ever-increasing cost of electricity. But I believe the cost of power in this Province, the generation and the sale and the cost of power, and power gone on contractual basis, is the business of the Minister of Energy. I can assure the Member that the Minister of Energy has kept me informed as to their dealings with the mill in Stephenville. There are ongoing negotiations, and I accept any recommendations made by the Minister of Energy with regard to our sale of power to Abitibi-Price

in Stephenville.

MR. SPEAKER:

The hon. the Member for Humber Valley.

MR. WOODFORD:

Being the Minister responsible for preserving jobs in one of the most important resource sectors in the Province, namely, the newsprint industry, could the Minister tell the House if he and his colleagues took into consideration the ripple effect of the 1.5 per cent payroll tax on utilities and other construction companies, Woods operators, Equipment operators in the Province? Could he tell the House if they took that into consideration when they put on the 1.5 and the effect it would have on the newsprint industry, such as the Abitibi-Price mill in Stephenville?

MR. SPEAKER:

The hon. the Minister of Forestry.

MR. FLIGHT:

Mr. Speaker, there are certain aspects of the question that I might want to take under advisement. The Member should be aware that the forest industry is exempt from the 1.5 payroll tax. I am surprised that the Member is not aware of that. The utility companies may or may not be. The Minister has not made the statement he intends to make yet, so if hon. Members would wait until the Minister of Finance is prepared to bring in his statement, we will tell you exactly who is or who is not exempt. The utilities company may or the may not be, but certainly the forest industry is.

MR. SPEAKER:

The hon. the Member for Humber Valley.

MR. WOODFORD:

I understand quite well, Mr. Speaker, that the forest industry is supposed to be exempt from the payroll tax, but, then, again, if it is comparable to other questions with regard to other industries in the Province, maybe that is not right. We do not have any answers yet. Apart from that, it is obvious that -

MR. SPEAKER:

Order, please!

This is a supplementary and I am waiting for the hon. Member to get to his supplementary. Proceed to the supplementary. The hon. gentleman is not allowed any preamble in a supplementary, or very little, so I ask the hon. gentleman to get to his question.

The hon. the Member for Humber Valley.

MR. WOODFORD:

Would the Minister tell the House if, over the next few days, he would make a special effort to contact the Abitibi-Price officials in Stephenville and check out how serious this problem could be to their operation in Stephenville?

MR. SPEAKER:

The hon. the Minister of Forestry and Agriculture.

MR. FLIGHT:

Mr. Speaker, for the Member's information, I have attended meetings with the Resource Policy Committee of Cabinet, with the Premier present, and met with the Abitibi-Price people, not this past week but over the past months. The Premier himself, I understand, I do not know the specific date, met with the Abitibi-Price people and

discussed, by the way, within the past few weeks, their concerns with the high cost of electricity, or the effect the increase in electricity, the Member refers to, will have on their operation. That has all been taken under advisement and under consideration, and the Government's main concern will be guaranteeing the long-term viability of that mill, whether they have to consider electricity, a wood supply, or anything else. As soon as the Government is aware of exactly what our position will be with regard to their request, or their concerns on electricity, we will inform the company and, of course, inform the House.

MR. SPEAKER:

Question Period has expired.

#### Presenting Reports by Standing and Special Committees

MR. DECKER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Health.

MR. DECKER:

Mr. Speaker, this is not strictly a report it is a personal matter but I hope before I am jumped on I would like for hon. Members to listen.

Before becoming a Minister of the Crown I applied for and received permission to have a small piece of land adjacent to my house in Roddickton. The documents are now ready to be processed. I have brought this to the Premier's attention, who has given me permission to proceed and have the documents completed. I would like to table in the house all the

details of that, so that hon. Members on the other side and the people of the Province and the people of the nation and the people of the world will know that this is being done totally above board.

SOME HON. MEMBERS:  
Hear, hear!

MR. SIMMS:  
I wonder, Mr. Speaker, would the Minister of Finance have any idea what it is all about.

### Petitions

MR. HODDER:  
Mr. Speaker,

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

MR. HODDER:  
Mr. Speaker, I beg leave to present a petition on behalf of 614 residents of the District of Port au Port.

The prayer of the petition is:

WHEREAS Connors Brothers have indicated they will not reopen the Piccadilly Fish Plant this summer; and

WHEREAS the Piccadilly Fish Plant is the largest employer in the District of Port au Port; and

WHEREAS there is no fish buyer in the area at the present time; and

WHEREAS the District of Port au Port has a very high rate of unemployment;

THEREFORE we, the undersigned residents of Port au Port - Bay

St. George petition the Government of Newfoundland and Labrador and the Federal Government of Canada to do everything in their power to see that the Fish Plant in Piccadilly remains open.

Now, Mr. Speaker, as I have said the petition was signed by 614 residents of the area. I understand there is another portion of the petition which will come to the House, perhaps after Easter.

Mr. Speaker, the people of Port au Port need help from Government to find an operator for the plant. The people of the District through their development association, the Port au Port Development Association, and the fish plant workers themselves have become active in pursuing an operator. I think that is something that is not normal in most areas, where local groups actually, physically try to find an operator for the plant. The plant has been in operation, I should point out, for practically a quarter of a century.

It is the largest employer in the District, and the impact of that plant closing is as devastating for the District of Port au Port as if you had three NatSeas closing in St. John's. I say nothing about, and Members should not take my words incorrectly, but the impact, where it is the only employer in an area, is much higher than the impact in many other areas of the Province.

Mr. Speaker, what it means to the people of this area is that all the people who are working in this area are threatened with a situation where they may have to move away to work, because there is no alternative employment in the area. Mr. Speaker, there is

nothing else they can do.

The clergy in the area have written the Premier about this problem. The Development Association, the Fishermen's Committees, the Town Councils, all feel as one in the Bay St. George area and even in my hon. friend across the way, the Member for Stephenville's (Mr. K. Aylward) District, feel the same way about this plant. It is a major issue.

The people have asked for a number of things, one that the plant be equipped so that it can more easily attract an operator. Secondly, that the Government advertise in trade magazines, which is a simple request for an operator. Thirdly, that the Minister roll up his sleeves and actively look for an operator.

Mr. Speaker, this is not the first time, as the Minister pointed out the last time I spoke about this in the House, this is not the first time that we have had to look for an operator but each time we had to look for one the Government of the day went to work and found one. Mr. Speaker, this is the first time that we have seen so little interest from the Government, and one would think that the Government perhaps was not interested in finding an operator.

Mr. Speaker, I do not believe that. I believe that the Minister will have to, and time is of the essence, the fishing season approaches and these workers are waiting for a response from Government. They are waiting for some effort from Government. They are waiting for a sign from Government that something is happening.

Mr. Speaker, with that I will lay the petition on the Table of the House and refer it to the Department to which it relates.

MR. SPEAKER:

The hon. the Member for Grand Bank.

MR. MATTHEWS:

Thank you, Mr. Speaker.

I had thought that the Minister of Fisheries would want to speak to such an important fisheries petition. Having visited the area just a week and a half ago and met with some very concerned people as it pertains to this fish plant and the petition put forward by my colleague.

AN HON. MEMBER:

A former Liberal candidate.

MR. MATTHEWS:

Yes, former Liberal candidates and everything.

There is a very grave concern for this particular fish plant as there is in numerous other fish plants around the Province. As the Member for Port au Port so readily points out, the impact of this fish plant not reopening in Piccadilly is comparable to the fish plant not opening in Gaultois or Grand Bank, Trepassey, St. Mary's, Renewes, Fermeuse and all around the Province.

What they are very frustrated with is that for the first time there has not been a willingness, up to the time that we met with them and up to a few days ago, that no one has been willing to sit down with these people to find a possible solution. We found that all around the Province in the communities that we visited that people are really frustrated that no one is looking for solutions to

the problem. The problems are different. The problems of the deep sea fishery are different from the problem with the Piccadilly situation. There can be solutions found if only the Minister of Fisheries and officials of his Department and Development and so on would get involved in this particular situation.

They do need equipment, as the Member so rightly outlined. There must be equipment somewhere in this Province that is owned by the Provincial Government that could be found to adequately equip that particular plant. With help such as that from the Province, I feel Mr. Speaker that this fish plant could reopen for this fishing season.

Now last year it was unfortunate, there was a resource problem in the area and a very limited amount of fish was actually put to the Piccadilly plant, but that was a bad year. This year it could be quite different. There could be sufficient resources put through to make the operation a good one.

So I just want, Mr. Speaker, to speak in support of the petition so ably presented by my colleague, and having visited the area to listen to, and see first hand the frustration and concern of the people in the Port au Port Peninsula area as it pertains to the reopening of the Piccadilly fish plant.

I would just like to say to the Minister of Fisheries there are a number of operations around the Province similar to the Piccadilly operation, and if someone were to go and sit down and get involved with those people, solutions can be found to some of these smaller

operations around the Province whereby people can be employed for this fishing season. Mr. Speaker, I thought the Minister of Fisheries would speak after the Member for Port au Port and I am hopeful that the Minister of Fisheries will rise in his place and speak to this petition when I sit down.

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. W. CARTER:

Mr. Speaker, the hon. Member knows full well that I was just about to stand up to respond but he was recognized by Your Honour and I of course deferred to him, but certainly I intended to speak to this very important petition.

It is not as simple as the hon. Member would have the House believe, in terms of getting a new operator for the plant in Piccadilly. For example the leasing history of that plant goes back to 1979 when National Sea Products had a lease on the operation. Again in 1981 they renewed the lease and they were again operating the Piccadilly plant. In 1983 the Bell Isle Seafoods Limited had a lease on that plant. In 1985 Port au Port Seafoods Limited were the operators of that plant. Then of course, as we all know in 1989 Connors Brothers Limited were operating the plant, so we had five operators in that plant in less than a ten year period.

Contrary to what the hon. Member has said it is obvious, by virtue of the fact that we do not have people around endeavoring to operate the plant, it is obvious that maybe the prospects under the present circumstances are not that good. Certainly from where we sit

if an operator comes along and shows the least interest in operating the plant, then we will be more than happy to sit down with that operator and do what we can to facilitate him in what he wants to do.

But Mr. Speaker, as the hon. Member said there are a number of fish plants around the Province that are now vacant. We have two in St. Mary's, Riverhead and St. Mary's itself, and we have a fish plant in Branch that is not operating. I can go around the Island and probably name a couple of dozen small feeder type operations that are now without an operator. I can only tell the hon. Member, Mr. Speaker, the fact that an operator is not in place in that plant in Piccadilly is certainly not an indication of our lack of interest in that community or in the plant itself. In fact I have already indicated to the Port au Port Development Association that I would be very happy to meet with them at some time in the future. I am prepared to do it any time, within reason of course, and I look forward to that meeting. If we can then find an operator that shows some promise and some interest in moving into that plant in Piccadilly we will then be more than happy to sit down with that operator and try to work out an arrangement.

MR. SPEAKER:

The hon. the Member for Burin - Placentia West.

MR. TOBIN:

Thank you very much, Mr. Speaker.

I would like to present a petition today on behalf of a number of residents from the Burin Peninsula regarding the decision by this Government to move the

headquarters for the Eastern Community College from Salt Pond, Burin.

Last week I had the opportunity to attend a public meeting in Burin and listen to the concerns of the people as it relates to the decision by this Government to move the headquarters of the Eastern Community College from Salt Pond, Burin. The decision to put the headquarters in Burin was a decision that was made for all of the right reasons. It was a decision that was made by the previous Administration a little over a year ago, and how a Government can reorganize so quickly, and with one stroke of the pen remove that Eastern Community College and place it in another centre is beyond us.

Mr. Speaker, we have no objections to another centre having anything, but we do strongly object to the sudden decision of this Government, with respect to the Eastern Community College, one year in a brand new building with twenty-five employees just hired in the past year, to uproot these people, eliminating the twenty-five jobs in Burin, and moving the headquarters, is something which the people of the Burin Peninsula, my colleague from Grand Bank and our colleagues on this side of the House, have great difficulty with.

As I said, the headquarters was put there, Mr. Speaker, for all the right reasons. It was put there as a result of a tremendous amount of input and work by the people throughout the Burin Peninsula. Councils made representation to have it accommodate a first year university program and to have the headquarters established in



Burin. They met constantly with Government officials; they met, I believe, with the Social Policy Committee. My colleague from Grand Bank and myself met with basically every group on the Peninsula to try to ensure that this happened.

When the decision was made, it was made, as I said, for the right reasons. All of a sudden, this Government in their wisdom, saw fit to close the headquarters, opened just a few weeks, brand-new headquarters, Mr. Speaker, and force twenty-five people on the Burin Peninsula on to the unemployment rolls.

We all know, Mr. Speaker, that on the Burin Peninsula right now, there has been a tremendous downturn in the economy. We all know, I guess since last summer, that in the Marystown area alone, there are probably over 200 people who have left the area and moved to the mainland, and there is nothing in sight to change that in any significant way. That is one aspect of it.

The other aspect is the right to retain the Community College Headquarters there. Let me say, Mr. Speaker, there is nobody in the Department of Education or in the adult education system who can tell me or anyone else that there will be an improvement in the educational aspect of the Eastern Community College as a result of moving the headquarters. Nobody can tell me there will be any change with respect to the educational aspect of the students who will be attending these institutions.

Mr. Speaker, on behalf of my constituents, indeed, on behalf of the people who attended that

meeting the other night, let me say that the Burin council are presently circulating a petition for signature throughout the Burin Peninsula. A committee has been struck which will be actively pursuing the retention of the headquarters there, and I ask the Minister of Education and the Department of Education not to interfere with the twenty-five employees who work in that centre and not to remove the headquarters from Burin. It is part of the Burin situation right now. If it were going there for the first time, or something of that sort, there would be no negative impact, per se. But, as it is, twenty-five people have been hired. Some of them, Mr. Speaker, have built new homes in the past year when they secured their jobs, all fairly high-paying jobs, and to place these people into a state of uncertainty with no security in terms of what will happen to them in the future, I believe is the wrong decision for the Government of Newfoundland and Labrador.

I present the petition to the House for the consideration of the Department of Education, and I ask the Minister to take the action requested by my constituents.

MR. SPEAKER:

The hon. the Member for Grand Bank.

MR. MATTHEWS:

Thank you, Mr. Speaker.

I rise to support the petition presented by my colleague, the Member for Burin - Placentia West, and say that the constituency I represent, the District of Grand Bank, the communities and the thousands of people therein, are very concerned as well, about the suggestion in the White Paper on post-secondary education, to

relocate the headquarters of the Eastern Community College.

As the Member for Burin - Placentia West has indicated, this decision was made a couple of years ago. The headquarters has been located at Salt Pond for that period of time.

I guess the puzzling thing about the suggestion in the White Paper - the big question called up for debate - is what impact the relocation of the administrative headquarters will have on the educational value of Eastern Community College. If there were going to be some educational benefit to relocating the Headquarters of Eastern Community College to somewhere else in the Province, then I would be the first person in Newfoundland and Labrador to support it.

There is no one in their right senses or in their right mind that could not support something that meant better education and better educational value for our dollars. I mean that is only sane and reasonable and logical and so on. So if there was some educational benefit or educational value to relocation of an administrative headquarters for the Eastern Community College or any other community college in the Province then I would certainly support it. But such is not the case. There will be no educational benefit to relocating to Clarendville or Bellevue or anywhere else in the new region as proposed by the Government in its White Paper.

Having said that, however, I commend the Minister of Education (Dr. Warren) and the Government on its proposed suggestions as it pertains to the Cabot Institute

and the Marine Institute and Memorial University, that has been an item of discussion in the Province for the last few years. It was very high on our agenda list when I was Minister of Career Development and Advanced Studies, and we were looking very seriously and were very close to making a decision as it pertains to those three institutions here in the city and what the Government is proposing to do is very, very sensible and I support it wholeheartedly. But my reason for objecting and speaking in support of the petition today is that I cannot really see any educational value for relocating a headquarters of the Eastern Community College or any other.

Having said that I realize as well that the Government has offered an opportunity in the White Paper, quite naturally, for input and feedback from the public in the various regions of the Province. That is positive. I understand as well that there has been some suggestion, I believe by the Member for Carbonear (Mr. Reid), that there might be some public hearings associated or attached thereto. I do not know how the Minister of Education has reacted to that, but that would be certainly very positive.

So I just want to go on record, Mr. Speaker, today as supporting the petition from the Burin Peninsula opposing relocation of the headquarters for Eastern Community College. Before I sit down I will say once more that if it could be clearly demonstrated that there was educational benefit to relocation I would certainly support it, but since there obviously is not then I have to oppose that suggestion for relocation.

PREMIER WELLS:

Mr. Speaker,

MR. SPEAKER:

The hon. the Premier,

PREMIER WELLS:

Mr. Speaker, in the absence of the Minister of Education (Dr. Warren) there are just a couple of things that I would like to say. First I greatly appreciate the comments of the hon. Member, as a former Minister with some responsibility in this area for Career Development and Advanced Studies. I appreciate very much his positive comments about the Government's proposal.

I understand also the motivation or the basis for his support of the petition, it affects the economy of the area and I can understand that basically. But the Government, as well as having an eye to the economic benefit must have an eye primarily to the overall educational impact. And that is precisely why the Government put its proposal in the form of a White Paper, so that we can take into account how a particular community will be adversely impacted or will not, and what will be the adverse or other impact from an educational point of view. I have no doubt, Mr. Speaker, that the Minister of Education and his professional advisers will take seriously into account the petition that the hon. Member for Burin - Placentia West (Mr. Tobin) just presented, and spoken to by the hon. Member for Grand Bank (Mr. Matthews), that that petition will be taken into account when the Minister considers all the representations made in response to the White Paper, that that will be taken into account as well.

MR. MATTHEWS:

(Inaudible) there was some reference made in the White Paper as to the reason for some of these changes. There is some reference made to the Province being divided - I think it is five regions?

PREMIER WELLS:

Five regions yes.

MR. MATTHEWS:

Consequently the community college boundaries are somewhat similar? Could you react to that?

PREMIER WELLS:

Mr. Speaker,

MR. SPEAKER:

The hon. the Premier,

PREMIER WELLS:

Well, the detail is there to be seen and the Minister can react more positively to it when he is available to do so. But the purpose is to divide the Province into five convenient administrative regions and put the central administration for the community college campus located in a region in an appropriate administrative area. And I believe that is what we proposed, but we are prepared to hear the position of the different communities that are concerned. But in the end the Government must make the decision on the basis, first and foremost, of what is educationally the right thing to do; and secondly what is fair and proper from an economic point of view. Because when Government administers an office or an institution like an educational institution, in some area, it makes an economic contribution. And it is one of the primary concerns of this Government to ensure that the benefit of Government expenditures is spread

throughout this Province and not confined to one or two or three particular areas.

MR. WOODFORD:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Member for Humber Valley.

MR. WOODFORD:  
Thank you, Mr. Speaker.

MR. TOBIN:  
By leave, by leave.

MR. SPEAKER:  
The hon. the Member for Carbonear.

MR. REID:  
To reinforce what the Premier has said, I find myself in a similar situation.

MR. SPEAKER:  
Order, please! Order please!

Only if the Member has the leave of the House. Only three people can speak to a petition and three people have spoken. By leave?

SOME HON. MEMBERS:  
By leave, by leave.

MR. SPEAKER:  
The hon. the Member for Carbonear.

MR. REID:  
I rose by leave. I apologize, Mr. Speaker. I thought I had leave when I stood.

MR. SPEAKER:  
Yes, okay.

MR. REID:  
I am in a similar situation in Carbonear with the closing of the Avalon Community College. I will say that I have had several meetings with the hon. Minister of

Education in the past month or so, and I can honestly tell this House that what is in the Green Paper or in the White Paper on Education is not necessarily etched in stone, and as the Premier has said, he is open and the Government is open to any representation by any Community, I guess, which is going to be affected.

I have told my people or the people of Carbonear District and that particular area that, that is a fact, they are doing basically the same thing as my hon. colleagues in the Marystown and Grand Bank area, and I am hoping that the end result will be one of satisfaction as far as I am concerned. I impress upon the Members that I guess, in this particular case, the more lobbying they do and the stronger the lobby is, maybe the better their results would be, and in the end it would be satisfactory to them as well. For the record, I want to say, that I am against the move of the Avalon Community College from Carbonear, but, I guess, by the time all the hearings are held and the petitions are made, I am hoping that I can walk away from this House quite satisfied with the final decision. Thank you very much.

MR. SPEAKER:  
The hon. the Member for Humber Valley.

MR. WOODFORD:  
Thank you, Mr. Speaker. My petition is to the hon. House of Assembly. The petition is from the undersigned residents of St. Jude's. We, the residents of St. Jude's do not want to be amalgamated with the Town of Deer Lake or any other community. This is signed by 119 residents of the community of St. Jude's in the

District of Humber Valley.

Now a little bit of historical background with regards to the amalgamation issue in the Humber Valley area. St. Jude's, Spillway and Nicholsville, Deer Lake and Reidville were included in the Regional proposal for amalgamation last summer by the Minister of Municipal Affairs. We have always been cognizant of the Regional Government or some form of regional sharing in the area, Mr. Speaker. We have said it before, and I personally, as a Municipal Councillor in the area for some ten years, but we went about it in a so called constructive way and we had feasibility studies in place to be done on the whole area.

When the Minister made his statements regarding the amalgamation issue, it was not the intent that the people were against, and I, as a Member was against, but it was the approach. As far as we are concerned, it was wrong in telling people what to do and how to do it. But having said that and having discussed the concerns with the people in the area a little more extensively, the Minister and the Department in their wisdom decided to hold public hearings, but previous to that, the main town in the area would more or less have to absorb all those municipalities - the Town of Deer Lake.

Deer Lake extended and more or less postponed their elections until April of 1990, and lo and behold, just a few weeks ago, the Minister, in a letter to the Council in Deer Lake, stated that the elections would be put off for a year, until November of 1990. But the community of St. Jude's made it quite clear during the public hearings that they wanted

absolutely nothing to do with amalgamation, one way or the other. I say if the question was put in a more, I suppose, constructive way, and they were more or less consulted rather than told, the outcome might have been a little different. So having said that, they have now presented petitions and briefs to the public hearing process and have stated unequivocally that they want nothing to do with amalgamation. That is the intent of the petition, to make it quite clear and bring it to the attention of the House, and in doing that to the attention of the Minister involved and to the Department involved as well. After the public hearing process, I suppose, the final decision will be made with regards to amalgamation in that area.

But the putting off of the elections from April of 1990, which is six months, to November of 1990, which would be twelve months, begs a question from me as the Member responsible for the District. Does this say that regardless of the public hearing process there will be some amalgamation in the area - one full year? We had from November of 1989 until the end of April of 1990, and we had very little done. The hearing process had just started, we had one hearing and there was absolutely nothing more done within six months. I have some concerns with this. It tells me that the possibility of amalgamation in that area is certainly going to take place one way or the other.

But the communities in the area, not only St. Jude's, have made it quite clear; Spillway, Nicholsville and other communities have made it quite clear that they

do not want anything to do with the amalgamation process as it stands right now, and it is understandable. If they had been told up front, if they were going to get X number of dollars over a certain period of time and a certain year, they probably would have accepted it a little better. But that was not the process taken, they were just told in no uncertain terms that you were going to amalgamate with the town of Deer Lake and there was nothing put up front. Nothing to base a decision on other than the fact that their mil rate would increase over a period of time, and after joining the town of Deer Lake a very substantial mil rate would be imposed. If they had been told at that time that they would have gotten the, for instance water and sewer in 1990, street lighting in 1991 or something else in 1992, it probably would have been accepted a little better. But based on the information they had when the public hearing process took place and the approach that was taken by the Department of Municipal Affairs, they said no. I want to make this quite clear, Mr. Speaker, and be on the record in presenting this petition on behalf of the citizens of St. Jude's. Thank you, Mr. Speaker.

MR. R. AYLWARD:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Member for Kilbride.

MR. R. AYLWARD:  
Thank you very much, Mr. Speaker. I would like to have a few minutes to congratulate my colleague for presenting this petition on behalf of the residents of St. Jude's. Nearly 200 residents of that area, Mr. Speaker, have spoken very strongly on their opposition to

the amalgamation of their town - their community with the town of Deer Lake. Now, Mr. Speaker, I believe the residents of St. Jude's along with the residents of a lot more communities in this Province, Mr. Speaker, would have been much more receptive to amalgamation if the Minister and the Department had taken an approach that would have been more consultative with the people who are involved. The approach that the Minister did take when he became Minister of that Department seemed to be, and I find this unusual for the Minister, but it seems to be that he was going to proceed with this regardless of what the people of the communities saw was best for their future.

He was going to force this amalgamation on the people of the Province even without public hearings, I understand, at first when he started it in the beginning. But, Mr. Speaker, after loud and quite a bit of opposition from some of us, and a lot from the communities, there was a public hearing system put in place and then that system was going to be - the commissioner was going to be a deputy Minister or Assistant Deputy Minister from the Minister's Department, which again upset the people involved in amalgamation because they thought they could not possibly have a fair hearing if this type of hearings were put in place. And this Deputy Minister or Assistant Deputy Minister was to report back to their boss knowing that their boss wanted amalgamation. And what were they going to say?

Would they recommend that there should not be amalgamation when they knew full well that their Minister and the Government he represents are very much in favour

of amalgamating quite a few communities in this Province? Mr. Speaker, I believe the way amalgamation should have been approached, and I am sure had the Minister given it a bit more thought he would probably if he had his time back prefer to have done it this way, I believe there should have been policies put in place to encourage communities to amalgamate.

If they had financial and economic policies in place that made it advantageous for smaller communities to amalgamate with larger ones, I am sure the communities in this Province would have considered it. But the policies that are in place now and policies I supported when I was Minister of Municipal Affairs, I do not disagree with that, the policies were put there to try to help smaller communities and provide them with the essential services of today which certainly would have been water and sewer and some reasonable transportation or road systems in their communities.

Mr. Speaker, if the Minister wanted to change these policies and wanted to have a few larger centralized areas around the Province, Mr. Speaker, and have all the communities amalgamated into several larger ones, what he should have done and the approach he should have taken would be to change the policies that I had as Minister, which would have been acceptable to me, and put policies in place that would encourage towns to amalgamate.

Mr. Speaker, one other comment I would like to make, there were many amalgamation hearings around the Province so far, not very many out in my hon. Member's District,

but in this area there were many amalgamation hearings. I know there were many Members on this side who went to these hearings and made their points and told what they felt about the amalgamation hearings. I am surprised that I did not hear from very many Members on the other side, although there were a couple who did make their presentations.

AN HON. MEMBER:

Yes they did.

MR. R. AYLWARD:

But the Members, particularly the backbench Members on the other side did not seem to have the freedom to be able to go and express their views on amalgamation. I am sure if the Member for Pleasantville (Mr. Noel) could have expressed his views at the public hearings he would have done it. But I guess the party whip must have gotten after the Members and told them that yes, they could go and listen but they certainly could not comment because they would be embarrassing their own Minister, Mr. Speaker. Although I know for sure there was one Member who had enough courage on that side to go, no matter what, he was interested in his towns and the amalgamation issue out his way - the Member for Burin - Placentia West (Mr. Tobin).

MR. SPEAKER:

Order, please!

The hon. Member's time is up.

MR. R. AYLWARD:

That is too bad, Mr. Speaker.

MR. SIMMS:

An excellent job!

MR. GULLAGE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Municipal and Provincial Affairs.

MR. GULLAGE:

Mr. Speaker, I certainly welcome the opportunity to speak on this particular petition and make some comments about the amalgamation procedure in general, and specifically about the Deer Lake situation in a moment. First of all let me say that I continue to be amazed by the comments of some hon. Members who continually say we entered into the amalgamation procedure and we are still into the amalgamation procedure with a fixed agenda, and that agenda is totally inflexible, we cannot make any changes and whatever we are proposing in a given grouping, that is it, it is carved in stone, it is over and done with, and the Minister is bound and determined that the way you see it is the way it is going to be in the end. Nothing but nothing could be further from the truth, Mr. Speaker. And I do not blame the Opposition, I suppose, to try to scuttle the process. I guess they are getting a little worried now it is going to be successful.

AN HON. MEMBER:  
(Inaudible).

AN. HON. MEMBER:

It will be in places. Do not worry.

MR. GULLAGE:

I can tell you we started out with forty-five groupings of communities, 115 communities in the Province -

MR. RIDEOUT:

On a point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

A point of order, the hon. Leader of the Opposition.

MR. RIDEOUT:

Thank you, Mr. Speaker.

Mr. Speaker, I am always very reluctant to interrupt the Minister or anybody speaking in the House but Your Honour knows, and the Minister should know, that under our Standing Orders when a Member rises to speak to a petition; first of all, the Member must support the petition; secondly, the Member must confine his or her remarks to the material allegations of the petition, the number of names on it and the prayer of the petition. The Member cannot go off talking about the reasons for amalgamation or the reasons not for amalgamation. The first thing the Member must do is support the petition. If the Member cannot support the petition then, Mr. Speaker, the Member has no right to stand at all.

AN HON. MEMBER:

Right on!

MR. SPEAKER:

To the point of order.

I quote for the hon. the Leader of the Opposition. I just happen to have this ruling here because I raised the point myself a couple of days ago. I said the same thing the Leader of the Opposition said but we find Speaker Russell in 1975, in replying to a similar situation, make the ruling, when somebody was saying the person speaking was not speaking to the petition, Speaker Russell said: 'I am not sure the hon. Member has raised a valid point of order', under the same circumstances, 'but I would suggest the hon. the Leader of the Opposition should speak to the petition whether he



supports it or not.'

The hon. the Minister of Municipal and Provincial Affairs.

MR. GULLAGE:

Mr. Speaker, I would hope that the point of order has not taken away from my time.

MR. SPEAKER:

It does.

MR. GULLAGE:

It certainly did not contribute very much.

Mr. Speaker, as I was about to say. We started out with some forty-five groupings of communities, 115 communities in all. Hearings have now been completed in thirty-eight of those groupings. We only have seven hearings left to complete. I might explain that when those hearings are complete, the commissioners will finalize their reports. I now have a good number of those reports already in to me for consideration. I do not intend to proceed directly to the Government with a recommendation without consultation, as has been implied. We are not going to necessarily put together the groupings as you see them now. We have already seen circumstances where the groupings should be changed.

A good example is Deer Lake. Perhaps there should be a change in the Deer Lake grouping as it was originally proposed. If that is so, the commissioners report will reflect it. Perhaps we should add a community, delete a community, delete two communities if necessary. But surely in all fairness to the people in St. Jude's and the people in the other communities involved in that

particular amalgamation, it is fair that they be heard through a hearings process.

I hope the Member and petition is not suggesting that the hearings process has not been worthwhile, because that is not what I am hearing. What I am hearing from the communities is that they welcome the hearings process. The fact that they can sit before two commissioners and have their say about their communities and have their say about the capital works that is needed. To presuppose you could decide on capital works that are necessary and make recommendations to the communities before you even hear from them, Mr. Speaker, is certainly not part of the feasibility process. I would not recommend it.

The feasibility process incidentally does not entail just having a public hearing. The public hearings part of it is only about 20 per cent to 25 per cent. There is an enormous amount of work that goes on behind the scenes by way of consultation with the communities, looking at their financial base, looking at their revenues, looking at the expenses, the assets that are in place and so on. There is a lot of work that has to be done. It is not just a hearings process. But granted, the most important part in my opinion is the part where the communities do have their say in the hearings procedure.

MR. SPEAKER:

Order, please!

The hon. gentleman's time is up.

MR. GULLAGE:

I think they have had a good opportunity to have their say and I can assure you that their views

will be reflected in the final result.

MR. SPEAKER:

The hon. the Member for Grand Bank.

MR. MATTHEWS:

Thank you, Mr. Speaker.

I take pleasure this afternoon, Mr. Speaker, to rise in this House to present a petition on behalf of approximately 1200 people from the towns of Fortune and Grand Bank. By far the majority of the names on the petition as designated by signature, address, occupation and telephone number are from Fortune. I guess a lot of the comments made by a number of previous speakers apply to this particular situation.

Just in reaction to what the Minister said, yes, I believe that the public hearings process has served a very useful purpose as well.

But being specific about the towns of Grand Bank and Fortune and the public hearing that was held there. It demonstrated very clearly the overwhelming opposition to the proposed amalgamation of the towns of Fortune and Grand Bank. Initially a hearing was scheduled for the court house in Grand Bank and had to be rescheduled because the meeting room could not accommodate all those who showed up, the residents of both towns, to participate in the hearings. It had to be rescheduled to a high school gymnasium which on the night of the hearings was filled to capacity. There was overwhelming opposition to the proposed amalgamation of those two communities.

Living in Fortune, Mr. Speaker, and

being from the town of Grand Bank and spending a significant amount of time in both communities, I only know of four people in the two towns that support amalgamation. I could name them for the House if I wanted to but I will not do that. One of the four people appeared at the public hearings and spoke in favour of amalgamation, the only one that did. The reasons for opposing amalgamation are very logical and reasonable, Mr. Speaker. There is five kilometers that separate the two communities and the expansion of both towns are not towards each other, it is on the ends away from each other. It is not that the two towns are growing together. When you look at basic services such as fire fighting and snow clearing, the services and equipment that is now in existence located in both towns would be needed even if two towns were amalgamated so you will not cut back or need any less equipment. The people in Fortune would need their snow cleared at the same time as the people in Grand Bank and the equipment is going pretty well full-time when you have snow problems. The same, of course, pertains to the fire fighting capabilities, you would need a fire station in both towns. The capital works requirement for both towns is very, very substantial. That in no way would be reduced if you installed amalgamation. The work that is in Grand Bank needs to be done and what is in Fortune as well needs to be done so there would not be any reduction in the amount of work required to be done.

As a matter of fact the studies that were done by both town councils who officially opposed this amalgamation proposal did a number of financial analysis on the situation and found that there

would really be very, very little savings by way of amalgamating the two towns. I would just say to the Minister that the only change really required in that particular amalgamation proposal is to forget it altogether because of this overwhelming resistance to the proposed amalgamation measure for those two communities.

What is confusing to people is that every second day we heard the Minister say something a little bit different. He talks about amalgamation not being forced upon people but yet I heard him on an open line program a couple of weeks ago saying, 'we are not going to force this upon anyone, town councils can oppose, people can oppose, but in the final analysis we will take it to the Legislature and have a debate on the issue.' Now we all know what that entails. The Government has the majority, and if you bring amalgamation debate to this House it quite naturally will be passed by the Government who holds the majority, so in essence you are saying you would legislate amalgamation upon some community.

People out and about the communities have found that somewhat confusing, sometimes you say, no, if the people do not want it it will not be enforced but yet you keep saying that you are going to bring it to the Legislature for debate which in essence means the same thing.

MR. SPEAKER:

Order, please!

The hon. gentleman's time is up.

MR. MATTHEWS:

I just want to go on record, Mr. Speaker, in concluding, and present this petition on behalf of

approximately 1200 people from Grand Bank and Fortune who adamantly oppose the amalgamation proposal put forward by the Minister and Department of Municipal and Provincial Affairs.

MR. SPEAKER:

The hon. the Minister of Municipal and Provincial Affairs.

MR. GULLAGE:

Mr. Speaker, I am certainly aware of the hearings that were held in Fortune - Grand Bank. As far as the location was concerned for the hearing we ran into the same problem in several circumstances throughout the Island where in most cases we asked the town clerk to arrange a meeting hall and the town clerk did not anticipate the numbers of people, so we subsequently had to reschedule and usually use a school gymnasium or something large enough to accommodate the numbers of people, and we gladly did that. Mr. Speaker, as I said earlier, I am going to repeat myself, we certainly want to hear from the commissioners and their reports. That is the whole purpose of the public hearing process. We will listen to what the commissioners have to say which is a reflection of the people's views.

We will also listen to the feasibility report that they will present, which goes along with the hearings process, in fact, is part of it. So the entire feasibility of putting together two communities or more will be looked at by my Department and by myself and from that will flow a recommendation to Government. And I will consult with the communities. If we have a situation where, for example, Fortune would like to see amalgamation and Grand Bank would

not, I would talk to the community that is opposing it, if the commissioners are recommending amalgamation, and find out what their concerns are. Perhaps they are legitimate concerns and they should not be amalgamated.

Certainly, before proceeding to Government with a recommendation, I would want to find out why the dissenting community holds the views it does, in opposition to the commissioners' report, in all fairness, and I would take the time to do that. I certainly do not want to take the time to just simply go in to Government with a group of commissioners' reports and say, 'Let us proceed,' in the face of communities that are opposing the particular amalgamation. I want to sit down with those communities and find out why they are, indeed, in opposition, and I will certainly take the time to do that.

We lengthened the process and extended the election time to November of this year in some communities and some groupings, because we found it was necessary to give the commissioners adequate time. If you recall, in the beginning when this process started, a lot of councils were saying, 'We need more time. We need more time.' I hate to see any criticism now of the fact that we are giving more than enough time, because certainly, we have made sure that ample time is provided for dialogue and to make sure the hearings and feasibility process are carried out correctly.

If I might clarify the point on the extension to November, that is only an extension that will take place if it is necessary. We have the option of holding an election at any time, with any group of

communities, if it is recommended and we want to proceed, if the commissioners' reports are finalized and we have a decision to proceed with an election.

The order simply reads: 'an extension of the election date up to November', it does not say it has to be November. So we will try to complete as many of the groupings as we can and proceed with elections as quickly as possible; but, in all fairness to the communities involved, giving ample time for their dialogue with my Department and with the commissioners, and ample time when the commissioners have completed their reports, so that I can have a dialogue, as the Minister, with the communities that hold opposing views to the commissioners, I think, that is important as well.

I wanted to see that adequate time was given and I think that was a wise move. With the exception of one or two communities, I have not heard anybody dissent or give me an opposing view as to why we should rush into an election and not do this whole process properly.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. RIDEOUT:

Mr. Speaker, I would like to make a few remarks in support of the petition so ably presented by my colleague from Grand Bank on behalf of 1,200 residents of Fortune and Grand Bank, who are very much concerned about the issue of amalgamation.

I do not know, whether or not, in ancient church history, there was a person called Saint Eric, but if there was, Mr. Speaker, he must have been the patron saint of lost

causes.

AN HON. MEMBER:  
Saint Jude.

MR. RIDEOUT:  
That was Saint Jude, was it? Oh, that is what it was! It triggered me when the petition came from St. Jude's.

MR. SIMMS:  
Eric the Amalgamator.

AN HON. MEMBER:  
St. Jude's.

MR. RIDEOUT:  
Yes, St. Jude's. But, I mean, it should have been 'Eric', Mr. Speaker, because this Minister embarked, I say to him, on what could have been a very useful exercise and process for Municipal Government in Newfoundland and Labrador. But the Minister, Mr. Speaker, unfortunately, embarked on that process in a way that terrorized communities, got thousands of people in dozens and dozens of communities in this Province totally upset. If the Minister had gone about it in a sound, sensible, reasonable way, rather than dribbling off to a weekend paper about certain configurations of communities he had a vision of, that nobody else had heard tell of, Mr. Speaker, before they picked up a weekend paper and read about the configuration of communities.

AN HON. MEMBER:  
(Inaudible).

MR. RIDEOUT:  
That is the truth. The first that many, many communities heard of the various configurations was when they read it in the press, Mr. Speaker, within days of the Minister having walked into the

Department. Certainly there could not have been any time for him to consult with anybody, to consult with any officials in his Department, the Minister, in other words -

AN HON. MEMBER:  
He did not consult with Cabinet.

MR. RIDEOUT:  
Certainly did not have time to consult with Cabinet, the Minister, Mr. Speaker, really, in other words blew the opportunity. He really blew the opportunity to proceed in a sound, sensible, reasonable fashion to try to bring out a will among communities to come closer together, to share services.

AN HON. MEMBER:  
Eric the Red.

MR. RIDEOUT:  
Eric the Red, the terrorizer, terrorizing municipalities from one end of Newfoundland and Labrador to the other. That was bad enough, he blew that opportunity, totally blew that opportunity to make some inroads in a way in which communities could be brought on side, to join together to amalgamate, at least to share services in a regional fashion. But having blown that opportunity, Mr. Speaker, the Minister then set forth and the Government set forth to attempt to use blackmail tactics to get communities to come on side with this ill-fated, ill-thought out, ill-conceived amalgamation scheme brought on by the Minister.

They attempted to blackmail communities into saying that if you do not give some indication of public support for our amalgamation proposals, you better not expect any capital works

considerations. There are a number of communities in this Province who have been very vocal, very vocal against amalgamation, and who have been totally ignored in this year's capital works Budget, totally ignored, Mr. Speaker. Then when they found out that that was not going to bend, of course, they started to try to alleviate the heat somewhat from some of those municipalities, and started to approve some funding for them, but then started the second round of blackmail, and the second round of blackmail, Mr. Speaker, had to do with the Department, the Minister directly, instructions to his officials to force municipalities to put in place certain mil rates. Never before, the Minister can shake his head, it is a fact -

MR. GULLAGE:

You have lost all your credibility.

MR. RIDEOUT:

You have lost all credibility, I say to the Minister. I say to the Minister he has lost all credibility. The Minister should not be concerned about my credibility, he should be concerned about his own. The Minister out there in the municipalities of Newfoundland and Labrador today, on three or four different issues now related to, but all part of the amalgamation process has totally blown it, Mr. Speaker. Totally blown it. Yes he is just as great as the Minister of Finance, we saw how great the Minister of Finance was last night and again today. Hoof and Mouth Disease of the highest order. The Minister cannot open his mouth at all, whether it is on a payroll tax or on a constitutional Accord without stuffing the foot, ankle and all, almost up to the knee caps, right

in his mouth, right in the gob, and the Minister of Municipal Affairs is getting just as bad. He is terrorizing communities from one end of this Province to the other, he gets up with the gall of calling those hearings, feasibility studies. Feasibility studies! They are not feasibility studies.

AN HON. MEMBER:

This is on radio.

MR. RIDEOUT:

I am glad it is! I am delighted that it is and I hope people are listening to it in communities, the dozens of communities that this Minister is trying to force into amalgamation. I really hope it is. But the Minister wants people to believe half the truth again, that this is a feasibility process, it is not! It is a public hearing process on one issue, amalgamation - it is not on the feasibility of amalgamation among various municipalities in this Province at all, and the people of the various communities saw through the Minister's plan very, very quickly. He would have been much wiser to try to lead by bringing people willingly, willingly to the amalgamation process rather than try to take them there with the terrorist approach, and the blackmail approach that he has taken over the last several months.

AN HON. MEMBER:

Either that or resign.

### Orders of the Day

MR. SPEAKER:

Motion 12.

I believe the Member for

Lewisporte adjourned the debate.

The hon. the Member for Lewisporte.

MR. PENNEY:

I believe it is eighteen minutes. Thank you, Mr. Speaker. When I adjourned the debate last night, I had presented to the House of Assembly my understanding of the position that Canada was in, my understanding of what the constitution was all about and why it was not accepted by Quebec, what Quebec proposed we do about it to accommodate them, and we had led up to the Meech Lake Accord and that is where I finished last night.

Now the Premier of this Province and the new Liberal Government has been fighting the Meech Lake Accord for one reason, it is because it is simply not in the best interest of Newfoundland and Labrador and, Mr. Speaker, it is not in the best interest of Canada. The primary concerns we have are related to, number one; the creation of a special legislative status for one province, number two; the restrictions of the Federal spending power that will prevent the achievement of equality of opportunity for the people of Newfoundland, vis-a-vis other Canadians and will keep them in a permanent state of economic disparity. Number three; the extension of the constitutional veto to all provinces that will effectively nullify all hope of Senate reform and prevent Newfoundland and Labrador from ever becoming a full participating Province of Canada.

Now if I might take a few moments, Mr. Speaker, to look at each one of these concerns. First, the objection to the distinct society

clause and the special status. The legislative status that will be given to the French speaking people. This status will only be given to the French speaking people in Quebec, Mr. Speaker, not to the French speaking people in New Brunswick or Nova Scotia or Newfoundland. Certainly the French people in Quebec are different from us. They have a distinct language. They have a distinct culture, and they have a distinctly different legal system. And it is fine that they want to protect it. As Newfoundlanders we can realize the need to protect and preserve everything that is rich and distinct in our heritage and in our culture. But Newfoundland is every bit a distinct society in a cultural sense as any other place in Canada, including Quebec and we must never, ever forget that fact.

We too have our distinctive features that make us what we are, Newfoundlanders and Labradorians. We too want to protect and preserve that which makes us different. What we must realize is that Quebec has been able and continues to be able to promote its distinctive character with its existing legislative powers and certain direct and indirect protection already guaranteed by the constitution. Meech Lake simply goes too far, Mr. Speaker.

But let us not forget that we are also similar in many respects as Canadians. There is a sense of fairness, there is a sense of being Canadian that brings us together. We believe in equality of opportunity. We are very much alike in our recreational pursuits. We all have a common interest in our National Game, Hockey. We do not all cheer for the Toronto Maple Leafs, I suppose.

AN HON. MEMBER:

I do.

MR. PENNEY:

Well we all do not. Some of us cheer for some of the other teams, but we all appreciate the game, and I am sure we all feel very proud when our national team wins a game. But that is part of our common heritage. It is part of what makes us Canadians.

Mr. Speaker, to accept Meech Lake as it now stands is to consign Newfoundland to second rate or third rate status in what should be a full partnership position in the Canadian Federation.

SOME HON. MEMBERS:

Hear, hear!

AN HON. MEMBER:

That is right.

MR. PENNEY:

The Meech Lake Accord is fundamentally wrong because it fails to reflect the one non-negotiable fact of nationhood in a Federal state. Every citizen of Canada has the right to expect equality with every other citizen in the land regardless of where he or she lives.

SOME HON. MEMBERS:

Hear, hear!

MR. PENNEY:

Regardless of whether he lives in Ontario or Manitoba, Quebec or Newfoundland.

The second main concern is the restriction on the Federal spending power. For this Province it is important to have a strong central Government with the capacity to initiate and implement national, social and economical programs designed to promote equal

opportunity for all Canadians and to redress regional disparity. These include national programs in areas of exclusive provincial jurisdiction whereby the Federal Government while not, of course, administering the program establishes firm minimal national standards.

The Canadian Medicare System is one such program that very well might not have been possible under a program like the Meech Lake Accord. Another much needed program that would in all likelihood never happen, if Meech Lake passes, is a national day care program. Let me give you another example, Mr. Speaker: Suppose the Federal Government were to say that many municipalities in the country do not have adequate water and sewer, but they do not have an adequate tax revenue to provide these services.

So the Government of Canada decides to provide financial assistance to every municipality that say has a per capita tax base of under \$5000. Now that would help us tremendously. That would benefit Newfoundland and Labrador to no end. But it would apply all across Canada, of course, as it should, because we in Newfoundland and Labrador are no more special than the people in Quebec. We are no more special than the people in Ontario or British Columbia. But Mr. Speaker, we are no less special either.

So such a program would apply all across the country as it should, and it would help correct the disparity in Newfoundland and the disparity in New Brunswick and in Prince Edward Island, it would help bring us up to a comparable level with Ontario and Quebec.



Except, Mr. Speaker, under Meech Lake Ontario and Quebec would have the right to opt out. They would have the right to opt out and get pro rata compensation. I understand they would probably very well do just that, and they will continue to maintain their municipalities so much ahead of ours. The ability to opt out of national cost-shared programs, particularly in the case of the larger provinces, and receive compensation would create a tremendous disincentive for the Federal Government even to initiate new programs.

Inevitably the result would be a patchwork of programs across the country with different standards and a steadily weakening commitment to reduce regional disparities and promote equal opportunity for all Canadians, especially in the poorer disadvantaged regions. Equally inevitably this will steadily weaken our sense, however fragile, of national community, and that, Mr. Speaker, is our main concern. Canada will be a better place if we recognize that we are all provinces of Canada and that we all, as provinces, have the same standards and that no province is entitled to special status. Not Quebec, not Ontario, not British Columbia, and not Newfoundland, not any province. We are all fully participating provinces of Canada and we are all Canadians of equal opportunity in this country.

The third concern, Mr. Speaker, which some would argue to be the most important is the extension of the Constitutional veto. The Constitutional veto or the right to turn down the Constitution to all provinces might very well accommodate Quebec, but it would effectively halt all significant

Constitutional change, most notably Senate reform. Meech Lake, if it goes through, will require a unanimous approval of every province in order to reform the Senate instead of the existing system that we have now requiring only seven out of the ten.

The importance of Senate reform to a Province like ours, Mr. Speaker, cannot be overestimated. Since we joined Confederation there have been people making the case that because we are a small population and have only seven Members in the Federal Parliament we have little say in Federal decisions, and we should have little say in Federal decisions. They say we cannot have any real say because our numbers are so small, and compared to Ontario and Quebec we are very unimportant. And Mr. Bourassa says we should accept this and say nothing about the condition we find ourselves in and be thankful for the crumbs that fall from Quebec's table.

Mr. Speaker, I say that is not acceptable. In 1961 the average earned income per person in Newfoundland was 53 per cent of the average for Canada. In 1987 Newfoundland's average income was still only 56 per cent of the Canadian average. As the Premier said in his presentation a few days ago at that rate we will eventually catch up. It will only take 300 years. Instead of the poorer Atlantic Provinces getting a larger share of regional development money they now get a smaller proportion and, of course, Newfoundland gets the least of all. The reason for that, of course, is that the programs that are intended for the poorer regions are soon extended to the richer regions because the MPs for those more populace areas vote to

get these services and these programs for their constituents. I do not blame them for that because that is what they were elected to do, represent their people, and they do it well.

At the present rate of growth, Mr. Speaker, within just a few years, Ontario will have half the population of this country and then they will have the power to impose Government policies for the entire country, from British Columbia to Newfoundland.

The beauty of a federal system of government is that it accommodates and balances the needs of all the individual parts to make up the whole. Canada made a gross error in 1867 - they probably made a gross error in 1986 too - but 1867 it made a gross error in not putting the federal system in place properly. The members of our Senate are allocated proportionately to population and appointed at the discretion of the Prime Minister, which gives Quebec twenty-four, Ontario twenty-four, gives little Prince Edward Island only four, and it gives us only six. The United States of American did not make that error. The state of Vermont, for example has fewer people than Newfoundland but it has two senators. The state of California has a larger population than the entire Dominion of Canada and it too, has two senators. They have a balanced functioning federal state. When the hon. Member for Green Bay spoke here the other day he said that the senators from Mississippi were not equal to the senators from California. I would like to suggest to you, Sir, that the senators are all equal. They all have the same size vote, they all have the same number of votes, so they are equal in all respects.

If Newfoundland and Labrador is ever to become a full participating Province of Canada we must have senate reform. That is why our Premier and every member of this Government is supporting the Triple E Senate proposal, a Senate that is elected equal and effective. Mr. Speaker, I will add, that is not the opinion of the Premier, that is not the opinion of part of this caucus, that is the opinion shared by every single man and woman in this caucus.

The Opposition argues that instead of giving more authority and power to a central federal Government we should be giving more power to the provinces. Mr. Speaker, what good is power if we do not have the financial ability to do something with it? We have had complete power and jurisdiction in Health, but for the past few years the Government of the day has been continuing to close hospital beds because they did not have the money to keep them open. Now, fortunately with our new Government we are reversing that. We are re-allocating the few dollars that we have and we are opening the beds that the previous Administration closed. The same applies, of course, to Education. We have complete power and jurisdiction but we do not have the financial ability to provide the kind of Education we need.

Mr. Speaker; what would we do if we get total power and jurisdiction over the fisheries? This is what they are proposing, total power and jurisdiction over the fisheries. How would we pay for the cost of patrolling 400,000 square miles of the North Atlantic? If we carried the Opposition's power trip, and that is what it is, Mr. Speaker, it is

just a power trip, if we carried it to its logical conclusion, and let us reduce the Federal Government's power to something that I suppose they would have to concede, defence matters, that would have to rest with the Federal Government, let us give all other powers to the provinces. What would Newfoundland do then? Where would we get the money to pay for the unemployment insurance? Mr. Speaker, where would we get the money for Medicare? Where would we get the money to subsidize the transportation cost to Labrador? Where would we get the money to maintain and improve our highways? And where would we ultimately get the money we need to build a Trans-Labrador Highway? To a small province like Newfoundland, in great need of help from the nation, reducing the power of the Federal Government is the worst possible thing that could happen.

It would ultimately spell disaster.

The hon. the Member for Grand Falls wishes to give me extended time.

MR. SIMMS:

Yes.

MR. PENNEY:

Thank you.

Mr. Speaker, the Newfoundland Government does not object to the recognition of Quebec as a distinct society - on the contrary. On the basis of language, culture, and legal system Quebec is distinctly different from any other society of Canada. That however, does not give it status and rights that no other Province has.

It is a serious contradiction to defend the collective rights of one group by suppressing the rights of others. Mr. Speaker, we will not allow that to happen.

As Premier Wells stated to the First Ministers in Ottawa, and the hon. the Member for St. Mary's - The Capes (Mr. Hearn) repeated yesterday, the worst flaw in the Accord is the process that results in eleven First Ministers telling the 26 million people of Canada how they will be governed. Instead of the 26 million people of Canada telling the First Ministers how they will govern.

It is supposed to be the government of the people, by the people, and for the people. Not government of the politicians, by the politicians, for the politicians.

SOME HON. MEMBERS:

Hear, hear!

MR. PENNEY:

Mr. Speaker, the stand that we have taken is being supported not only by the majority of Newfoundlanders but by the majority of Canadians, and that is evidenced by the mail that is coming in from all over the nation every day. Mr. Bourassa's 'all or nothing' approach must be rejected.

I would like to close with a quote from President J.F. Kennedy, he once said: 'Let us never negotiate out of fear but let us never fear to negotiate.'

This is the spirit that must guide future debate on the Meech Lake issue and it must be done without intimidation from anybody anywhere in this nation, so that all across this country we can be considered

equal.

Thank you very much.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Member for Harbour Main.

MR. DOYLE:

Thank you, Mr. Speaker.

I am very pleased, Mr. Speaker, to have the opportunity today to stand in the hon. House and to express a few thoughts and a few views on one of the most important issues to face the Province of Newfoundland in quite a number of years. As a matter of fact, it is probably one of the most important issues to face the people of Canada in a lot of years.

Over the last number of days, Mr. Speaker, we have heard many, many fine speeches from Members on both sides of the House of Assembly and that was a prime example of a fine speech we heard just a moment ago.

We have heard many passionate speeches, we have heard technical speeches, we have heard, in some instances, very informative speeches and, in a lot of instances, very fiery speeches. But I guess the one thing that all the speeches that we have heard in the House of Assembly over the last couple of weeks have in common, is they all reflect a concern, a deep, and in some cases, a very passionate concern for the welfare of this great country of ours. And well we should be concerned because, as was said, Mr. Speaker, initially, it is one of the most important issues to face the people of the Province and the people of Canada

in a lot of years. We have heard Members speak about their vision of Canada and what Canada should mean to each and every one of us. We heard the country referred to in glowing terms. In some speeches we had it referred to as a family, and I do not think I would be too far out, Mr. Speaker, if I were to say that the family, the Confederation family that we are living in today, is certainly on the verge of break up and break down.

It might be a breakdown that we may never, never recover from. And when we get right down to it, Mr. Speaker, it is hard sometimes, to be a member of the family, because you have to live together and you have to work together, and even, on times, you have to bicker and you have to fight together. But the one thing we all hope for is that at the end of the day, no matter what happens, the family stays together. That is what people right across this country are hoping for, that is what they are wishing for, that the family will remain together after all this fighting and bickering is over.

Mr. Speaker, this family is in grave trouble, as everyone in the country is well aware, and unless we move quickly, unless we move very expeditiously to save it, it could very well be the end of the nation, the end of the country as we have known it for many, many hundreds of years. It may well be the turning point, the beginning of a new nation, a nation that is going to be very much different from what it is today.

I do not believe that any Member in this House, any person in Newfoundland or across Canada, should be selling Quebec short.

Tempers are running very, very high in the Province of Quebec right now, and a lot of discussions are going on as to whether they would be better off in some other forum, either sovereignty association or completely separated from Canada, and some of the debate we have seen in the House of Assembly over the last twenty-four hour period, really does not do anything to assure the people of Quebec that the nation has their best interests at heart.

We saw the Minister of Finance, just a few hours ago, less than twenty-four hours ago, rise in his place and make some very inflammatory remarks with respect to Quebec. To say that we now have Quebec now in the position they have had us in for years can only be termed by the people of Quebec as being very inflammatory. I am sure the people of Quebec today are looking at those remarks of the Minister of Finance, a senior Minister in the Government of Newfoundland, and they are taking a very, very dim view of it.

The Minister of Finance has embarrassed the people of Newfoundland, he has embarrassed the Government of Newfoundland with these remarks and, I might say to him -

AN HON. MEMBER:

And he has embarrassed the Premier.

MR. DOYLE:

Yes, he has embarrassed the Premier, and that is for sure. I do not believe he has done the Premier's credibility much good in this particular instance, and certainly not the credibility of the Province of Newfoundland. Now, we take no great pleasure in

that, in seeing remarks like that made by a senior Minister in the House of Assembly. But, Mr. Speaker, they have been made and, as I said, it does nothing to assure the people of Quebec that we have their best interests at heart.

The question we have to ask ourselves in this debate is, do we want to preserve this country and build on it and make it grow, or do we want to tear it down, do we want to tear it apart, break it up and look on as the country we respect and we love and we admire disintegrates right before our very eyes?

Mr. Speaker, the first step in that whole process is to bring the family together, and that is what the Premiers were trying to do back a year or so ago when they began this process. We all realize that further reform is necessary, but we cannot have further reform if we do not have all members of the family coming together in order to make that reform. So the question we have to ask ourselves is do we want to break the country up, or do we want to build on it and do we want to preserve it? I believe most people, Mr. Speaker, when faced with that type of decision, would opt for the latter, to build on it and make it grow. So we have some fundamental choices we have to make and we have to reflect on. Do we want to be nation builders, or do we want to tear the whole thing apart?

Government says, Mr. Speaker, that we cannot afford to pass Meech Lake in its present form. I think a better question which has to be asked, a much better question and a more appropriate question, is can we afford not to pass Meech

Lake in its present form? We hear a lot of the Premiers in the country today saying that it is not a perfect document, and we all realize that it is not a perfect document. No document which attempts to do what the Meech Lake Accord is attempting to do is ever a perfect one, but the question we have to ask is how long do we have to wait for a perfect document? How long will we have to wait before we can have a Constitution which takes into account every concern of every individual and every Canadian in this great country of ours?

The Premiers of the various provinces, Mr. Speaker, worked long and hard to bring us to where we are today, and they realized, when putting this particular Constitution together, that it did not address the concerns of every single individual, every single person, every group, every minority, every institution in the country, but I think everyone agreed that it was a good first step, it was an excellent first step, yes, a big first step forward that set out and accomplished a lot of objectives.

So now, Mr. Speaker, we are at the crossroads, and the decisions which have to be taken in the next few months are certainly going to determine a lot about how we are going to be able to live in this country for the next one hundred years or more.

Some people are saying it is bad for the country, a lot of people are saying it is good for the country, and your mind has to go back to the free trade debate, which was on the go a number of months ago, and you had some Members opposite going from door to door telling people they were

going to lose their old age pensions, their baby bonus and their social programmes if the Free Trade Agreement went through in the form they had before the people. And they were quite effective, Mr. Speaker, because people believed that, that they were going to lose their pensions and their baby bonus and their UIC if we had the Free Trade Agreement as it was drafted.

Mr. Speaker, what we see before us now is quite possibly the breakup of the nation. The Member for Green Bay last night, Mr. Speaker, referred to the social programmes we have in Canada and the possibility of losing those social programmes should the country as we know it today break up. And that is a very real possibility, a very serious possibility. It is not like the debate which went on in the free trade debate, where people were spreading rumours and spreading lies, essentially, about losing social programmes. But we could very well lose our social programmes today, Mr. Speaker, if the country breaks up, and every indication is being given that that could very well happen.

So we have strong opinions being expressed on both sides of the issue, and there are some very, very knowledgeable people in the country who are definitely coming down on the side of Meech Lake.

I was surprised the other day when I heard the Leader of the Opposition say that approximately 85 to 90 per cent of the constitutional experts in the country today agree that Meech Lake in no way threatens the other provinces of Canada - that Meech Lake in no way threatens the other provinces of Canada, 85 to 90 per cent of the constitutional experts

in the country agree with that. So there is a lot of support for the Accord, Mr. Speaker - a lot of support for the Accord.

Is David Peterson, the Premier of Ontario, wrong? He supports the Accord. Is he wrong?

SOME HON. MEMBERS:

Yes.

MR. DOYLE:

David Peterson is wrong. What about Joe Ghiz over in Prince Edward Island?

SOME HON. MEMBERS:

Wrong. Wrong.

MR. DOYLE:

All wrong. I see. John Buchannan, Mr. Speaker, the Premier of Nova Scotia, he is wrong.

MR. FLIGHT:

He is a PC.

MR. DOYLE:

Richard Hatfield, I believe he was one of the people who signed the Accord, he was wrong as well? And Brian Peckford was wrong too, I suppose? And Premier Getty of Alberta, he is wrong, and Vander Zalm and Grant Devine. All these people, Mr. Speaker, are wrong. We are the only ones who are right, we are the only ones in step with the country. Mr. Speaker, I make no wonder that 85 per cent of the constitutional experts in this country are firmly on the side of this Accord. Mr. Speaker, the Accord was supported by a lot of Premiers in this country and they must have supported it for a reason.

The Premier says he is getting a lot of support from right across the country, a lot of mail rolling

in to him. Well I would say to the Premier that he should not put too much confidence and too much credence in the handful of bigots and rednecks across this country who are writing him and telling him to keep fighting Quebec. Mr. Speaker, I would caution the Premier to not put too much credence in that.

Mr. Speaker, what we see, I suppose, is a polarizing of attitudes in the country. The Meech Lake clock keeps ticking away to June 23, and a lot of people are getting very, very concerned about what is going to happen. It is disappointing, as well, Mr. Speaker, to see the Premier using the Meech Lake issue now in a cheap way, as witnessed by the headlines in the paper today: comments that were made by the Minister of Finance over the last twenty-four hours, very disturbing comments, which I am sure are inflaming an already very tense situation in the country.

What does the Meech Lake Accord do, Mr. Speaker? What does it do? It accomplishes the objective, the main objective of bringing Quebec into the constitutional family. That is the first and most important thing the Meech Lake Accord does. It gives provinces a say in the makeup of national institutions like the Senate and the Supreme Court of Canada; it gives provinces a say in immigration as it affects a particular province. The Premier would not have to be on the phone calling the Prime Minister, asking him to do something about the refugee problem we have in Newfoundland right now, he would have a say on immigration policy as it affects his own particular Province.

It provides an ongoing process, Mr. Speaker, of First Ministers' conferences on the economy, which is something very, very important; it makes mandatory, as a matter of fact, ongoing First Ministers' conferences on the Constitution, so that instead of going to the constitutional table every ten, or fifteen, or twenty years, when a crisis occurs, there will be an ongoing constitutional update on a timely basis, on a regular basis, probably on an annual basis. That is very, very important as well. And it provides for immediate consideration of Senate reform and the issue of responsibility in the fishery.

The three main arguments being used by the Government of Newfoundland for rejection of the Accord is that through the distinct society clause Quebec gains new legislative powers. That seems to be the main reason for Newfoundland's objection to the Meech Lake Accord. Because the distinct society clause gives Quebec, they say, new legislative powers and that a greater definition of Senate reform should be in the Accord and that the formula for change we see in the Accord is much too rigid. That is what Members opposite are saying. On top of that, they make the point, as well, that the Accord constitutionalizes regional disparity forever and a day, that we can never rise above where we presently are because the Accord constitutionalizes regional disparity.

Well, Mr. Speaker, I cannot stand here today and say that I know a great deal, I suppose, about the Meech Lake Accord. I am not a constitutional expert, I am not a lawyer and I do not purport to know as much as some people about

the Constitution of Canada, but, with respect to the three points the Government are making, that through the distinct society clause, Quebec gains new legislative powers, that the definition of Senate reform is much too rigid and that the constitution entrenches regional disparity, some of the best minds in the country are saying, no, that is not the way it is at all.

I am sure Members opposite have seen the article by Gordon Robertson, 'Dispelling The Myths That Surround Meech.' It deals specifically with those three points. And I believe he is regarded in the country as a constitutional expert.

MR. SIMMS:

A former Cabinet Secretary.

MR. DOYLE:

Well, he was a former Clerk of the Privy Council and author of 'House Divided', 'Meech Lake', 'Senate Reform' and 'The Canadian Unity'.

MR. SIMMS:

He knows more than the Member for (inaudible), that is for sure.

MR. DOYLE:

Mr. Speaker, I am not going to read that, but I would say to Members they should read it, because it dispels the myths that Members opposite have been articulating for the last couple of weeks. He says that these points the Government of Newfoundland are making are invalid, they are not valid at all. The distinct society clause, we are told, simply recognizes the reality of the nation and, while it can be argued that we are all distinct - and I guess we are distinct here in Newfoundland as well to some degree, that is true



- we are a distinct bunch of people here in Newfoundland. We have to admit that the extent of Quebec's distinctiveness is greater than any other part of the nation. The extent of Quebec's distinctiveness is greater than any province in the country, given its different language, given the different culture they have, the special provisions Quebec has had ever since 1867. So more importantly, Mr. Speaker, as it relates to Newfoundland's objection to the distinctiveness of Quebec, there are no powers transferred as a result of that clause in the Accord, to which Members opposite have been saying directly the opposite. There are no powers transferred as a result of that clause in the Accord. There is a specific provision in the same Section as the distinct society clause that says nothing in that Section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the Legislatures of the Governments of the Province, including any powers, rights or privileges related to language. It simply allows Quebec, Mr. Speaker, to promote its distinctive character, using the existing powers they now have, if the courts agree.

MR. NOEL:

So why are they going to leave Canada?

MR. DOYLE:

So, Mr. Speaker, it simply allows Quebec to promote its distinctive character using the existing powers that they have now and if the courts agree in their interpretation of that clause. No new powers created. No powers transferred to the Province of Quebec.

MR. NOEL:

Bourassa is going to love you.

MR. SIMMS:

Mr. Speaker, could you name that Member, please! He is constantly at it.

MR. DOYLE:

And in addition to that, Mr. Speaker, that section also contains a provision which says that the constitution shall be interpreted in a manner consistent with the recognition of the existence of French speaking Canadians centered in Quebec.

MR. SIMMS:

Right on!

MR. DOYLE:

Therefore in any interpretation of the distinct society clause by the courts that provision has to be considered. And the Members opposite, Mr. Speaker, put a great deal of credence in Senate reform, that is to be the panacea.

AN HON. MEMBER:

The saviour of the world.

MR. DOYLE:

That is to be the saviour for Newfoundland, if we can only get Senate reform. But, Mr. Speaker, in order to get immediate consideration of Senate reform in the first year after the Accord is finally signed, if it is signed, it is totally and absolutely and completely unrealistic. At this point in time, in any event, there is no consensus among the various provinces in Canada on what form a new Senate should take in the country.

It is acknowledged by an awful lot of people, most experts in the country acknowledge the fact that Senate reform is needed, and

possibly at some point in time the total abolition of the Senate. That might be what may eventually happen to the Senate of Canada. But to expect to suddenly bring about Senate reform overnight without having all of the provinces, especially a province like Quebec with a population of 6 million people, without having all of the provinces of Canada at the constitutional table to decide upon Senate reform, it is totally and absolutely unrealistic.

Mr. Speaker, it is not a perfect document, as I said, but it is one that we should build on. I was encouraged this morning, as a matter of fact, as I was driving in over the road, listening to the Open Line Program, and I heard Fraser Marsh, the President of NAPE on one of the Open Line Programs, make the point that the debate that is going on in Newfoundland right now should not only be going on in the Newfoundland House of Assembly, it should be going on in every classroom and every municipality and every town in the Province. It should be going on everywhere.

One of the main ways to ensure that the public is or becomes a better informed public, and to ensure that that happens there is no better way than the public hearing process. I would imagine Members today saw the editorial in The Evening Telegram referring to some of the advantages of the public hearing process in the country. And I will just read briefly from it, Mr. Speaker. The editorial reads 'Premier Wells last week rejected Opposition demands that he hold public hearings on Meech Lake before the House of Assembly passes its resolution to rescind the Accord. At the same time he noted that he

had a responsibility to make more speeches all over the Province to educate people about the affects of the Accord and what these affects would be if passed in its present form.'

And what better way, Mr. Speaker, to ensure that the people of the Province become totally and completely and absolutely informed than to have a public hearing process.

MR. SIMMS:  
Right on!

MR. DOYLE:  
If the Premier at some point in time is going to put the question to a referendum surely he would want the people of the Province to know what they were voting on before they started to vote.

So the Premier cannot have it both ways. He cannot have it both ways. He should today, immediately, put a Committee in place to go around the Province and to hold public hearings and to give people the chance to come forward and to give their views on this subject.

Mr. Speaker, I will clue up now because I am sure there are other people waiting to speak in this debate, and as the Meech Lake clock begins to tick away, I am sure the Members will vote according to their conscience and realize what we are doing here. It takes people of vision to build a country, it takes people of vision to rewrite history. And this is the anniversary of Confederation this last week and I wonder where we would all be if men of vision and good will had not sat around a table so many years ago to put this country together.

So Mr. Speaker, -

MR. SIMMS:

Just read that little paragraph from the editorial, and that says it all.

MR. DOYLE:

Members are anxious for me, Mr. Speaker, to read this little paragraph in the editorial so I guess I will before I take my seat. This is the editorial in Today's Evening Telegram. 'Constitutions are made for people not politicians, as Mr. Wells has rightly stated; that being said, it has to be admitted that the people of this Province have had very little input into the document which means so much to them and the future of their country.' But I do not imagine, Mr. Speaker, the Premier is going to put in place a public hearing process. I do not know if he is all that anxious to have the people of the Province made fully aware of what he is doing here. And as I said, the decision we are asked to make today or over the next number of weeks will either bring this country closer together or break it totally apart.

SOME HON. MEMBERS:

Hear, hear!

MR. DICKS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Justice.

MR. HEWLETT.

(Inaudible) from Plato.

MR. DICKS:

Thank you Mr. Speaker. I hope the hon. Member for Green Bay reads better than he recalls because it was not Plato as my memory serves me. In any event, Mr. Speaker, I

am pleased to rise on this occasion in the House and see my colleagues and Opposition so anxious as they fill the ranks over here to be educated on the favourable aspects of Meech Lake notwithstanding their own personal remarks to the contrary. I would hope in the course of these remarks to disabuse the Members of the Opposition of some proposals and thoughts they put forward in defence of Meech Lake which they voted for some time ago and which has proven itself to be a troublesome document at best.

First of all I would like to point out to the Member for Harbour Main that his statistics are probably as flawed as the Constitutional advice the Opposition has been getting, and that even in the course of his own remarks he first said that the number of Constitutional experts in favour of Meech Lake was 90 per cent and then later changed it to 85 per cent less than two minutes later. He probably speaks to the fact that by now at 4:30 - zero Members and Constitutional experts are probably still in favour of Meech Lake. And if that is not the case I am sure that will be the case at 5:00 p.m. when I finish speaking this evening.

Mr. Speaker, it is unfortunate that such an important debate in the history of the country and the Province has along with it, brought so much rancour and bitterness that we have heard in the press and it is alluded to by the hon. Member, seems to have brought out some bigots, but I think that it is unfair to characterize the Opposition to Meech Lake in this country as representing only the bigots of the country, because I submit that that is clearly not the case, that

there is a lot of thoughtful opposition to the Accord for many legitimate reasons.

There are many thoughts being put forward at the present time in the country that really are not borne out by the experience that we have gone through. And I would like to recount that starting in the early 1970's when the first Constitutional attempt was made by the then Prime Minister, Pierre Trudeau, to bring back the Constitution to Canada. And at British Columbia, Victoria and Vancouver at the time, an Accord or an agreement was struck to repatriate the Constitution. And that fell down because Mr. Bourassa, who was then the Premier, and since resurrected himself some years later in about 1984 or 1985, first agreed and then later disagreed with the proposition. And at that time we did not hear any opposition in this country saying that we could not hold back Constitutional reform because one province was opposed to it, but instead the country then went through a process of some ten or twelve year in which it attempted to bring all the provinces into some consensus as to what Constitutional change should be in this country.

Then in 1982, we had a very significant event when there was a repatriation of the Constitution from England, where it had remained for some years, since 1867, but gave us authority over our own constitutional future and had coupled with it A Charter Of Rights And Freedoms. That had the consent of nine of the Provinces and again, one particular province, Quebec, was not left out but refused to join, and the Premier of Quebec of the day, Mr. Rene Levesque, an avowed

separatist with his own agenda, but in many ways an intelligent and I think very fair-minded and honest individual, said that the Accord of the day, or that agreement, did not meet his own view of what language protection should be for Quebec.

Whether we agree with his rationale or not, in any event Quebec did not accept the Constitution at that time, so after that we again heard and probably for the first time that we had to bring Quebec into this Constitution which we had repatriated. That it was significant enough that one Province was left out of it, that the country and the Government and the subsequent Government took upon itself the task of trying to come to a new agreement to expand the Constitution to include legitimate considerations of one of the largest provinces in the country, representing approximately one quarter to one third of the population. Quebec then brought to the table at Meech Lake, five demands, that it said would have to be met if it were going to join in the Constitution. These were its demands that must be met. Mulroney, the Prime Minister at the time, being the great negotiator he was, having heard for five, gave him seven, and we ended up with the Meech Lake Accord, that frankly, surpassed the demands of Quebec and at this point in time, create for us, what has become, through a large extent an almost insurmountable series of constitutional difficulties, because what was put in that constitutional accord of the day, was fatally flawed in many respects, and our Resolution very much seeks to correct and address this. Now the interesting thing

about the debate since Meech Lake Accord was first brought to the country in about 1987, is that we have not heard that it is important to proceed and to try to bring the dissenting provinces and those who have expressed serious doubts into the Constitution, that for some reason, many of the political leaders in this country, and that includes the Prime Minister and Mr. Bourassa, have refused to engage in reasoned considered debate as to what the issues are and to speak, not only for their own parochial interest, and I think in Mr. Mulroney's case, it is a matter of preserving an electoral majority in Quebec, and in Mr. Bourassa's case I do not know really what he has at hand, except that he engages in a certain amount of stonewalling and has the temerity to make certain comments that I think, most Newfoundlanders find insulting and certainly have not enlarged his audience across the country. He brings to it as well, an element of brinkmanship, when he says to us that 'the Meech Lake Accord represents an unlimited risk, if we do not agree to it'. Well he is right in that, except that we would probably differ with what that risk is, and I think the risk was perhaps best stated by Jacques Parizeau, who is Mr. Bourassa's counterpart in opposition in Quebec, who said that with Meech Lake, the separatist faction will win, either way, but if the country rejects it, it will enhance the Separatist feeling in Quebec and if we accept it, it will eventually result in Separatism, and that, to my mind is one of the more telling comments about what the effects of Meech Lake will be, and that as well has been borne out by the polls we have seen coming out of Quebec, because, in 1980, that

province voted 40 per cent for separation, but now as the result of the new Accord that is supposed to bring the country together, what has been the result of it? 67.5 per cent of Quebecers favours separation, while only 20 percent are in favour of staying part of Canada. Now what does that tell us? It tells us first of all, and in the biblical sense, that by your deeds shall ye know them, and if we want to look at what Quebec symbolizes and what Meech Lake symbolizes for this country, no more telling point can be seen than the fact that its effect, even before it is brought, and even before its approved, just the very thought that this will be the nature of the Constitution of this country, is going to bring about, instill and foster a very great divide in this country, to the point where one of our most populous province, which is in fact the second most populous province, sees separatism as the most viable option for itself.

I think that is singularly unfortunate. So having identified the problem, what are to be our attitudes and our response to that? I do not think it is fair to characterize opposition to the Meech Lake Accord or any legitimate second thinking of it, as somehow unfair to Canada, that we should accept Meech Lake in its full and present form as being the final document that we all will accept.

I think it is significant that at the time the Constitution was repatriated in 1982 Quebec had a very legitimate and full voice, not only in Quebec speaking for it but also in Ottawa. We had a French Canadian Prime Minister, the Federal Minister of the day, the Justice Minister, was from

Quebec, Mr. Chretien, who will probably be our next Prime Minister, and seventy-four of the seventy-five MPs were also from Quebec. So those who would have us believe that Quebec's interests were not represented are clearly in error because if one looks at the record it is very clear that the majority of the Liberal Caucus of the day was in fact from Quebec. In addition to that, Mr. Speaker, we have to remember that Quebec itself, while on the one hand disputing the 1982 Constitution, has itself invoked that very Constitution in each piece of legislation that has been passed since that time by using the notwithstanding clause.

So despite the fact that the province did not agree it has in fact, through usage recognized it, and its political leaders of the day at the Federal level supported the 1982 Constitutional Accord. Inasmuch as the province of Quebec has had full imput into that original constitution and that its concerns were taken into account in the 1987-88 Meech Lake proposals which went ahead and were largely adopted by the people of this country, I think we must look at their position and rethink what Quebec's legitimate demands are. If we look at the Constitutional resolution put forward by this House for adoption, the recision of Meech Lake, but yet at the same time addressing the legitimate demands of Quebec, it is very clear that those five original demands, as set forth, have indeed been met. Those five, Mr. Speaker, were that the country would explicitly recognize Quebec as a distinct society, would accord to that province a constitutional veto that would acknowledge a provincial limit on the federal

spending power, would give the province a role to play in the appointment of judges to the Supreme Court of Canada, and would increase the province's powers in matters of immigration.

Mr. Speaker, it is very clear the proposal that we have here before us today addresses each of those issues. First of all with regard to the distinct society clause, that is a matter more properly put in the preamble, and the reason for that is that if it is placed in the body of the agreement it will carry with it necessary legislative powers. What is difficult to accept, with the rationale put forward by the Federal Government, is that it says in Quebec, and holds out to Quebecers, that by inserting the distinct society clause in the Constitution it has given to Quebec a special legislative power and special authority over its own distinct society identity.

I suggest, Mr. Speaker, as our resolution entails, that that is essentially its language and to some extent its cultural affairs, but if we leave it in there without defining to some extent what that distinct society legislative authority will be, we leave it too vague and we leave open the possibility that the province will be able to contend in the future for its other purposes, that part of that distinct society is a distinct economic identity preserving itself at a certain tier of income in this country, and perhaps that is what underlies to some extent the stern opposition to senate reform which is also part of our proposal. In some senses, Mr. Speaker, the opposition to the Accord in this Province, and elsewhere in this country, is

legitimate recognition of economic consequences that it will entail, because if we approve the Accord as is, we are buying a clause which is essentially undefined and will be left to the courts to flush out.

The Prime Minister and his Quebec caucus clearly believe that this carries with it special powers to Quebec. The rest of the country is being told, no it does not. Now someone has to be right. It is one or the other and maybe we can live with one or the other, should we know what it is, but as it is, and not knowing the extent of that authority, then I do not think we should buy a pig in a poke, and we should not be so naive as to think that these things can be settled now and negotiated later.

Now why will the main players in this whole drama not address that issue. Mr. Bourassa says that the Accord as it is now represents Quebec's minimum demands. It was more than it requested in 1987. It was what it got, more than requested, but yet at this point in time he has refused to reopen the individual provisions which need further examination. And that I think is unacceptable.

That in as much as the Federal Government sought over some seventeen years to find a consensus that would enable Quebec to accept a new constitutional view of this country, I think that the Province of Quebec and the Government of Canada owe it to the dissenting provinces who do not approve the Accord: New Brunswick and Manitoba and also those that have express doubts: Alberta, British Columbia, Manitoba, and Newfoundland, of course, the right to review this and to eliminate

those doubts, such as they are.

What is of great concern as well: if we are ever to address the economic imbalances in this country then there must be another mechanism other than the House of Commons.

If that was not clear to us earlier it certainly became apparent with Mr. Bourassa's remarks, reminding our Premier and all Newfoundlanders that 'Central Canada contributed 51 per cent of our budget of which 68 per cent came from Ontario and Quebec.' Now clearly the meaning is there for us to read. But other than seeing it as a threat and somehow a disincentive to us to go ahead with it, I think we should try to look at that in a positive light. And that, yes, that is a very, very serious problem to us. The cause of that is clearly that the Central government, the Canadian federation is governed in large part by the provinces of Quebec and Ontario, so we must look for a mechanism to right that balance. That to my mind is Senate reform and until we have a Senate that has an equal voice in each Province, that is elected and that is effective, that can review measures passed by the House of Commons, and that to a large extent give us a system equivalent to the American, then I do not think to any great extent we will ever redress the economic problems in the country. Because we must find a way of curtailing the flow from the federal coffers repeatedly into the economic development of Quebec and Ontario.

Although we do receive transfer payments, and significant ones from the Canadian economy generally and particularly from Central Canada, our trade lines

were changed by virtue of Confederation. Senator Don Cameron, a few years ago wrote a very enlightening article, in which he detailed the economic history of the Maritimes. Up until Confederation in 1867 New Brunswick and Nova Scotia were the most wealthy provinces in Canada. He makes a very good argument that as a result of Confederation the traditional north - south trading lines from the Maritimes which were those of Newfoundland as well down through the eastern seaboard states and onto Jamaica to England and back to Newfoundland and the Maritimes were changed. That the railway, that the ties to Central Canada and the tariff system that we then had in operation compelled the Maritimers to trade with Central Canada rather than the Eastern seaboard of the United States, which was their natural market and still remains so to that day. My learned friend, the Minister of Development, quoted some interesting figures yesterday as to what our trade with the United States remains and is until this day. So that although we can look at receiving significant amounts from Central Canada, we also have to bear in mind that there is a considerable advantage to the Central Canadian economy which is largely manufacturing and industrial in trading back to us and sending to us goods that we would otherwise buy from other countries along our natural trading routes.

Now, Mr. Speaker, the document that we have before us details in many respects Newfoundland's alternate proposal. I mentioned the distinct society. I would like to mention the addition we have made, one of the great oversights which is also recognized by New Brunswick in its

motion is that the constitution as it is now drafted does not now include our Aboriginal people to whom this country originally belonged. As long as we owe that debt, and as long as we are the people who have in large part supplanted the native peoples, we have recognized that there is within our federation room for a legitimate role for the aboriginal people to play, and that we have a debt which is yet to be acknowledged and calculated. Although it is reassuring to some extent that the Federal Government has made a major treaty and settlement of aboriginal claims with the people of the Yukon.

So we are progressing towards that but I think it is necessary in moving forward that we also consider whether or not we should at this time, enshrine in our Constitution a recognition of those aboriginal rights, and that is something that our proposal seeks to do.

Immigration is also addressed. Giving to the Provinces and the Federal Government, in accordance with existing section 106, a right to negotiate special agreements on immigration. If there is certainly a current issue that speaks to the importance of our being able to control immigration and to hopefully foster it, but also recognizing that we as a Province may have unique needs and differences than exist in central Canada where they have a very great need for an immigrant work force to populate the factories and to do many of the jobs for which they do not have there native population at the present time.

Unless we can negotiate separate and distinct immigration



arrangements it is not going to be either in the Federal Government's or the Province's best interest, because it is clear at the present time we are absorbing something like 50 per cent of the immigrant refugee flow which is untenable in that many of the people who are coming here really will have to look for jobs and the future in Central Canada, and inasmuch as that will benefit the Federal Government generally those provinces in particular, there is a corresponding obligation to contribute more to the support than the 50 per cent we now receive.

So our proposal in that regard is also, I think, a due recognition of what must be done. But I think in addition to that we have to be careful of any separate agreement that is negotiated because it may adversely affect immigration flow into the country. As for instance the Quebec Agreement which allows for an additional 5 per cent, which if it were to be a similar agreement across the country simply could not work. I think the suggestion that we have regarding the Supreme Court indeed recognizes Quebec's demand for a roll and selection of Supreme Court judges. However that would require the approval of the Senate for these appointments which I think is a proper counterweight to a provincial interest as well.

I have already addressed the Senate reform and the Premier has spoken on it at length at other times and I do not wish to repeat many of the remarks that we have heard here in passing. We have also spoken many times about the danger in opting out of Federal programs and allowing any Provincial Government to do so because we in Newfoundland

particularly recognize the importance of general programs of application such as unemployment insurance, health care and so forth. I think the thread is there and it must be addressed as to the extent to which and the manner in which we are going to allow any provincial government to opt out of it to any extent that would endanger any national schemes that may be necessary and be proposed from time to time. And that may very well include programs such as day care that were promised in 1988 by the Conservative Government before the last election but was not delivered.

The legitimate demand of Quebec for a veto is recognized, but only to the extent that it would have it over a particular constitutional amendment which affect their language, culture and civil law.

Frankly, to go beyond that would impede and hold up any legitimate constitutional progress that should and needs to be made in other areas of the country.

So, Mr. Speaker, what is the result of the proposals that we now suggest to the country, and what is wrong with that? Why should, for instance, a veto apply to any greater extent than that necessary to preserve Quebec's distinct status? And we recognize that. But if a veto is to exist, and if it is to have legitimacy, then it should only exist to the extent that it is justified by legitimate provincial concerns, as Quebec has identified. And to move beyond the areas of culture and language that we have identified, and perhaps, some role in its civil law, which is unique, is to give to Quebec greater

powers and to essentially, fundamentally fragmentize the country beyond what can exist in any proper federal state.

Mr. Speaker, we also hear from time to time of a June 23rd deadline. I would like to point out that there is some flaw with bringing forward any particular deadline. First of all, there is no constitutional basis to say that the Accord, or any agreement, must be passed by June 23rd of this year. I really do not know where it originates, but the Prime Minister seemed to, himself, have set the deadline without embodying it in the Constitution, or anywhere else. This, however, has become part of the general debate surrounding Meech Lake, and I submit, essentially on a false basis.

There are some quotes that are interesting, and I think Howard Pawley was mentioned. But I did have some access to an article called, 'Lessening the Leap of Faith', which we are being encouraged to take by our Federal Government and some of the Provinces, to go ahead and ratify this Accord and let us see what the future holds, merely to keep the country together, or merely to keep Quebec in it as it is overstated from time to time.

This letter was written by Robert Howse, Al Meghji and Nigel Wright, who are students at Harvard Law School in Cambridge, Massachusetts.

The last paragraph of that article appeared in "The Globe and Mail" of February 15, 1990, and they deal with that particular point, as to whether or not there is, in fact, a legitimate constitutional deadline of June 23rd. They say there is, and I think that is a

proper interpretation of it. But they go on to say, and I quote: 'It may be that Meech Lake may die in June. That would be a blow to Canada, but it would be no less a blow if, in the rush to meet a deadline, politicians ran roughshod over one or the other vision of Canada. The future of Confederation depends on constituting a principled constitutional conversation. Properly understood, the tension between the two constitutional extremes may prove a surprising source of national vitality and save Canadians from falling victim to one of the other of today's leading political traits, soulless universalism and insular parochialism.'

Now, Mr. Speaker, we may not put it in those terms and we may have trouble, from time to time, getting out the terminology, but the point is well taken that there is no magic about a June 23rd deadline, that really, it is anti-climactic and I think it is counter-productive to suggest that it must be enacted by that time.

We should look at it as a positive process to encourage these sorts of dialogues. And I think the Premier has said on occasion as well in the Clarendville Packet of Tuesday, February 27, 'I say that the failure to accept the Meech Lake Accord will not result in a constitutional impasse. It will eventually lead to a better Accord and the strengthening of our nation for the benefit of all Canadians.' And I believe that to be the case as well, that it is of necessity going to be contentious any time a constitution is up for review, it is being negotiated. But that is part of the strengthening process of any country, that we were able to

vigorously debate matters which affect our future and to try to arrive at a consensus that is acceptable to us all.

Mr. Speaker, I would like to deal with two notions being promulgated from time to time in this House and the Premier being repeatedly questioned on them. One is the Premier has been accused of not having brought this to the electorate before the last election. The Premier has certainly tabled in this House on at least one previous occasion, incidents of where it was reported by the media precisely what his stand was on Meech Lake. I would like to add to that that in deciding to run in the last election one of the main determinants for running as a Liberal, having been a Liberal for many years, and perhaps just choosing this time, was that the Premier more than anyone else spoke to my concerns about Meech Lake.

SOME HON. MEMBERS:

Hear, hear!

MR. DICKS:

And I thought it was important. I respected his position and his articulation of the issues and it became for me a very important factor in deciding to run. So I think it is fallacious to even suggest that people were not aware of that prior to the election.

The other - and I am drawing to the end of my remarks, so I would just like to probably close with the following point. The Opposition often suggest that the Province of Newfoundland does not understand the Meech Lake proposal and what we are trying to do here. And I think, as is often the case elsewhere in the country, and I

had hoped it would never be heard in this House, there is a notion abroad that often tends to underestimate the native intelligence, intellect, of Newfoundlanders, and I very greatly resent that type of inference which is certainly not called for and has in many instances been proven untrue.

So I would like to deal first of all with the country and again quote from the Premier from a Globe and Mail of Thursday, March 22, 1990 which certainly picks up on our more prominent citizen. And the Premier, speaking generally of the country said the following "At the very least the public of this country is entitled to know what its First Ministers are planning to do with the constitution of their country. It does not belong to the First Ministers. It belongs to the country and it will be the bible by which their lives will be directed." Now we certainly engaged in an educational exercise to try to impart to the people of the Province and the people of the country what the concerns are and what the issues are about Meech Lake. And I have before me very clear proof of that. And I would like to end with some comments from an article by Janet Clancy, who is a Telegram staff writer, and I presume for The Evening Telegram, in an article entitled 'Student petition supports Wells in stand on Meech Lake.'

Apparently Ms Clancy went to Queen Elizabeth Regional High School in Foxtrap and spoke to some students there. Apparently Mr. Lloyd Johnson teaches a level 11 Democracy class which studied the Meech Lake Accord and decided to take action to ensure that it does not become a reality. And from my

recollection I think level 11 students are probably about fifteen or sixteen years of age. I would like to quote from some of those students.

First of all Patricia Ryan, 'We hope our support will make a difference. Clyde Wells needs all the support he can get because he is facing so much opposition.' Less so than the Opposition would have us believe, Mr. Speaker, but some no doubt. Another comment here from level 11 student Karen Foot, 'When we started to discuss the Accord in class no one knew the basic principles. When we found out what it was all about, we were not very happy about it.' And another quote from Susan Howe, 'We are the future generation and we are the people who will really have to deal with the results of the Meech Lake Accord.' And then Miss Foot goes on to say, 'I do not agree with classifying Quebec as a distinct society. I think Newfoundland is as distinct as Quebec. I also disagree with the demands that will be made on immigrants after they enter Canada. A certain number have to go to Quebec and this prevents them from having freedom of mobility.'

Very interesting, Mr. Speaker. Not only registering general dissatisfaction with Meech Lake, but with a particular clause of it, from a fifteen or sixteen year old student. But most telling - and I would ask the Leader of the Opposition to listen carefully to this one. The last person in this article who is quoted says as follows: 'I disagree with giving so much spending power to the stronger provinces.' This was from a Ms Rideout. And I would just like to say in closing that I am pleased to see that there is at

least one Rideout in the Province who very clearly understands the problems with Meech Lake. Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. WINDSOR:

Mr. Speaker.

MR. SPEAKER:

The hon. the Member for Mount Pearl.

MR. WINDSOR:

It being one minute to five, I adjourn the debate until whenever.

MR. SPEAKER:

The hon. the Member for Mount Pearl has adjourned the debate.

It has been moved and seconded that this House do now adjourn. Is it the pleasure of the House to adopt the said motion?

In favor, 'Aye'. Against, 'Nay'.

Carried.

The Speaker will be in the Chair at 7:00 p.m.

U N E D I T E D  
( R O U G H C O P Y )

The House resumed at 7:00 p.m.

MR. SPEAKER:  
Order, please!

MR. WINDSOR:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Member for Mount Pearl.

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

I have been looking forward to this opportunity to speak in what I think is really a very historic debate, the Meech Lake Accord. Specifically tonight, of course, we are speaking to the amendment. I want to speak more to the amendment; I will have another opportunity later on to speak to the Meech Lake Accord itself.

The amendment itself, Mr. Speaker, specifically suggests referring the resolution to a select committee.

Ah, ha! I thank my colleague. This is some ammunition for the Budget Debate which happens to be tied up. I would not want to miss that. I am waiting for the next time the Government has the courage to call the Budget Debate so I can get back to the poor, old Minister of Finance, as if he is not shell-shocked enough.

Mr. Speaker, the amendment specifically calls for referring the resolution to public hearings. That is really what we are talking about here. That is the issue we are really debating

tonight, why are we not having public hearings on this very, very important issue?

Mr. Speaker, The Evening Telegram, this evening has, I think, made a momentous break from tradition over the past few weeks and has an editorial which substantiates what we have been saying, and if I might just quote a brief paragraph it says: "Premier Wells last week rejected opposition demands that he hold public hearings on Meech Lake before the House of Assembly passes his resolution to rescind the Accord. At the same time, he noted that he had a responsibility to make more speeches throughout the Province to educate people about the effects the Accord will have if passed in its present form."

Now, Mr. Speaker, the contradiction is so clear there. The Premier is saying he has an obligation to make speeches around the Province. He challenged the Opposition Leader, Members of the Opposition and Members of Government to do the same thing, and indeed we should. As public representatives, I think we do have a responsibility to pass intelligent comment and observation and assessment on to the electorate. But the people have a right to speak for themselves, Mr. Speaker. We here, as fifty-two elected representatives, represent our own Districts. Each of us has a responsibility, and each of us, if we are doing our jobs, are out now every day assessing the views of the people of our constituency on this very important issue, and we are representing those views here in the House of Assembly.

But what is wrong, Mr. Speaker, on such an important issue, as The

Telegram also points out, is that if this is to go through, we will have passed the Accord, rescinded it, made amendments to it, and all of these things would have taken place without any public input, except through the elected representatives. So what is wrong? What is the Premier afraid of in having these public hearings? And what is the rush?

This afternoon the Minister of Justice stood in his place and said there was nothing magic about June 23. And perhaps he is right. This is such an important issue, maybe July 23 or August 23 is an appropriate date. He said that and I fully believe, as The Telegram does, that we could, indeed, hold public hearings between now and June 23 and give people the opportunity. If there was a willingness on both sides of the House of Assembly to hold public hearings, to allow this select committee to get to work immediately, over the Easter recess, cancel your trips to Florida and let us get on with the business of holding public hearings around this Province.

Mr. Speaker, why is the Premier afraid of the truth, to allow the people of this Province to hear the details and have an opportunity to have input? We must remember that all parties favoured the Meech Lake Accord, at the federal level, at the provincial level. Why did this change all of a sudden last year, or a year or so ago, when the Premier became the leader of the Party? Prior to that, the former leader was in favour and spoke in favour of the Meech Lake Accord, and it was passed in this hon. House. During the interim period, before it was passed, the Premier became the Leader of the

Opposition, at that time, and all of a sudden it changed.

Mr. Speaker, the important point I want to consider here tonight is this, that this is, indeed, a very, very critical issue, it is a national issue, one of the most important debates this particular sitting of the House of Assembly will deal with. It would be foolish for us to suggest that everything everybody on that side is saying is wrong and everything we are saying on this side is right, or vice versa, it is just too convenient, and that everybody over there has one opinion and everybody on this side has another opinion. Obviously, there is a little right and a little wrong on both sides of the House in what is being said. And this is what I am afraid we may be missing in this particular forum in the way it is being dealt with.

We are talking about putting together a nation called Canada. Canada, by its very character is composed of a diverse number of areas, regions and, indeed, provinces. It is special because of its diversity. And there never will be total unanimity on particular issues, I would suggest, on many issues. It is very difficult to get. And if Canadians right across this nation are not prepared to compromise, and here is the key word, 'compromise', if we are not prepared to compromise, then there can never, ever be an Accord, there can never, ever be a Constitution that deals with all the issues in Canada - if we are not prepared to compromise.

Mr. Speaker, I do not want to attack the Premier personally tonight. We have always said that the Premier's real flaw is his

lack of ability to compromise, he is too stubborn. I do not want to get into that from a personal point of view, and that is not what I am suggesting here. The fact that that is true is irrelevant. What I am saying here, Mr. Speaker, is that all of us have to be prepared to compromise if we are going to get an Accord which meets as nearly as possible the objectives of every part of Canada. I would suggest to you that that is what the Meech Lake Accord is, far from perfect - far from perfect, Mr. Speaker. We all knew that. It was known in 1987 when it was agreed upon. But it was a good step. Pierre Trudeau, in repatriating the Constitution, only had eight out of ten provinces and he said, I will have to take it - I will have to take it - because that is the best I can do right now. The political climate, the political will and the will of the people right now is not unanimous behind what I am proposing to do, but if I can get this much, a half loaf is better than no loaf.

And Meech Lake is much of the same mind, Mr. Speaker. It is not perfect, but there is compromise in there, there is compromise for the first time, seeing the people of Quebec accept something. But I do not think, in spite of what the Minister of Justice said this afternoon, who made a very, very eloquent speech, I listened to every word he said, he made some good points, but in spite of the fact of what he said, Quebec is not totally satisfied with the Meech Lake Accord, and there is a large percentage of the population of Quebec who are not totally happy with the Meech Lake Accord. But it was politically possible at that time for the Premier of Quebec to put his name to the

document, and so we have an Accord which is at least acceptable to Quebec. It does not fulfill all their desires in an Accord, and it does not fulfill all the things that we, perhaps, would like to see in the rest of Canada, but it does, at least, create a beginning of an Accord.

Now, the point was made, buy my used car this afternoon and I will fix it for you tomorrow. Well, maybe that is indeed not totally accurate. Because it is not a used car, it is a new car. Maybe it is not completely built yet; maybe it needs a paint job; maybe the chrome and the mirrors are not on yet, but the chassis is there and there are wheels on it and it is going to move for the first time in the history of Canada toward something that unifies this country together as a nation, perhaps really for the first time.

I think it was a good first step, Mr. Speaker. My concern here is that people on that side have taken a position now and are firmly entrenched in their position behind their leader, and I have to point out again that the position of that party changed when the leaders changed. Now, Mr. Speaker, how can we believe that all of a sudden everybody over there said, Oh, my goodness! I have made a mistake. Everything I said in the House of Assembly when we debated the original Meech Lake Accord was wrong. Now we have a new leader, and he just pointed out to me that I made vital flaw. I have changed my position now.

PREMIER WELLS:

All the Members on this side except Leo Barry spoke against it.

MR. TOBIN:

They all voted for it, before you came on the scene.

MR. WINDSOR:

Before the hon. the Premier, at least the Leader of the Party, representing all his people, without any objection, everybody was in favour. Now, how could it change so quickly? I guess what I am saying is that this is a very vital issue and it really should not be dealt with along partisan party lines. Perhaps in retrospect - perhaps in retrospect - we should have considered a free vote on this issue. It is very difficult when the Premier and leaders of parties come out and take a strong position, or the Government as a government, which they should, come forward with a Government position. It is very difficult then, truly, to have a free vote, because Ministers, obviously, to some degree, tend to support the party position.

I would feel much more comfortable in this Chamber tonight, I would feel much more comfortable when this issue comes to a vote, if we could all stand in here in our places and vote according to our conscience, not according to our party. I would hope we are all doing that, Mr. Speaker, but it is naive to suggest it; everybody over there happens to think one way, and everybody over here happens to think another. Unfortunately, this has become a political issue, and I am suggesting it is far too great an issue to be decided along political lines. So, I say, Mr. Speaker, let us all get out and conduct public hearings. I am the first to admit that I do not know everything there is to know about constitutional law; I would suggest the Premier is far from knowing everything there is to

know about constitutional law; I suspect there is nobody in this Chamber who knows everything he or she should know or would like to know about this particular issue.

I would love to have the opportunity to get out and go around this Province, whether I am part of a select committee or not, but to have the opportunity to hear more input from the people of this Province. Perhaps I will change my mind. Perhaps I will find there are good points being made by hon. Members opposite. I have listened fairly intently to all the speeches which have been made, and there are some good points, and I can counter all of them. But I would like to have an impartial opportunity to sit there and weigh the points being made on both sides and try to decide in my own mind which ones are right. And if I find something in the Meech Lake Accord which, having considered all the information and all the points of view expressed by Newfoundlanders all across this Province, if I find something in the Meech Lake Accord which may not be totally right, then I will have to ask myself the question, can I live with it now knowing there is an opportunity to do something better in the near future? This is not cast in stone. It is a first step. There will be formulas in place to amend the Accord, to amend the Charter in future. So we are not doing something for all time.

But I am very concerned, Mr. Speaker, about the process. I am concerned about the fact that this is now being ramrodded through this House. We are here. I do not know how many nights we have been sitting to try to get this finished, I assume, before the Easter recess - we have agreed



that the House will adjourn on Friday for two weeks, as is quite normal.

PREMIER WELLS:

This is our sixth day in debate.

MR. WINDSOR:

This is the sixth day of debate. I would suggest to the Premier that on an issue such as this, every Member on both sides of the House, I think, is going to want to speak. And I have no problem sitting here -

MR. TOBIN:

To the amendment and to the resolution.

MR. WINDSOR:

To the amendment and to the resolution, if they choose. That is their right. That is their obligation as representatives of their particular districts. And I have no problem, Mr. Speaker, with coming here every night and staying, not only until ten o'clock, but until twelve o'clock or one o'clock, on this particular issue. I have no problem whatsoever. I do not mind putting in long days, and I will be at the Committee hearings tomorrow night and tomorrow morning and the next morning, whenever they are, to deal with the Budget Estimates, too. I am not afraid of long hours. I am used to them. But I would like to think, Mr. Speaker, that the end analysis will be that we will have accomplished something other than talking to one another for six days, or twelve days, or eighteen days, and then ending up with the same decision we knew we started out with when the Premier first introduced the resolution: that is the Government is going to force it through; there is nothing, obviously, we as an Opposition can

do to stop it except try to convince hon. gentlemen opposite that perhaps there is another point of view - perhaps there is.

But we have seen the Government using its power to stifle petitions. That, Mr. Speaker, is an issue that was dealt with a few days ago and I will not dwell on it at length, but it is a matter of concern to me that hon. colleagues, from whichever side of the House of Assembly, should have had their right, and it is their responsibility again, to present petitions on behalf of their constituents before this House of Assembly, and they were stifled from doing that because of this rush to deal with Meech Lake.

MR. BAKER:

(Inadmissible).

MR. WINDSOR:

Yes. The hon. House Leader suggest that was not true, but indeed it was - indeed it was true, Mr. Speaker.

And we will probably see closure before the week is out.

SOME HON. MEMBERS:

No. No.

MR. WINDSOR:

I suspect we will see closure. I will predict, Mr. Speaker, that the House Leader will, tomorrow, introduce a motion of closure so that we will complete it on Thursday night. We will be here all night Thursday night, so hon. gentlemen had better bring a mug of tea and a sleeping bag. We will be at it all night Thursday night. Some hon. gentlemen have not been through this. The Member for Lewisporte, I do not think, has ever faced a night sitting, and perhaps a lot of the new

Members. I remember them well. I remember one night sitting when I was wondering if we were going to finish in time to get breakfast at MacDonald's before they closed, because they close at eleven o'clock in the morning. I was afraid we were going to be too late to get breakfast. These were exciting nights - exciting nights! Some hard looking skeets walk out of here at nine and ten o'clock in the morning, having argued all night long. But I suspect we are into that on Thursday night, another indication, Mr. Speaker, of the rush.

Now, Mr. Speaker, I have to make mention of the circumstance which happened last Friday when Your Honour was not in the Chair, the Deputy Speaker was. I want to suggest to you, Mr. Speaker, that that was a very serious occasion. What we saw was a legitimate move on behalf of the Opposition, a legitimate parliamentary process, using the rules, the Standing Orders of the House to do what they are allowed to do within the laws and the rules of the House, which was to defer the debate. In other words, because we know that the Government power in the House is going to force through this resolution and we are not going to have public hearings, let us not kid ourselves, unless the Premier sees the light of day - Mr. Speaker, the Premier is looking at me as if he knows something I do not know. I would be delighted to yield to him if he wants to stand up and announce they have had a change of heart and they would like to announce public hearings, then we can avoid all this debate and let us get on with it; we will come back and we will pass the amendment and -

MS VERGE:  
That is sensible.

SOME HON. MEMBERS:  
Hear, hear!

MR. WINDSOR:  
Mr. Speaker, I would be delighted! And I think it would be a great stroke for democracy if the Government would see that what the Opposition is putting forward in this resolution is a true democratic process which the people of this Province have a right and are entitled to, and that they would indeed agree to having these public hearings before passing their resolution. I would be delighted, Mr. Speaker, but I do not for a moment think that is going to be the case.

Last Friday, Mr. Speaker, we put forward a motion, using the rules of debate.

AN HON. MEMBER:  
Tricks.

MR. WINDSOR:  
Tricks? If you want to call them tricks. I would submit they are not tricks, Mr. Speaker, they are legitimate motions provided in our Standing Orders to do what this resolution is proposing to do, refer the matter to a select committee and to public hearings.

Mr. Speaker, we were successful in that. The Speaker in the Chair at that point in time ruled in favour of the motion. He ruled that the motion was in order, and this House approved it. A vote was properly taken in this House, and the majority of the Members of this House in their places at that time voted in favour of sending this resolution to a select committee to hold public hearings around this Province. The House

made that decision within the rules. But what we saw next, Mr. Speaker, is what really concerns me, it was that the Government used the power of their majority to do with their power what they cannot do within the rules of the House. Now I am not saying they broke the rules, Mr. Speaker. They used the rules, they manipulated the rules -

MR. TOBIN:

They sacrificed the Speaker.

MR. WINDSOR:

Well, they did not manipulate the rules. They did not manipulate the rules, they used their power. There is no other way to say it. I am trying to be nice. There is no other way to say it than they used their power and they sacrificed the integrity of the Deputy Speaker in so doing.

MS VERGE:

Shame!

MR. WINDSOR:

Now, we have a lot of respect for the Deputy Speaker, Mr. Speaker. He acted entirely properly on that occasion. He gave the correct rulings, he interpreted all the debate that ensued on the rulings quite properly, and came in with the proper decision. He did absolutely nothing wrong. But he was overruled by the Government, which is a vote of non-confidence - which is a vote of non-confidence - and, in my humble view, Mr. Speaker, it automatically calls for the resignation of the Deputy Speaker. Now, I think that would be regrettable. I see His Honour is still occupying that position, and I do not wish to deal with that. That is something between you, Your Honour, as Speaker, the Deputy Speaker and his conscience.

The point I want to make, Mr. Speaker, is this, that throughout the tradition of Parliament Oppositions have brought in such a motion to question the Speaker, but I think we all know that it is unlikely we would ever win that motion. And really it is the Opposition's point of saying, 'Mr. Speaker, you are tending to be a little biased, perhaps, and we do not intend to let that go unnoticed.'

We want to challenge the Speaker's ruling to bring attention to the fact that maybe the Speaker is leaning a little bit towards Government.' That is really what we are saying, hardly expecting at all that the Speaker's ruling is going to be overturned, because it has always been accepted practice that when it is, the Speaker must resign. Similarly, Mr. Speaker, you never see a government challenge the Speaker's ruling for the same reason. But now we know not only is this Government prepared to challenge the Speaker's ruling, but the Speaker does not necessarily have to resign in so doing. So there is nothing stopping the Government. The Premier can stand in his place tomorrow morning, as he did last week, and say, Mr. Speaker, we have to challenge your ruling. We think you are a great fellow. This does not indicate any lack of confidence in you whatsoever, but we must challenge this ruling. Why? Because the Government did not like the ruling. Because they had gotten caught with their parliamentary pants down, because they had lost the resolution and were embarrassed, rather than admit their embarrassment, as the Premier did today when the Minister of Finance put his foot in his mouth, rather than admit the embarrassment last Friday,

they sacrificed the Deputy Speaker. In so doing, Mr. Speaker, they set what I think is a very, very, serious precedent, they established that whenever Government does not like what is happening within the rules of the House of Assembly, within the Standing Orders, within precedent, within the rules as laid down in Beauchesne or precedents followed in Parliament, whenever Government does not like that now, they can question the Speaker's ruling. So they now have total control. The Standing Orders, Mr. Speaker, are absolutely meaningless in this hon. House of Assembly because the Government has taken away from them any real strength, in that they cannot be upheld because the Government, any time it suits their pleasure, can now overrule them. It struck me as being very interesting. Had that motion been an non-confidence motion in the Government last Friday, had we been debating the Budget and had Government had an opportunity during the Budget Debate to move non-confidence in the Government, and had Government been caught in a minority position as they were last Friday, so that we had passed a motion of non-confidence which automatically calls for the resignation of Government, could the Government then, Mr. Speaker, have questioned the Speaker's ruling, and could they have overcome that motion of non-confidence? The Premier is nodding his head, yes.

PREMIER WELLS:

Mr. Pearson did it before in the House of Commons.

MR. WINDSOR:

Well, Mr. Speaker, we may as well all go home. We may as well all go home, because the Premier now is the sole ruler of the hon.

House of Assembly; we have no rights left at all.

Mr. Speaker, I only have a moment or two left and I want to say that I believe what I am saying this evening as it relates to that particular occasion is shared not only by people on this side of the House, but, I think, by a lot of hon. gentleman opposite. There were a lot of uncomfortable people on the opposite side of the House when the Speaker's ruling was challenged, because they knew the Speaker had acted entirely properly, that everything that had been done was entirely in accordance with the rules and regulations of the House of Assembly and the Speaker had given a proper order, a proper ruling. Hon. gentlemen were uncomfortable, and I think they were uncomfortable today in listening to the Minister of Finance apologize for what he said.

I do not know, Mr. Speaker. I do not know. Perhaps the Minister of Finance had better go back and talk to his conscience tonight as to whether that was not a serious enough breach that he should consider submitting his resignation to the Premier. The Premier found it serious enough to apologize for the Minister in the House today. We saw him on television tonight publicly chastising the Minister of Finance. Ministers over there should be aware, Mr. Speaker, that the Premier has now made it clear that whenever one of them makes a mistake, he is on his own, the Premier will not be there to try to support him. Everybody makes little mistakes now and then, and I have to say that the former Premier, whenever any one of us made any kind of a minor error at all, the former Premier was there

to back us up. Let me say that. I will always respect him for that. It was clear here this afternoon that Ministers are on their own. You are in good graces as long as you do not make any mistake at all. But the minute you do, the Premier will throw you to the wolves.

Mr. Speaker, my time, I think, is pretty well up. I wanted to get into other areas. I did not want to spend all night on this, but it is so important I needed to say these things. There are many more things I want to say about the Meech Lake Accord. There are many misconceptions that have been put forward, and I will argue some of the points of the Accord when I get up and speak in debate on the Accord itself, Mr. Speaker. For now I will stop and suggest again to the hon. Premier that he either consider going to public hearings, or maybe he will consider a free vote. Maybe the Premier will consider a free vote on this issue, because I think it is far too important an issue to be decided along party lines. Let everybody wrestle with their conscience on it, Mr. Speaker. Thank you.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

There are two or three things I would like to do, Mr. Speaker, and now it is an opportune time for me to do so. A half dozen things need to be corrected. Some of them are simple errors, resulting perhaps from lack of knowledge, and others deliberate misrepresentation of the position, but both in equal need of

correction. First, there are half a dozen points: The question with respect to the undertaking not to rescind, the question of hearings, the question of compromise, the question of the Senate and power, the linguistic votes, the spending power and a couple of other items. But those are areas that have been raised in this House. Totally wrong positions have been put forward from the opposite side, and I feel it is necessary to address a couple of them.

First, with respect to the question of the undertaking I gave not to rescind the resolution that had been passed in this House on July 7th, 1988. The position of the Government was well known, it was made known to the whole country in November of last year, and on the basis of a proposal from a couple of the other Premiers that we should take time to consider Newfoundland's concerns, it would be helpful, it was suggested, if I agreed not to take immediate steps to rescind the resolution. I pointed out to everybody at the time that no matter what, Newfoundland had to take steps to rescind it anyway. Because whether it was done by way of change, whether there was any change agreed upon, in which case the existing approval had to be rescinded and an alternate approval given, or whether it was done by some other means, rescission was necessary anyway. So, the undertaking was to agree not to move immediately to rescind, in the expectation that there would be some consideration of Newfoundland's position. Well, the fact is there has not been, and the Prime Minister and Mr. Bourassa and others have taken an adamant position: Meech Lake must pass as it is, there cannot be any change whatsoever in the Meech

Lake Accord, and they are not going to pay any attention to Newfoundland's position.

One of the comments by the Prime Minister was that Newfoundland had taken itself out of the discussion, which is utter nonsense, by its decision to seek rescission. Well, in those circumstances, the only sensible and appropriate thing for the Government to do was to bring a motion of rescission, and notification of that was given. So, Mr. Speaker, it is entirely appropriate and in accord with the undertaking.

The second point I want to raise is this question of hearings. I have stated quite clearly that this Government will not ask the Legislature to approve any kind of a constitutional change without either the approval of the people of this Province, through the referendum process that we proposed, or public hearings - one or the other. Our proposal that we have put forward, we would not ask this Legislature to approve that without having public hearings. We have made that clear from the beginning. There is no need for public hearings to take the step to rescind. That just puts us in a position where we can have sensible public hearings. Without doing that, the whole thing could be done behind our backs and it would be a fait accompli without any public hearings, and public hearings might be a total waste of time. So step number one is rescission of the approval that was so foolishly given by the former House, dominated by the Government then, the Party now sitting in Opposition. So step number one is to correct that wrong. And once we do that, then we will not act

to cause constitutional change without the people of this Province being given an opportunity to indicate their approval or lack of it, whatever the case may be. Now maybe we can provide for that and maybe we can do it right now, Mr. Speaker, by bringing in a resolution that would submit this proposal, a resolution to take this proposal and submit it now to public hearings. I have no quarrel with doing that. None whatsoever. As a matter of fact, I might even be anxious to do it. And perhaps a sensible way to do it, Mr. Speaker, would be, with the consent of the House, to divide the existing resolution and stop the existing resolution at the revocation, the first clause that revokes it, and then we submit the balance of this proposal to public hearing. I have no quarrel with doing that, and I would even be prepared to discuss that with the Opposition. If that is what they would like to see done, I would certainly be prepared to discuss that.

MR. BAKER:

Explain that to them again, because they missed the first part.

PREMIER WELLS:

Oh, they were out and they missed it and you want me to explain it again. Okay.

SOME HON. MEMBERS:

Oh, oh!

PREMIER WELLS:

I have been emphasizing again the position of the Government, that we will not ask this House to cause constitutional changes to be made unless the people of this Province have an opportunity to be heard. That is our undertaking. Now this is not new. This is not

the first time I have said that.

MR. TOBIN:

Yes, it is.

PREMIER WELLS:

It is no such thing. Maybe the hon. Member is deaf. But I have said it many times before.

SOME HON. MEMBERS:

Oh, oh!

MR. RIDEOUT:

The hon. Member is, by the way.

PREMIER WELLS:

Oh, I am sorry. I did not know.

MR. TOBIN:

(Inaudible) hearing aid and I certainly (inaudible).

PREMIER WELLS:

Maybe he did not hear me say it for that reason and I apologize. I did not know that was so.

But I have said this many times before publicly and in this House.

MS VERGE:

Why have you not done it?

PREMIER WELLS:

Well, because it is not necessary to submit this at this stage. What I have said is we will not ask this House to implement a constitutional change without the approval of the people of this Province or without measuring their reaction to it.

SOME HON. MEMBERS:

Hear, hear!

PREMIER WELLS:

The resolution we are putting forward does just that, it stops the approval that has already been given. The authorization for constitutional change that has

already been given without the approval of the people, it stops that. And then it says it will not be approved without a referendum. So we are going directly to the people.

Now, hon. Members opposite say we should have public hearings. But what are we going to have public hearings about? Whether we give the people the right to have a say? By revoking first? That does not make any kind of sense. So what I am saying to hon. Members opposite, I am prepared to consider splitting this resolution and submitting this proposal, the Government's proposal to public debate and striking a committee of this Legislature to hold hearings about the Province and consider this proposal. I will split the resolution between the first part, the revocation which must be done anyway, otherwise public hearings might be a complete sham if the other provinces were to approve of it and put through the change without the Province having a chance to be heard. I have no quarrel with doing that. I do not know whether it is a right expenditure of public funds, but there seems to be some urging on the other side that we should spend the funds necessary to have a public hearing and a discussion of this proposal. And I have no real quarrel with that, because we will not ask this Legislature to authorize constitutional change without either having public hearings to get a sense of the way people feel or, otherwise, having a referendum as we are proposing in this case.

So I would suggest that where I would be prepared to consider, I would discuss it with the Opposition first, if they want to. I would consider splitting

this resolution and adding another clause that would strike a committee to consider this proposal and not limit it to considering that, consider this proposal or other alternatives that others may want to propose. So that you do not want to narrow the thinking and do not say you can only look at this proposal, look at this or any other reasonable substitute for it, and have hearings established throughout the Province. But, in the meantime, we would proceed, of course, with the resolution for revocation. That has to be done anyway.

So, Mr. Speaker, let nobody say that we are ramming this through without the people of the Province having a say. In fact, just the opposite is happening. We are stopping the effect of what was done without the approval of the people, stopping it and then submitting it for approval either by way of discussing this proposal or a referendum to decide whether or not to accept Meech Lake as it is. One or the other, the people of this Province are going to have a say.

AN HON. MEMBER:  
(Inaudible).

PREMIER WELLS:  
Oh, I dare say. But I would urge him to sit in his seat and hear the other gems of wisdom that I am going to pass on besides this. I would urge him not to leave.

SOME HON. MEMBERS:  
Hear, hear!

SOME HON. MEMBERS:  
We will call Brian.

MR. FUREY:  
Yes, check with Brian.

PREMIER WELLS:  
Checking with Ottawa to see.

Now, Mr. Speaker, I am sort of sorry they have gone, because there are a couple of other important things those two Members in particular should really hear, because they are the two of the worst offenders in this area, two of the people who have made statements that are totally without foundation, and I would like to demonstrate that.

Let me deal with the question of compromise. The proposition is that I am intransigent, this Government is intransigent, we will not compromise. This is what hon. Members opposite want to put forward. Let me just read from a number of positions that we have taken on the issue and have spelled it out. It is in this booklet. Right at the introductory part, setting out the basis, Comment on the basis for the changes which Newfoundland proposes should be made in the Meech Lake Accord. We believe the Newfoundland proposal is an acceptable way to achieve this. That is responding faithfully to Quebec's proposal but, at the same time, being faithful to federalism. But we go on to say, If it is not, some reasonable variation of it would be. So we are suggesting some variation of it. We do not say it is cast in stone. Suggest some reasonable variation of it that would do it in the way in which other people feel it should be done.

We are the most compromising Province in the country when you really get down to it, and we have been talking for months and months about getting people to compromise and look at what is necessary to meet the legitimate concerns of



the other nine provinces and the other 20 million people of this country who live outside the Province of Quebec. But all we get from Quebec and the federal Government is Meech Lake as it is, not one comma, not one word changed. And we are intransigent? We will not compromise. It is a peculiar sense of judgement that comes to that conclusion, Mr. Speaker, in the face of that.

AN HON. MEMBER:

Everybody else had compromised to get this (inaudible).

PREMIER WELLS:

Ah, sure. Yes. No mistake.

Now, Mr. Speaker, there are a couple of other areas where they are totally wrong. They take the position that the proposal I put forward for Senate reform is totally without merit, has no merit whatsoever. The hon. the Leader of the Opposition, the Opposition House Leader, two or three other people - I did not hear the hon. Member for Humber East say it. I suspect she knows the difference. I did not hear her say it, so I cannot attribute it to her. Here is what the Leader of the Opposition said: This reformed Senate is to assume tremendous powers, therefore, someone has to give them up. That is the proposition. Somebody has to give up these powers. I see the Member for Grand Bank nodding sagely, concurring in this Constitutional conclusion to which the Leader of the Opposition has come.

MR. MATTHEWS:

No, I was agreeing that that is what he said.

PREMIER WELLS:

In this connection the hon. Leader of the Opposition says, There are only two sources, the House of Commons and the Provinces. That is his proposition. Then he goes on to say, There is not a constitutional expert who says the Premier is wrong can devise of any means whereby that new reformed Senate could get the powers that the Premier is proposing it have in his constitutional document.

Now, Mr. Speaker, let me say this clearly. I am not proposing that the Senate be given one iota of power it does not now have.

As a matter of fact, if anybody looks at it you could come to the conclusion that I am proposing they have somewhat less.

MR. MATTHEWS:

How is that?

PREMIER WELLS:

No trouble at all. What the hon. gentleman does not know, and obviously the Leader of the Opposition does not know - and I do not quarrel with his not knowing, I quarrel with his expressing these unchallengeable opinions based on the presentation that he does have this knowledge when he does not. I do not quarrel with his not having the knowledge.

AN HON. MEMBER:

Stop being condescending.

PREMIER WELLS:

It is not condescending, it is just being fair to the person.

Mr. Speaker, the Senate today has precisely the same power as the House of Commons. The difference is they do not have the political legitimacy to exercise the power. They are not elected. They are a

bunch of appointed fuddy-duddies, largely. And, to the everlasting credit of the Members of the Senate, they know and understand that, and they are reluctant to exercise the power because they are not elected. But the powers are there. It is in the BNA Act.

MS VERGE:

What are the powers (inaudible).

PREMIER WELLS:

It is there to be exercised. There is no -

MS VERGE:

But it is not.

PREMIER WELLS:

Well, if it is not exercised it is still there. But what the Opposition Leader is saying is in this connection there are only two sources, the House of Commons and the Province. Someone has to give it up. That is not right. There is one difference only. There is a minor court that they cannot initiate money bills, money spending bills, that can only be done - but they have to approve of them. The simple thing is they cannot initiate them, they cannot start first in the Senate, they must start first in the House of Commons. Now there is only one difference in the power, and that only came into effect in 1982 with the Constitutional Amendment in 1982, and it is spelled out in section 47 of the Amendment of 1982. And what that provides is that in the case of all future constitutional amendments, the Senate has what is described as a suspensive veto. If the Senate does not approve of what the House of Commons approves by way of constitutional amendment, within six months, then at any time after that if the House of Commons revotes it, it goes through

without Senate approval. Senate approval for the Constitutional amendment is not required. Now that is the only difference. That was put in there in 1982 and that is the only difference between the power of the House of Commons and the power of the Senate. The legislative power is the same.

Now, Mr. Speaker, I am not terribly bothered by that. I think the Senate should have the same powers as the Commons in constitutional amendment, but I am not terribly bothered by it for one simple reason. What was the real purpose of the Senate? It was to give the provinces a basis for an equal vote on the basis of provinces. That was the basis for it. That is why the Senate should be there, to give voice to the equality of the provinces. You do not need it in a constitutional amendment if, to start with, you need approval of seven of the ten legislatures. So, the fact that the Senate only has a suspensive veto in constitutional amendment is not so important. I think they should have a full veto, and that is why I would personally prefer to see it. But I do not get up tight about the Senate not having that power in constitutional amendment because, to begin with, you have to have the approval of all ten legislatures, so it is not as important.

Otherwise, their power is precisely the same as that of the House of Commons. The difference, Mr. Speaker, is they do not have the political legitimacy to exercise it, and the second and most significant difference is, it is not based on the equality of the provinces. There should be equal representation from each province, and in that way we can balance the decision making-power,

the exercise of national legislative power on the basis of the interest, not only of the majority of the people, which you do in the House of Commons, but the interest of the majority of the part. It is not more power that is important to Newfoundland. It is not more power for this Legislature that we want, it is more say in the exercise of power in Ottawa. That is where it makes a real difference to us. And that can only come with a Triple E Senate, and that is why it is so fundamentally important to us to have a Triple E Senate.

Now I know the hon. Members Opposite, or most of them, do not really understand that, or do not know it, and do not appreciate that, so I thought I would take the time to point out to them these circumstances in the BNA Act. The Senate has the same power. Nobody has to give the Senate any more power. As a matter of fact, the proposal we have put forward, Mr. Speaker, would reduce the Senate power, because we said there should be two limitations on its power: First, it should not be able to vote confidence in the Government. Refusal to pass a Bill put forward in the House by the Government should not result in defeat of the Government, nor should even a direct motion of non-confidence in the Government expressed in the Senate. That should not cause the defeat of the Government either. So they would not have that power. And the second thing, they should not be able to hold up the basic supply bill, the basic annual supply bill for Government to operate, because, otherwise, they could blackmail a government in the House of Commons if they could do

that.

Now at this moment they have that power. So I am proposing, not that they have more power but, in fact, that they have less.

MS VERGE:

You are talking theory, not practice.

PREMIER WELLS:

I am talking practice. I am talking reality. The way it should be. And if it were, we in this Province today would not be suffering with an earned income of 56 per cent of the national average.

SOME HON. MEMBERS:

Hear, hear!

PREMIER WELLS:

That is reality!

MS VERGE:

How do you explain West Virginia and Mississippi?

PREMIER WELLS:

I explained the smaller States of the United States very well. The Minister of Development read them out. And I will check out West Virginia and Mississippi, and I will get back to the House.

MS VERGE:

(Inaudible) small States.

PREMIER WELLS:

Vermont is smaller than Newfoundland in population; three or four per cent unemployment.

MS VERGE:

What about West Virginia?

PREMIER WELLS:

I will check out West Virginia.

Now, Mr. Speaker, there are a

couple of other things. The Leader of the Opposition said the linguistic division vote is too complex. I wonder how he ever came to that conclusion? You see, Mr. Speaker, I do not think it would even add a minute to the vote taking time, because in these days of computers, everybody knows where the senator is from and you take one vote, and those senators from Quebec are just counted separately, from the senators and the rest of the -

MS VERGE:  
No, it is not.

PREMIER WELLS:  
It is very simple. It is extremely simple.

MS VERGE:  
Not even Pierre Trudeau would agree with that.

PREMIER WELLS:  
There is no complexity to it at all. It is the simplest thing in the world. When a measure comes before the Senate, all they have to do is say all those in favour and you record who votes. All those opposed and you record who votes. On every constitutional amendment affecting language, culture and the civil law judges on the Supreme Court of Canada, you record the vote and you say in the case of the Quebec senators, a majority approved or they did not. And it must meet with the two separate majorities. I doubt if it would even add thirty seconds to the voting procedure in the House. So how it gets to be too complex? It is only complex for very, very, very uninformed minds.

MS VERGE:  
(Inaudible).

PREMIER WELLS:  
It is not at all complex. There is no complexity to it.

Now, Mr. Speaker, there area a couple of other things I wanted to address, one of which was the - I am just checking the time. I do not want to run out of time.

SOME HON. MEMBERS:  
By leave! By leave!

PREMIER WELLS:  
The other point I wanted to make was the comments about the spending power, and the position we have taken with respect to the spending power. Mr. Speaker, we have agreed as has been indicated, and if anybody takes the time to read the Government's proposal they will see very clearly that we have agreed with limiting the Federal spending power. To begin with, nowhere in The BNA Act would anybody find a separate spending power. My own view is that it really does not exist constitutionally, it was a figment of the imagination of the Privy Council sometime ago.

AN HON. MEMBER:  
(Inaudible).

PREMIER WELLS:  
The spending power. There is no expressed provision, and it is an inference that is inferred by reason of the unlimited taxing power of the Federal Government.

Got the approval to go ahead with it?

MR. RIDEOUT:  
We could not get an answer at Brian's, 24 Sussex, so -

PREMIER WELLS:  
Oh, I see.

MR. SIMMS:

We told Pierre to tell Brian not to do it.

PREMIER WELLS:

To get back for a moment, Mr. Speaker, to the spending power, we agree there should be some limitation. You cannot have a situation where the Federal Government can effectively take over exclusive provincial legislative jurisdiction by using a so-called spending power to spend in areas that are exclusively within the jurisdiction of the Provincial Legislature. Now there was a time when there was no natural limitation on the Federal Government, when they had lots of money.

Now, Mr. Speaker, there is a sort of a natural limitation, when the Federal Government is pretty strapped for funds and really does not want to spend anyway. But it has still used its spending power. And I understand the concern of Quebec. As a matter of fact, if anybody will care to look at the position that we have taken on it, we have spelled it out very clearly that Quebec does have a legitimate concern and other provinces sharing its view, including Newfoundland, do have a legitimate concern that unilateral action in the exercise of its spending power could encroach on areas of exclusive provincial jurisdiction and Newfoundland, therefore, supports the basic limitation on the Federal spending power set out in the Meech Lake Accord. So we basically support that, but we have two suggestions, Mr. Speaker that we have put forward. The limitation says that in any new exercise or new development of national cost-shared programs in fields of

exclusive provincial jurisdiction, a province would have the right to opt out and get compensation if it carried on a program or initiative that was compatible with... Now there is a bit of a problem. What is compatible? The word compatible - anything is compatible with, if it is not incompatible with. What does incompatible mean? Incompatible means the two cannot stand together. You see, Mr. Speaker, as long as the two programs can exist side by side, they can be as different as night and day; so long as one does not adversely impact on the other, it is compatible.

MS VERGE:

(Inaudible).

PREMIER WELLS:

That is right, compatible. That is right, compatible with national objectives, so long as it does not counteract, you might say. All it has to do is not counteract in order to be compatible. It is too weak and wishy washy a word to allow the Federal Government to really put in place the kinds of national spending programs like medicare, for example. Medicare is such an area. Now it cannot affect Medicare, because that was done in the past. But there could be other programs, like day care. Day care is an obvious example. If the Federal Government wanted to initiate a national cost-shared program in that field, whether they carried it on or not, so long as whatever they had, any kind of an initiative that did not counteract the Federal Program, it would be taken to be compatible with it. The word is too weak. So what we have suggested is that you just change the word to be carry on a program that accords with, that is generally consistent

with, accords with the national objectives, and we think that is a more appropriate word. But, Mr. Speaker, we are the most compromising people in the world. If there is any other kind of a reasonable suggestion, we are open to it, we are open to be persuaded that 'compatible with' is the right phrase. We do not think it is for the reasons that we have given, so that is why we suggested that 'accords with'. At least they have to carry on a program that has some consistency with, that accords with.

AN HON. MEMBER:  
(Inaudible).

PREMIER WELLS:  
That is right, any province. Any province.

MS VERGE:  
(Inaudible) your Minister of Social Services.

PREMIER WELLS:  
Any province. Any province.

MS VERGE:  
Who would know then?

PREMIER WELLS:  
Any province. Any province.

MS VERGE:  
But for the people (inaudible).

PREMIER WELLS:  
Any province, is what I am saying, Mr. Speaker. But the second part of it is what is important to me, and that is the obligations of the Government set out in Section 36.1, and my big concern, and what I have asked in this case, Mr. Speaker, is just to put in a cautionary provision. What I am concerned about is if the Meech Lake Accord were to go through as it is, what I am afraid we would

have is a situation where some time in the future, when the Federal Government looks at the poorer provinces and says, you need some help in highway development, you need some help in some other kinds of public service development because you do not have public services that measure up, so we are going to put in place a program that will provide for it in those areas of Canada where the disparity exists. It is going to be a nation-wide program in areas where disparity exists, and it may involve all of the provinces, it may skip one or two or three. But if that goes forward, I can foresee the larger provinces, Ontario and Quebec, saying, hold on, what you are talking about is in a field of exclusive provincial jurisdiction. You are putting it all across the nation in areas where disparity exists, it is a national program in an area of exclusive provincial jurisdiction, we want compensation! Now, how are we ever going to correct regional disparity, meet the obligation of Section 36.1, because the Federal Government, if they are going to say implement a program costing \$400 million in the other eight provinces, if Ontario and Quebec say yes, but you you have to give us \$600 million in cash. How can you ever possibly correct regional economic disparity?

Now, I say to the House, as I have said in other places, Mr. Speaker, the Meech Lake Accord does not prohibit this, but it is capable of that interpretation and all we have asked, Mr. Speaker, is that we include a simple clause to be added to that Section 106, an additional Clause that would just protect us and say that the right to opt out and receive

compensation would not apply to any expenditures under Section 36.1.

Mr. Speaker, let me just remind the hon. Members of this. If the Federal Government and Quebec are right about the position they take on this, then they should not quarrel. They would not have any quarrel, because it does not inhibit it in any way, it just provides a greater assurance that it will not be done in that way. The fact that they will not agree with it leads me to believe that they want to use it in that way, and that makes me even more apprehensive. Because it does not hurt their basic position to agree that it can be added on, it does not hurt them at all. So if it is unnecessary, let it be unnecessary. Humour the poorer provinces who are concerned about the spending power and put it in there; let it be there. If it is unnecessary and it has no significance because it is not going to happen anyway, simply say so, simply say that that limitation on the federal spending power would not be used in that way.

Now I fear that I have used up the time, Mr. Speaker.

SOME HON. MEMBERS:  
By leave. By leave.

PREMIER WELLS:  
Well, most of the Premier's feel the same way about that spending power. But the problem is, with Quebec and the Federal Government taking an intransigent position, you cannot open up the Meech Lake Accord; you cannot do anything with the Meech Lake Accord, and with them taking that position, it is difficult to get them to agree to add what we have asked. Thank

you, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

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

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

MR. RIDEOUT:  
Mr. Speaker, I just want to respond briefly, which is the only way I can, to some remarks made by the Premier as it relates to the resolution.

Mr. Speaker, I want to make sure that I have a clear and firm understanding of what the Premier is talking about.

AN HON. MEMBER:  
(Inaudible) explain it.

MR. RIDEOUT:  
Okay, I am quite willing to do that, Mr. Speaker.

As I understand it, Mr. Speaker, the Premier is talking about splitting the resolution after the rescinding portion, that is the NOW THEREFORE BE IT RESOLVED that pursuant to Section 42(2) the approval of this Legislature is hereby rescinded, sort of leaving dangling the referendum aspect, which is the next BE IT THEREFORE RESOLVED, sort of leave that dangling until -

PREMIER WELLS:  
Put that in a second resolution. Split it.

MR. SIMMS:  
In a second resolution. Two halves.

PREMIER WELLS:

Two halves.

MR. RIDEOUT:

And you alternative in a second resolution as well? The Premier's alternative constitutional proposals will go in a second resolution.

AN HON. MEMBER:

Yes.

MR. RIDEOUT:

Okay. So the referendum and the alternatives would go in a second resolution to be referred to a committee for public hearings, which we would talk about.

Mr. Speaker, on the surface of it that is interesting. I am certainly prepared to talk to the Premier at any time, tonight, tomorrow morning or whenever.

PREMIER WELLS:

I will give it some thought and I will talk to the hon. the Opposition Leader.

MR. RIDEOUT:

Okay. I am quite prepared to do that, Mr. Speaker. It is interesting. I am prepared to talk about it, and, obviously, I am prepared to talk to the caucus about it. We think it has some merit and we are prepared to do that.

MR. SPEAKER:

There is no point of order, just a point of clarification.

The hon. the Member for Humber Valley.

MR. WOODFORD:

Thank you, Mr. Speaker.

Mr. Speaker, I am sort of glad, after all the debate on the amendment itself. No matter what

you read on Meech Lake, and there is oodles and piles of correspondence and different opinions and what have you from all across this nation of ours and the Province, but there is no way in the world to prepare for it, as far as I am concerned, because there are so many different opinions and different interpretations and what have you. But after listening to the Premier speak tonight, there is no problem at all, I do not think, to come up with something to talk about.

First of all, I would like to say as one Member, it is good to see and I commend him for it. Whether it was a misunderstanding by Members in the House on the intent of the resolution, the rescinding clause, or what have you, or the different proposals, whatever it was, it shows what people have been saying all along, I mean politicians anyway, that the Premier is human and he is willing

SOME HON. MEMBERS:

Oh, oh!

MR. WOODFORD:

I am not saying it in a derogatory way, I am saying this in a constructive and meaningful way, that he is willing, despite the hold he has on some of the Ministers there, and rightly so in some cases, but despite all that, he is willing to move and just making that statement tonight, as far as I am concerned, sends a message, not only to people in this Province but right across this country, that he is not as inflexible as they say he is. This is movement not a retraction. It is movement. And if there is a slight chance at all, no matter how slight it might



be, and I think, as the Leader of the Opposition just stated, and members opposite, including the Premier, that if there is any chance for movement at all, for the good of this Province and the good of this country we have to put aside political differences.

SOME HON. MEMBERS:

Hear, hear!

MR. WOODFORD:

Each and every one of us in this House are representing constituents in our districts who do not, despite what people and Members say, who do not understand the contents of Meech Lake, not what it is meant to do or anything like that, but the contents. It is hard for most Members in the House to understand it, despite their beliefs and despite what they say. That is one of the things we have to be cognizant of. How can you expect people out in the bays and inlets of this Province, away from the steps, the chairs and the balconies of Confederation Building, to understand a topic such as this? It is a complicated topic, it is a complicated piece of business and despite whether you are a lawyer, a farmer, a fisherman, no matter what you are, it is hard to understand and grasp it. It is a matter of interpretation, as is obvious from some of the comments right across this country and this Province.

On public hearings, one of my opening statements was precisely on the public hearings. I wanted to say that the process started some months ago was a good one and I see no reason why it should not be extended into the formation of a Committee to look into the Meech Lake Accord. It is no difference, for instance, than the one I

always make comparisons to and with, Bill 53. Everything was thought to be okay until it hit one of the meetings in a public forum - I think before it got to a public forum really. It is an example of what can happen when people can present a brief, present their views, and, at the same time, ask certain questions. It is always good to be open, up front, and it is a good process. I sat as a backbencher when Bills came up, wondering whether they were fit to eat and what they meant. You get the chance to speak on them every now and again and then, all of a sudden, it was gone through, finished, over and done with. Six months later, someone in your district would meet you and say, that Bill came up in the House. What did you have to say about it? Boy, to be honest with you, I did not know much about it. Today there is no excuse for ignorance, none whatsoever, and this process, as far as I am concerned, can extend to Meech Lake as well as it can to any other issue, more specifically to Meech Lake, because it is one of the most contentious issues, I would say, since Confederation, because it could mean whether we survive as a country.

I think nothing should be spared in making every effort possible to make sure that the people in this Province understand exactly what the contents of Meech Lake are. The interpretation of it: Let them have their interpretation and their opinions. They have it now based on certain things, yes. We have it here in the House. We are here every day debating it. We have different opinions and different interpretations. So it should go to public hearings. And the amendment put forward by the Leader of the Opposition asked

that. I think it was well-intentioned; I do not think there was anything else intended in it. It is a forum for debate, I know, each Member gets an extra chance to speak to the amendment and then gets a chance to speak to the motion if nothing else comes up. But, in any case, I think it was well-intentioned and a step in the right direction when it comes to democracy in this Province.

But having seen the Premier tonight and heard what he said with regard to the public hearing process, and the rescinding clause of the resolution would still have to be debated. We as an Opposition after seeing the clause come in, cannot go without debating the rescinding clause part of this resolution. We cannot as an Opposition. But the rest of it, the new proposals put forward in the resolution, I commend the Premier and everybody here on the possibility right now, and that is a very positive step, of that going to committee. So that will be a different issue. If the Government has to invoke closure to put through the rescinding clause, so be it. But each and every Member should have a right to speak on the amendment before closure is invoked.

Having said that, Mr. Speaker, I would like to also say, and I had this in the first part of my speech here tonight regardless of what the Premier said, but I believe, firstly, the Premier is sincere in what he is trying to do.

SOME HON. MEMBERS:

Hear, hear!

MR. WOODFORD:

Secondly, I believe he thinks he is doing the right thing for Newfoundland and Canada. Thirdly,

I believe he harbours no ill feeling toward Quebec. To say that, would be to do him a disservice. Fourthly, I also believe, Mr. Speaker, that Premier Wells' assumption that the ten Premiers and the Prime Minister who signed the Accord cared less for Canada and the people of the Province is to do them a disservice. Meech Lake was not a back-room deal, it was an honest attempt to bring Quebec into the Canadian family. An honest attempt, Mr. Speaker, done some three years ago, I think it was about three years ago, two and a half years ago anyway, in an attempt to bring Quebec into the Canadian family, something that could not be done in 1982. And it was wrong at that time and it was wrong in 1987 if they did not have to be brought into the Canadian family. So it was well-intentioned. Again an example of what can happen in such a short period of time.

The founding fathers, back in 1867, they thought at that time that they had a perfect document. And we come on up to 1949, and we come on up to 1982, the only one not in question was in 1981 and 1982, whether it was a perfect document or not, and then in 1987 they thought for sure they had a perfect document in the Meech Lake Accord, all ten Premiers.

And what happened after that, Mr. Speaker? Three different Premiers in other parts of Canada, Premier Filmon of Manitoba, McKenna in New Brunswick, and Wells in Newfoundland were elected in different elections across this country. If those people back in 1987 had been there, it is obvious that there would not have been a Meech Lake Accord.

The Accord will not end all need for Constitutional reform. It was not meant to. Supporting the Accord will create a climate to make future reforms easier and not harder. The Premier's stand with regard to the First Minister's conference, whenever a Premier of this Province takes on the so called Goliath - I think as was mentioned by my colleague from St. John's East the other day, and more specifically on an issue such as this, he always comes out the winner, always. And as a Newfoundlander, you would want to have something wrong with you if you had a Premier go up to Ottawa or anywhere else and the Prime Minister, regardless of what political stripe he is, took him on and tried to belittle the beloved Province he represented. You would want to be I do not know what kind of a Newfoundlander not to say, okay you are a hero. But it was done. Premier Peckford did it year after year, and that was the first time the Premier of the Province - and the issue was a contentious one. I suppose there was a certain amount of anti French, anti Quebec feelings throughout the Province over the years because of the Churchill Falls Agreement, and Mr. Bourassa's comments with regards to Newfoundland. Quebec and Ontario collecting 58 per cent of the revenues going into the Federal Treasury - I think it is 58 - and 51 came to the Province of Newfoundland. That, to me, was unacceptable, unacceptable as a Newfoundlander, and again you had to be stand up to be counted. And the words I think all Members have mentioned in their speeches so far is that they commended the Premier on his comments with regards to what Premier Bourassa said. We do want to sign the Meech Lake Accord. We do want Quebec into

the Canadian family, but not at any cost, and you are not going to be twisted into doing it by comments such as that. That only adds fuel to the fire and makes it a more contentious issue than it has already been. It does not help anybody. But I noticed that some of the comments made earlier by the Premier with regards to Quebec were fair, I suppose, there was nothing in it to hurt anybody, not only Quebec, but any other Premier who was either for or against the Accord. But the Finance Minister yesterday sure as hell threw a monkey wrench into that, and that is for sure. Again, I suppose, we have to say he has had his knuckles rapped and more than that, rapped probably before the night is over. But there is no doubt about it, he had his knuckles rapped on that one, and rightly so.

Mr. Speaker, a few comments with regards to the distinct society clause. The Premier would like to give symbolic recognition of Quebec as a distinct society within the Canadian framework. That is what I understand from reading some of the proposals, a symbolic recognition. How symbolic should it be, Mr. Speaker, when you are talking about a population of probably around twenty-five per cent of the country, approximately 6 million people? How symbolic? And the word symbolic, how far does it go? He, however, wishes to deny the people of Quebec through their duly elected Provincial Government the stated objective, section 12.3 to preserve their distinct society. Quebecers have looked to the Provincial Government to secure their rights and pursue cultural and social goals for years, the same as any other province in Canada. The Accord

only affirms in the Constitution the right of the Provincial Government to continue to do this on their behalf. Critics of the Accord say there is a transfer of powers to Quebec. From whom? From the Feds? No. From Ontario? No. The Accord explicitly states in subsection 2.4 of section 1 that no legislative powers are taken away from the Federal Government, none! Premier Wells stands alone in his contention that the distinct society clause gives special legislative powers to Quebec. Even the other dissenting provinces, Manitoba and New Brunswick, do not hold this view. He is the only Premier in Canada who holds the view that Quebec would be getting special legislative power. This is a Federal institution. The Supreme Court of Canada is a Federal institution, with six judges from outside Quebec and three from within. The majority should not be concerned about what initiatives Quebec would take to further the distinct society clause or the intent, if it adversely affects the rights of other Canadians. It is the Notwithstanding clause, Mr. Speaker, that gives all the provinces the right to override the Supreme Court on the Charter of Rights, not the Accord. This clause was put in the Constitution in 1982 at the request of all other provinces in Canada. Not Quebec alone, all other provinces in Canada. I submit to you, Mr. Speaker, that I am convinced that if the notwithstanding clause had not been used with regards to the language issue in Quebec a short while ago, we would not have half the fuss we have today over Meech Lake. We would not have half the fuss.

The only other time the Notwithstanding clause was used, I believe Premier Devine used it out in Saskatchewan -- I just forget what it was. I think he used it. I am not certain.

AN HON. MEMBER:

(Inaudible).

MR. WOODFORD:

Yes, right, the potash thing.

The other time was the language issue in Quebec with regards to French and English signs, and that was the one that triggered it. I suppose any Canadian looking at it first would say, okay, if you are anti-English with regards to signs, you are anti-English period. And that is what really triggered it. You could sense it. You could sense it on the streets in every little thing that was said about Meech Lake and the intent of Meech Lake to bring Quebec into the Canadian family, which was not done in 1982. Every time you mentioned that, there was this anti-Quebec, anti-French feeling there. And you could sense it without even knowing the contents of Meech Lake.

I believe the Accord by bringing Quebec into the Constitution will make Quebec less likely to go against the Constitution. We are all less likely to breach the rules when we have something to do with developing them. Quebec was not a consenting partner in 1982, and it is a willing partner in the Accord today. If the Accord is going to give Quebec power not shared by other provinces, why do separatists in Quebec want to see it die? That is another question. If it is going to give them special powers, why do the separatists in Quebec want it to die? They want it to die for one

reason. The reason it died in 1982, Mr. Speaker? It died then because of the separatist movement in Quebec, and they would love to see it die today. That is the stress and strain that the Premier of Quebec is under, let alone some of the other premiers in the Provinces, more specifically Manitoba. He is under an immediate political strain, let alone the separatists movement that Premier Bourassa of Quebec has to follow.

The Premier says that by requesting or requiring unanimity in several more areas would place Canada in a permanent constitutional straightjacket. Well, Mr. Speaker, no Meech as far as I am concerned. No Quebec, no Meech, and it will not be a constitutional straightjacket, it will be constitutional constipation, because if Quebec is not brought into the Constitution and not brought into the Canadian family, I do not think we are going to see anything with regard to any amendments, any chance at all of anything in the near future of Quebec even making an effort to come into the Canadian family.

That is a point that should be well taken and I think it will be, because that is where most of the concerns are coming from across the country, that if we do not get Quebec into the Canadian family now, we will not have them in a few months time, or a few years time, and the country will just fall apart.

When the original agreement was signed in 1982 without Quebec, it was said then that any future changes would be impossible but, yet, just five years after that agreement was signed, the Premiers and the Prime Minister agreed to

the process to address the five original proposals put forth by Quebec in 1981. Everybody knows what they are, they read them time and time again in the Meech Lake Accord. The five same proposals that were put forward in 1981 on which no agreement could be reached, were put forward again in 1986 and an agreement was reached. So that goes to show that nothing is written in stone and it can change from year to year, even as little as five years. It is not the type of amending formula that makes consensus difficult, but the political climate and the attitude of the political players at the time with the political climate, the PQ Government of Quebec, really did not want a deal in 1982. I am convinced of that today. The same feeling is still there. They did not want an agreement, the wrong political climate, period. If the present Premiers of the day had been at Meech Lake, and I stated this earlier, Premier Filmon, Premier Wells and Premier McKenna, I do not think there would have been an Accord. They would have had the same feelings then they have today, so there would not be an Accord. That gives you an example of what would happen. Now, some things happened, as I stated earlier, about the notwithstanding clause that probably fed some fuel to the fire. There is no doubt that it did with the general public, the general populace sentiment towards Meech Lake. The agreement depends more on the will of the players to co-operate, to see different views, to compromise, not to sell out but to compromise, and we saw an example of that here tonight. I hope for the good of the country and the Province we see more examples of it over the next few days and

weeks. To co-operate in Canada, building for all Canadians, including Quebec, on any set of rules for any formula, or how it should be accomplished. The 1982 Constitution required unanimous consent on some areas central to our national institutions and the amending process itself. The Accord retains a general formula of seven provinces with 50 per cent of the population on most amendments. It does, however, add Senate reform and the admission of new provinces to the list with unanimous consent. Will it be possible if unanimous consent is required? I say, yes. Who, in 1982, would have believed that we could have gotten all the provinces and Quebec to agree to an agreement in 1987? Much debate should be required before constitutional change, weigh all the pros and cons. It should not be made easy. Changes which affect the future of our country should not be made at the stroke of a pen. There should be input with public hearings, not only in the Province but across the country no matter what is done with it. I, for the life of me, even based on what the Premier has said tonight with regard to some of the other issues on senate reform, cannot see how another form of Government body whether equal, elected, or effective, whichever, whatever a Triple E Senate is going to be, I cannot see it. I see it only as another Government bureaucracy, so to speak, another hang-up in dealing with governments across this country, across this Province. Hon. Members earlier, in their speeches, referred to the Senate in the US. One Member said last night that they got it right. The Senate in the US may have it right in regard to equal representation from each State, yes, they have

two members from each State, but when you look at the House of Representatives and look at the Senate and look at the Executive Council of the US Government, it is not working the way they say it is working. They are having problems with regards to vetoes, from the President right on down to the hanging up of legislation in the Senate in the House of Representatives by the Senators. They have equal representation, yes, as regards the Senate. But it is certainly not working - because it is working the same way that our Senate is working today - and that is the bottom line and that is the one problem, the underlying problem. Political lines, party lines, that is the problem.

AN HON. MEMBER:  
(Inaudible).

MR. WOODFORD:  
Oh yes, that is their problem in the U.S.

AN HON. MEMBER:  
(Inaudible).

MR. WOODFORD:  
But they are coming along party lines, that is their problem. If you elect, for instance, six from each province of Canada, to the Senate. Big deal, equal representation, effective and efficient. Equal representation, yes. Effective, no, and efficient, no, because what is going to happen is that you will have a Liberal Government in Newfoundland, a PC Government in Saskatchewan, a Liberal Government in Quebec, a PC Government in Alberta and one in Ontario. Who gets what? You get what you get today, that is what you get.

AN HON. MEMBER:

(Inaudible).

MR. WOODFORD:

Well, that is what will happen. They are human, and are they going to vote for little Newfoundland, or are they going to support their colleagues in the Lower House! I mean, let us face it, put yourself in that position and what would you do? You are going to vote for your colleagues in the Lower House, regardless if it is Newfoundland or Quebec or Alberta or B.C. or wherever it is. Call a spade a spade.

So the Senate to me, and I am yet to be convinced that there is another answer for it, good enough, but I am yet to be convinced that it would be any good to this Province and it is going to entrench regional disparities and everything else. The Supreme Court is the ultimate interpreter of the powers of the Federal and Provincial Governments, and as well as the laws of all the provinces. Should it then be created on say one level of Government. Provinces have always had some input into the appointment of their Senators. Meech Lake only guarantees the province's participation, nothing different whatsoever. You just submit the names to the Federal Government and they pick a name. The Constitution guarantees three judges in the Supreme Court from Quebec, only affirms what is the practice today. It is there since 1949, that three of the judges of the Supreme Court came from the Province of Quebec, and it should be entrenched, there is no doubt about it, it probably should be entrenched in the Constitution. The opting out clause: the Accord allows provinces to opt out of new Federal Programs and the Premier

just alluded to some of them. I cannot for the life of me, again I suppose, I stand to be convinced or whatever, see how the opting out clause is going to hurt Newfoundland. We have always been complaining and what have you about programs being started in upper Canada and passed down to the Provinces. Well there is so much Mr. Speaker, and I only have two minutes left. I wanted to mention something about the fishery and what we should be doing with it in regards to our resources, Mr. Speaker. I have got more faith in the Province, I think that we should have control over our fishery.

Ottawa and the Federal Government do not tell the wheat farmers out West, it was stated earlier, I think by someone else, how much to grow or when to grow it. They do not tell the Paper Companies how much wood to cut or where to cut it. They do not tell the Mining Companies where to go mine their ore or how much to mine. But yet our basic resource, the one that holds together the very fabric of our society, the fishery, we are told and dictated to time and time again, how much to catch, where to catch it even in most cases, where to land it. Now that to me is discrimination, that to me as far as I am concerned is one of the basic reasons of where we are today as a 'have not' Province. If we had our resources, if we had control of them, we may not be able to use them all at that given time, but at least we would have them there as an asset and for the support of 500 and some odd thousand people. We would not want much of a resource industry to keep it going, believe you me. I would like to clue up, Mr. Speaker, by saying, that I. No, this is not a perfect document.

No this is not a perfect document. That is why we have changes in everything. In legislation we have changes and we bring legislation in here today, next year and some Minister will bring it in again, and next year it will be in again. We need it time and time again to keep up with the times or to keep up as long as the partners are willing to do so. We would not have a country, if the Fathers of Confederation had wanted perfection. They thought they had perfection. But we would not have a country today if the Fathers of Confederation had wanted absolute perfection.

Third, the Premier says that the price of the inclusion of Quebec in the Meech Lake Accord is too high. So that is questionable. Too high! What is too high? What is the price we have to pay? Has he weighed the consequences of the Accord failing this country and Newfoundland?

MR. SPEAKER:  
Order, please!

The hon. Member's time has elapsed.

MR. WOODFORD:  
If I could have just ten seconds, Mr. Speaker?

SOME HON. MEMBERS:  
By leave!

MR. SPEAKER:  
It is agreed.

MR. WOODFORD:  
And the only other question is is he willing to gamble with the future of Newfoundland and Canada? And based on what he said tonight I think that he is after taking a step in the right direction to make sure that

Newfoundland and Canada remain one and the same.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. GOVER:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Member for Bonavista South.

SOME HON. MEMBERS:  
Hear, hear!

MR. GOVER:  
Thank you, Mr. Speaker.

It gives me great pleasure to rise in this historic debate to debate the issues. And I come to this debate with an open mind having listened to what Members on both sides of the House have had to say, some eloquent speeches have been made. And even after I sit down here tonight I will retain an open mind since the issue was too important to proceed with a closed mind on. But when we have to evaluate the Meech Lake Accord we have to evaluate the Meech Lake Accord, we have to evaluate some standard. And I have applied two tests in evaluating this particular Accord. You see my vision of Canada is enshrined in The Constitution Act of 1982. And my question is, does the Meech Lake Accord promote and enhance the values which were set out in The Constitution Act of 1982 in a manner not detrimental to the interest of Newfoundland and Labrador? And having looked at the text of the Meech Lake Accord and the text of The Constitution Act of 1982, I have concluded that the Accord does not promote those values.



What are the values contained in The Constitution Act of 1982? I believe if one reads the text of that particular act one can come to the conclusion that in the first place Canada is one nation, bilingual and multicultural from coast to coast. The second set of values, I believe, enshrined in The Constitutional Act of 1982 are the values contained in the Charter of Rights and Freedoms, including the protection of women, aboriginal rights, minorities, and most crucially minority language rights. And the third value enshrined in The Constitution Act of 1982 is the commitment in part three of that particular act to promote equalization and the reduction of regional disparity. These are the fundamental values which form my perception of Canada and these are the values which I believe the Accord undermines.

Also having said this I have to consider the Accord accomplishes its primary objective which is the reintegration of the Province of Quebec into the Canadian constitutional family. And if it did accomplish or if I believed it would accomplish that primary objective then I would have to choose to between the lesser of two evils, having Quebec outside the constitution or having a flawed constitutional document. But I believe that the Accord will not even accomplish its primary objective of reintegrating Quebec into the Canadian constitutional family.

And having listened to the arguments raised on the other side, the only strong argument put forward is that the Accord is necessary to the salvation of the nation. But I firmly disagree. I believe that the Accord if passed as it is will eventually lead to

the ruination of the nation. So the Accord is not an insurance policy. It does not guarantee the future of Canada as we know it.

Now, Mr. Speaker, given the time constraints that we have on these particular debates there is one issue I want to address before I move on and that is the issue of the fishery.

The proponents of the Accord on the other side of the House have argued that roles and responsibilities in the fishery are on the agenda, and this is a significant commitment that will lead to enhance the jurisdiction for the Province of Newfoundland and Labrador.

Well, Mr. Speaker, one only has to look back into history to determine what the significance is of placing an item on the Constitutional Agenda. When the Constitution Act was passed in 1982 in part 4 of the Constitution Act, there was a provision for a Conference on Aboriginal Rights. That Conference was held - it resulted in failure. So the First Ministers in their wisdom agreed to hold three more Constitutional Conferences on Aboriginal Rights over the next four years. All those conferences resulted in failure. So this clearly indicated that the mere placing of an item on the Constitutional Agenda will not result in any enhanced powers to the provinces or to aboriginal people, unless there is a commitment and a willingness on the other part of the provinces to grant those powers.

Now, Mr. Speaker, I would like to move back into the most controversial aspect of the Accord, I suppose, which is the

distinct society clause of the Accord. Having read the distinct society clause, I do not believe it conforms to the values enshrined in the Constitution Act of 1982. And I do not believe it will lead to the permanent reintegration of the Province of Quebec into the Canadian family.

When we look at the provision in the Accord, being Section 2, which relates to the distinct society clause, we find two particular aspects of it. One is that the Federal Government and the Provinces, excluding Quebec, have a role to preserve the existence of the francophone minority outside the Province of Quebec. While the Province of Quebec has the role to preserve and promote its distinct society. A role which no other Legislature will have.

Now, I believe that these particular provisions will lead to increased pensions in the nation by regulating linguistic minorities to second class citizenship status. In fact in the national assembly in Quebec, there has been a major debate over what the distinct society clause means. Does it include francophone and anglophone or does it only include the francophone portion of the distinct society? I believe if one reviews the debates in the national assembly, the consensus in the national assembly is that the distinct society clause only relates to the francophone part of the population.

Let us see how the Accord protects or could protect minority language rights in provinces outside the Province of Quebec. In 1988, the Supreme Court of Canada ruled that the provinces of Alberta and Saskatchewan had to pass Statutes

in both official languages. However in the legislation there was an escape clause which both provinces promptly used to exempt themselves from that particular provision.

Section 24 of the Accord provides what we call a non - derogation clause, which is a clause which does not detract from the rights of the provinces, and does not detract from the rights of the Federal Government. Therefore, if the Accord had been passed, since the rights of the Alberta Legislature had not been detracted from and the rights of the Saskatchewan Legislature had not been detracted from they still would have been able to use the escape clause in the existing legislation to have unilingual Statutes.

So the Accord does nothing to protect minorities outside the Province of Quebec. In fact what does the language mean 'to preserve the existence.' What level of funding does that entail? What programs does that entail? What legislative agenda does that entail? It is not spelled out.

Shortly after the provinces of Alberta and Saskatchewan had overridden the bilingual statute provision, Professor Howard McConnell of the University of Saskatchewan passed some comments in an article on what his view of the situation was. And I would just like to quote from that particular article, 'The French language is gradually disappearing in western Canada. On his western visit in April 1988, Premier Robert Bourassa warmly commended Premiers Getty and Devine for their efforts on behalf of the French language in the west,

commended the Premiers who had just decided not to have bilingual statutes. Western francophones were disgusted. Premier Bourassa foresaw even then that he would be using the not withstanding clause to nullify the Supreme Courts impending decision on bilingual commercial signs in Quebec. And what he claimed for himself in the interest of a francophone Quebec, he conceded to the Western Premiers in the interest of an anglophone west. The distinct society clause in its two branches therefore becomes a symbol of a linguistically and politically divided Canada used as a legislative instrument and as a cultural symbol, it will greatly enhance the French language and culture in Quebec while doing little to arrest the assimilation of francophones in other parts of Canada. It is the Constitutional equivalent of two solitudes. Bilingualism will unite us, but the distinct society clause employed as a legislative device will divide us. The proper place for the distinct society clause is not in the legislative text, but in a philosophical preamble to the Constitution.'

Now, my learned friend from Green Bay says that bilingualism outside Ottawa is a myth so he does not subscribe to the view of the nation if the nation should be bilingual. We should have an anglophone Canada and a francophone Canada. The two mentioned concepts endorsed by Robert Stanfield, former federal leader of the Conservative Party. A concept which I totally disagree with and which John Diefenbaker disagreed with. We have to build in this nation tolerance for bilingualism, tolerance for minority language rights for the anglophones in the province of

Quebec and for the francophones outside the province of Quebec. And it is only if that spirit of tolerance exists that any constitutional reform can take place. The fundamental test of any democracy is how it treats its minorities.

Now it has been said in this debate that the sign law in Quebec has no relation to the Meech Lake Accord, but in my view it certainly does. For English Canada's acceptance of French Canada's rights depends on how the province of Quebec in large treats its anglophone minority. If that minority is seen to be oppressed, then tolerance for bilingualism is reduced in the rest of Canada. And what were the sequence of events relating to the sign law? On December 15, the Supreme Court of Canada struck down Quebec's Bill 101 relating to the sign provisions. On December 16, Manitoba introduced the Meech Lake resolution into the legislature. Two days later on December 18, Premier Bourassa announced that he will invoke the not withstanding clause or the Canadian Charter of Rights and Freedoms to override that Charter and override the Supreme Courts Judgement on French signs. On December 19, the next day Premier Filmon withdrew the Meech Lake Resolution from the Provincial legislature and called for a First Minister's conference linking it to the question of the treatment of the linguistic minority in Quebec. And on the next day on December 20, Premier McKenna of New Brunswick called for amendments to the Meech Lake Accord that will protect minority language rights across Canada and for the removal of the not withstanding clause from the Charter.

And the distinct society clause in the Meech Lake Accord will in the long run, I believe, serve to oppress the Anglophone minority in Quebec, which will produce an equal and opposite reaction in English Canada against the Province of Quebec, which is what we have seen with the Meech Lake Accord and one of the reasons why it is in so much jeopardy here today.

Now it has been argued that the distinct society clause is only an interpretative clause. It adds no new powers to the Province of Quebec. And to back up their argument they say well, look at 2. sub 4. There is non derogation. There is no powers taken away from the Federal Government and no powers taken away from the Provincial Government. But that does not mean that there cannot be additions to those powers. In fact, if the framers of the Meech Lake Accord had wished to specify that there would be no additions to the powers of the Province of Quebec, they would have used the language that they used in the spending power provision of the Meech Lake Accord which provides that nothing in this section extends the legislative powers of the Parliament of Canada or the legislative powers of a province. So in that case in the spending power provision there is no extension of powers whereas with the distinct society clause there is merely no deletion of powers.

So the distinct society clause obviously will be interpreted by the Supreme Court to add new powers to the Province of Quebec, powers which no other legislature has.

Because any matter can be interpreted to fall within the

Federal jurisdiction or to fall within the Provincial jurisdiction. For example, banking is in Section 91, which makes it a Federal matter. But for another aspect and for another purpose it can be a legitimate power under Section 92 dealing with the property and civil rights in a province.

So the distinct society clause will eventually be interpreted in such a manner to enhance the powers of Quebec and to give Quebec powers which no other province has, therefore, creating a province of Class A status and a province of Class B status. And no federation can long survive when one of its equal parts has more jurisdiction than the other parts.

SOME HON. MEMBERS:  
Hear, hear!

SOME HON. MEMBERS:  
Confederation.

MR. GOVER:  
The difficulty I have with the distinct society clause is that it does not reflect the original values of the 1982 constitution. It does not reflect a bilingual nation, a multicultural nation stretching from coast to coast. Rather it reflects an idea which has been defeated time and time again, be it the special status of Premier Lesage, the nations concept of Robert Stanfield or the community of communities of Joe Clark. We must build a Canadian sense of patriotism, a one Canada idea, as endorsed by a former Canadian Prime Minister, John Diefenbaker. And in my view, the Accord acts against the one nation concept of Canada. And the distinct society acts against that notion in particular.

Another aspect of the Accord which I believe acts against the one nation notion of Canada is the immigration provisions contained within the Accord. Section 2 (c) of the Accord provides the Government of Canada will as soon as possible conclude an agreement with the Government of Quebec that would provide an undertaking by Canada to withdraw services except citizenship services for the reception and integration including linguistic and cultural of all who are nationalists wishing to settle in the Province of Quebec, where services are to be provided by Quebec with such withdrawal to be accompanied by reasonable compensation.

So upon the conclusion of the agreement and enshrining it in the constitution, immigrants to Quebec will no longer be integrated into Canada, they will be integrated into the Province of Quebec because the Province of Quebec will no doubt take over all immigration services for the reception of immigrants, especially when the Federal Government has offered them compensation for so doing.

So there again, two nations, not one. Mr. Speaker, much has been said about the process by which the Meech Lake Accord was arrived at and the fact that eleven First Ministers designed a constitution for 26 million people without having any input from the people. That is indeed one deficit in the process by which the Meech Lake Accord was arrived at but I believe the other deficiency in the process was the willingness of the provinces to put aside all their concerns and only accommodate the province of Quebec. The Province of Newfoundland never said, we want

our concerns dealt with in this round. We do not want our concerns dealt with in this round.

AN HON. MEMBER:  
Fish.

MR. GOVER:  
I am coming to fish again.

We do not want our concerns dealt with in this round. We are just going to deal with the province of Quebec. This was the commitment made in Edmonton at the First Minister's Conference in 1986 and reiterated in the meetings leading up to the Meech Lake Accord which was finally signed in April. This is totally unjustified in my view. In my view it is a sell-out of Newfoundland's interests. I was not present, or a participant at those constitutional discussions, but one scholar who studied it has this to say about the provinces commitment to withdraw their concerns and only deal with the province of Quebec's concerns. Such a result should have given Premier Don Getty of Alberta, meaning the unanimity requirement, clutching his Triple E Senate proposal (inaudible) how could all the provinces ever agree to his three E, equality of representation for each province, election of senators and effective powers for the second chamber. He had gone to the conference insisting on some action on senate reform before his province could deal with Quebec's agenda items, but when he pushed the issue he found Premier Brian Peckford just as intransigent over the fishery. The other First Ministers quickly realized that there would be no action unless the agenda was limited to Quebec's concerns and they gave Getty and Peckford the only concession, that Senate reform and the fishery would be

listed on the agenda of future constitutional conferences. These would be called every year with no sunset clause and that still left Premier Getty with nothing but a commitment to discuss Senate issues.

Even more troubling, any action on his preferred Triple E Senate would then take place under the terms of a tougher amending formula than at present. This could not be described as a great bargaining victory.

SOME HON. MEMBERS:

Hear, hear!

MR. GOVER:

It was a sell-out. We were sold-out. Put the fishery off. We will deal with Quebec's concerns but we will not deal with ours. It is a shameful action on the part of the previous Administration which now in Opposition so loudly proclaims the fishery and its commitment to the fishery. When it came down to putting something in the fishery on the Constitution they sold out.

Mr. Speaker, I would like to move on to deal with the spending power provision of the Accord which, as I said, should promote and enhance the commitment to produce equalization in the country and to reduce regional disparities. Since I have been in politics I guess I have observed my colleagues very closely and there is one thing that I find about all my colleagues, on either side of the House, they are very, very anxious to take credit for every dollar spent in their District, but when it comes to taxation they sort of like to distance themselves from that. They do not want to have much to do with taxation but spending money, they

like to have the credit for that. That is the nature of politics and the nature of politicians. Now, we have a spending power provision which will put the political liability on the Federal Government to collect taxes but when the Province opts out and conducts a compatible program the political credit for opting out will go to the Province.

So why would any Federal Government agree to institute a new national share - cost program under those circumstances?

And, again, I suppose I am only a new politician so I will have to go to the experience of other politicians. This is what Allan Blakeney had to say about the new spending power. I believe he was a former Premier of Saskatchewan from 1971 to 1982, and as a politician I guess he understood the implications of taxing and spending money. But would any new share - cost program come into being, my fear is, they would not. Let us suppose that the Federal Government decided it wanted to set up a special program for university post graduate education, and let us agree that this is an area of exclusive provincial jurisdiction although an area of legitimate federal concern. Let us suppose that the cost of the federal program would be \$10 per capita or approximately \$250 million a year. And that Quebec, Ontario and Alberta each decided to opt out and operate their own provincial programs, and the other seven provinces agreed with the federal program that would mean the Federal Government's \$250 million, more than \$180 million or three-quarters of it would be simply handed over to provincial governments never to be seen

again. So far as politician recognition and credit are concerned there would be none for the Federal Government.

Federal Governments are not going to launch programs where 75 cent on a dollar goes to gain political recognition for other governments, and 25 cents is left for the public to recognize as a federal effort.

The danger would not so much be that Quebec or Ontario or Alberta's program would not be a good one, but that there would be no program at all under these circumstances. So again in my view the spending power provisions with respect to the Meech Lake Accord would undermine those fundamental values enshrined in the Constitution Act of 1982.

As my time has almost concluded now, Mr. Speaker, I would just summarize and conclude to say this, the Meech Lake Accord does not reflect the fundamental values of Canada and does not give us any assurance that Quebec will be reintegrated into the Canadian Constitutional family permanently. Since it sets aside all Newfoundland's concern in its efforts to accommodate all Quebec's concern it amounts to a sell-out of the Province of Newfoundland and Labrador.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Member for Fortune - Hermitage.

MR. LANGDON:

Mr. Speaker, I am privileged and honored to participate in this

particular debate and the resolution to rescind the Meech Lake Accord in the hon. House of Assembly.

I would like to indicate at the outset that I support the Government on the rescinding of the resolution.

SOME HON. MEMBERS:

Hear, hear!

MR. LANGDON:

To quote Hansard, Monday, April 2, L31, "MR. SIMMS: I say to the Deputy Coordinator of the Meech Lake Speech making, the Member for Pleasantville (Mr. Noel), I have concerns about it, whether he agrees or not I do not care. I have the right to express my opinion and that is exactly what I am doing here today."

Without question, Mr. Speaker, we have come to the most critical crossroads in the province of Newfoundland and Labrador and in fact for all of Canada. It is a moment in the annals of time when we as Newfoundlanders and Labradorians can reflect on heritage and culture, on economic achievements as a Province, in total, our way of life.

We have an opportunity for the first time in our long and sometimes difficult past to help chart a course for the Province and for Canada. From the very beginning of our existence, our people have been somewhat disadvantaged. The fishing admirals from Great Britain. Another country mistreated our early settlers. And if we look at a settlement pattern in our province today, we will find that the hundreds of communities that we see existing along the dotted coastline is a direct result of

our mistreatment of our early settlers by the fishing admirals who came here and took control of the ports.

The physical possession of this Province with its many adversities has led us to think that somehow we are inferior. We have been the blunt of Newfie jokes by Canadians and by ourselves for so long. And in today's paper an editorial written by someone expressed that particular view, the same view of the fact that we have been Newfie jokes. And that particular person mentioned the round or the square pie rolling pin, the Newfoundland cap, the Newfie mug, and it is about time, Mr. Speaker, that we as Canadians do away with that and be on an equal footing with the rest of Canada. That has been long overdue.

Mr. Speaker, since 1949 we have been the poor member of the Canadian family in the Federation. And somehow we have come to accept the fact that we are not permitted to play with the big boys on the Canadian stage. Mr. Speaker, that has changed. If the Premier is not remembered for anything else, and I believe that he will, he will have been forever remembered for giving Newfoundlanders a different perception of themselves and that is very important. The Newfie joke goes something like this, in Toronto a Newfoundlander goes to the souvenir shop and he sees skulls lined across the window, and he sees the skull by the Japanese, a Japanese skull, and somebody asked how much does it cost, he said \$100. And he sees a German skull and someone said how much does that cost, that is \$60. And then they come to the Newfoundland skull and they said how much does that cost, and they

said it is free. How come it is free? Because Newfoundlanders never use their heads.

But I think, Mr. Speaker, that we have for the first time changed that perception of this Province, and we will forever use our heads to make sure we are a part of the Canadian Federation. Canadians have come to the stark realization that we do indeed have a Premier who has said to the rest of Canada we are not inferior, no more are we going to accept the role given to us by the big brothers in the Federation. We have grown up and we have matured, and no other province in Canada is to do our thinking for us. We have the ability to do it for ourselves.

Mr. Speaker, they were appalled at the very thought of that stark realization. They were stunned. A small province of Canada is challenging the status quo in Canada. The undersized sheppard boy picking on the giant Goliath. There has to be some mistake. A province that receives a lion's share of its money from the Federal Government actually standing up and challenging constitutional blue print for Canada. What these people were not aware of, Mr. Speaker, and I suggest to you the majority of Canadians and Newfoundlanders did not know how this Accord would continue to skew the Canadian future in a way that we would forever and a day be disadvantaged. Imagine the Premier of Newfoundland and Labrador taking the lead to introduce Constitutional amendment to tell them, and I suggest they already knew how Canada had to be Constitutionally organized. Can he be serious? Their quips, no doubt, were something along these lines. We will look after him.



But, Mr. Speaker, they got the surprise of their lives. The present Premier of this Province has displayed verbal eloquence, and made legal presentations that have stunned the Prime Minister and the response to Mr. Wells was a personal attack. The intestinal fortitude that the Premier had displayed over these last few months has given the citizens of this Province new life. He has told Newfoundlanders and Labradorians and all of Canada what they have wanted to hear, and that is, there is no one partner in the federation who should receive special legislative status in this country; all provincial legislatures have to be equal, and there is no doubt about that.

Quebec's founding society is different from others. If one goes back to the early history of Canada and the two original entities, Mr. Speaker, we see an Upper and Lower Canada. Where is Lower Canada? Lower Canada is mainly French, where the Church controlled the way of life for its people, a farming system owned by the Church, worked by the people, who were not landowners, a people whose way of life differed from Upper Canada, whose ancestors were English, independent from the Church, landowners who charted their own course of events. That, Mr. Speaker, is a reality of the great country we live in - yes, different, but equal societies, no question about that, but not because there is a difference in culture, in language, a total way of life, does one province, one Legislature, have to receive special status within the Confederation. That is morally wrong, ethically wrong, wrong from whatever angle you wish to approach it.

Mr. Speaker, there is no denying the fact that all of us have been aware that the Province of Quebec and Ontario have received special treatment in Confederation. There is no denying that. Politicians of all stripes have recognized the fact that Canada is controlled by Quebec and Ontario. Very often, we say we only have seven seats, we do not have seventy or eighty seats. We have been hesitant to say that because of political ramifications.

Mr. Speaker, it has taken a few of the smaller provinces, namely, Manitoba and Newfoundland, to say what the majority of Canadians are saying, which is that it has to change. If we, as a Province, are to have our rightful place in the Canadian federation, then we must have our rightful and respectful place in Canada.

There has to be a tremendous pressure put on the Premier. It appears, after hearing Mr. Bourassa and the CBC, that economic blackmail is the order of the day.

I attended a Rotary meeting in New Glasgow some time ago and one person after another came up and said, 'Tell the Premier to stand in there. We hope he will withstand the enormous pressure being put on him to give in.' That, Mr. Speaker, is the prayer of Canadians, that Mr. Wells and Mr. Filmon will withstand the political pressure.

We have quoted a number of letters and briefs as we have dealt with the debate in the House. Here is one that was on the desk the other day that was distributed, I do not know by whom. It is addressed to The hon. Clyde Wells, Premier of Newfoundland. Here is what it

says: 'I am taking the liberty of writing to you to express my deep respect and admiration for your determination to approach the question of the 1987 Constitutional Accord. From the standpoint of reason and principle, I am a McGill University Law Professor with a special interest in the Charter and its moral and rational foundations, and it seems clear to me that you are among the very few public figures who are treating this question with the thoughtfulness, the care and the lucidity required in matters of such deep importance.

There is also no question in my mind that the objection you have raised against the Accord have not been adequately answered by those First Ministers who would have it ratified, as is, and who have suggested certain modifications to it.

Indeed, I understand your objections, especially with respect to the (inaudible) of the Accord that cannot be answered. I know that I am not alone in thinking this. There are a number of constitutional law professors, both here at McGill and at the University of Toronto, who share this view.

I say this, only because it may appear to you that the opinion of constitutional law experts is otherwise. The fact of the matter is that very few of those professors who have presented their views to the public, and I am thinking of professors from McGill, Osgoode Hall and the University of Toronto, are constitutional law professors who have devoted the serious effort and time necessary to attain an adequate grasp of the nature and

basis of the constitutional recognition of fundamental rights and freedoms in Canada. And, to the best of my knowledge, many of those who have spoken most vocally, such as, for example, those who have been active in Friends of Meech Lake, which was founded at McGill have little or no professional expertise in this area.

They are however well intentioned simple individuals with political agenda to accomplish.

In closing I wish to express once more my deep respect for all that you have done and are continuing to do. You are requiring that matters of principle be treated and discussed as such. You alone, among the First Ministers, actually engage others in genuine arguments and thereby real dialogue that is intelligent, accessible and thoughtful. You work and efforts are a source of pride to all who believe that deliberation of the constitutional changes (inaudible) demands nothing less than this.

Mr. Speaker, Nova Scotia's representative in the Federal cabinet, Mr. Elmer McKay, indicated to the one of the members of the Rotary Club that 72 per cent of Newfoundlanders approved the Meech Lake Accord while 82 per cent of them Honda Accord. That, Mr. Speaker, is the very line I have been making in my dissertation, the insult, the barbs that are cast on our Newfoundland people. Mr. Speaker, I believe that Newfoundland's position at the Meech Lake Accord during its construction was simply give Quebec what it wants on language rights, etc., because that will not affect us. By giving them what they want they

want will ensure their support for us in Hibernia and Lower Churchill. That, Mr. Speaker, to me is a betrayal of the trust given to the Government by its people.

Mr. Speaker, we have a Premier of this Province today who says, Hibernia or no Hibernia, Lower Churchill or no Lower Churchill, the Province of Newfoundland and Labrador will have its rightful place in Canadian Federation, or none of this has any meaningful significance to us or our people. With our rightful place in Canada these will be our rights and not bargaining tools.

Mr. Speaker, no one in this great country of ours is denying the importance of having Quebec as an integral part of the Canadian Constitution. I do not believe that Quebec was frozen out of the 1982 process. The Parti Quebecois under Premier Rene Levesque was not willing to be a willing participant under any conditions. Mr. Mulroney has said repeatedly that English Canada was unkind to Quebec in repatriation of the Constitution in 1982. It was a gang-up and to make amends to that we show our remorse and give goodwill. If one were to look at the political philosophy of the Parti Quebecois when Premier Rene Levesque was at the helm in 1982 we would find, up front their ultimate desire for sovereignty association. They wanted no touch up federalism as indicated in the Montreal Gazette in 1979. They saw themselves yoked by federalism. They would, as the US had done in 1776 throw off the Colonial yoke but the British rule prevented them from doing so. These proposals for Quebec/Canada new deal stated three things which was the platform of sovereignty

association of the Parti Quebecois. It wanted control to make laws, regulations re income tax, to ensure, regardless of the proportionate size of the Canadian population, to have control of their future, special status, sovereignty that would give them control of laws, taxes, territories, citizenship, minorities, courts, external relations. And to quote from a New Federation presented in the Chronical Herald and the Mail Star in 1980 these powers, and I quote, in whatever terms they are phased, are synonymous with sovereignty with independence and with political separation from the rest of Canada. In fact I quote from the same article, 'they see themselves as merely a province among others.' Under the terms of the British North America Act Quebec is not a homeland of a nation but merely a province among others. Now, Mr. Speaker, how could anyone support federalism and allegiance to Canada and expect to convince the then Premier of Quebec to support the repatriation of the Canadian Constitution? Mr. Mulroney has not been up front with Canadians on this issue.

Premier Levesque and his Government did not want any part of Canada, a united Federalist state was already quoted as a colonial yoke. To employ to all Canadians then that they are anti-Quebec, anti-French is wrong. It is not the truth and he knows it. And neither should Mr. Bourassa expel the same message. I would suggest to you, Mr. Speaker, that the Premier's concern for appointments of the Supreme Court judges has to be an area of concern. If in the future we have a Provincial Government in Canada that is not committed to

the nation or to Federalism, then submitting a list of appointments to the Supreme Court then conceivably these judges would have a strong provincial view of Canada. There has to be a method in place of being faithful to Quebec's original proposal respecting participation in the appointment of the Supreme Court of Canada and judges at the same time, being faithful to federalism, as said the Premier of the Province.

To assert then that the Meech Lake Accord responds to the most moderate position taken by any Quebec Government in the last thirty years. Most response to that is, so what if it is? Does that mean that it is right? The answer is obvious and emphatic no. The point that all Canadians all across this country are saying whether we in the BC on the west or they Yukon or the Northwest Territories in the north, to Newfoundland on the East is that we are equal. No special status for all Canadians. How can we ever make the constitution reform process work in Canada in the future if we change the amending formula from seven provinces, or 50 per cent of the population to unanimity? The answer is probably never. And that is a chance we cannot take.

In Meech Lake setting the record straight sponsored by the friends of Meech Lake, on page 18 the write says, 'The only controversial additions to the less requiring unanimity are Senate reform and the admission of new provinces. Somehow snuffing them off as if it was no big deal. Mr. Speaker, Senate reform is one area where we can for the first time in our history as a Province of Canada have an

opportunity to become an equal partner in the power sharing and decision-making.

Senate reform is of utmost importance to the Western Provinces of Canada as well. They see it as a real opportunity for power sharing. There has to be Senate reform in this country. To change the amending formula, as I said from seven provinces or 50 per cent of the population to unanimity will render Senate reform impossible. And if we have to just stop and think of Quebec's rigid position in the Meech Lake Accord over the last number of months, and the last two years I think all of us would get a clear picture of what we are saying here that if we do not get Senate reform before the passing of Meech Lake then it will be virtually impossible to get it after.

SOME HON. MEMBERS:

Hear, hear!

MR. LANGDON:

Considering the stance taken by the Quebec if we do not then have Senate reform before the passing of Meech Lake then it will never happen forever and a day. The Provinces of Ontario and Quebec do not want to agree to changes that will give the smaller provinces some meaningful say in the power brokerage of Canada.

I have in front of me, Mr. Speaker, an interesting clip from an American magazine, Business Week, and it says that almost two-thirds of foreign investment in Canada comes to Ontario. More than half of all Canadian research and development money is spent in Ontario. Half the venture capital under management in Canada is raised and spent in Ontario. That, Mr. Speaker, is what this

Meech Lake is all about to continue the same federalism, the way it is now has failed this Province and if we continue to go that way then, as I have already indicated then we have no chance to become an equal partner in Confederation.

This historical records show that unanimity on amendments is possible said the quote from the historical record. The sentence fragment is possible, Mr. Speaker, it deals with an idea. In reality it is practically impossible. The writer does not say if Meech Lake fails there will be no Senate reform. It says there is less likely that Quebec will participate and it would be difficult for any Federal Government to proceed with the change which would affect Quebec Senate representation. The point to remember here is that we still have Canada after Meech. We cannot and must not regret for generations to come our decision to approve Meech Lake at the detriment of future generations in his country.

There is nothing in the pact with Meech Lake setting the record straight, that guarantees the non effectiveness of the concerns raised by this Province and the Province of Manitoba in the Accord. There is no doubt, that the proponents of the Meech Lake Accord forces Canadians to choose one vision of Canada. A vision that the large majority of Canadians do not approve. The Premier is right, that if there were to be a national referendum on Meech, there would be an overwhelming condemnation of the Meech Lake Accord. On the CBC Cross Country check up last Sunday night, a Quebec francophone was asked by the moderator, who best

represented his views on the Meech Lake Accord, and his reply was, Premier Clyde Wells of Newfoundland, and it took the moderator by surprise. How can you say that, he said, and he simply said that I have two sons who are bi-lingual, but they are of French origin, and I was not permitted under the province of Quebec law to send these students to English school, and my sons, if they so choose to their children to English schools will not be able to do it either, and he said, that is not fair. That is denying me the right, my constitutional right is denied me, and Canadians, wherever, and whoever should and must have the right to that type of basic, but very important decision. That, Mr. Speaker, is what Meech Lake is all about. Inequalities within the Federation. The recognition of a right of veto has real concern as indicated earlier and Senate reform would be, in my opinion, practically impossible. If we are to meet the challenges that will beset us in the next century and if we are to make Canada a strong, vibrant, united equal entity, then why should we assert in giving all the other provinces a veto to accommodate one. I believe, as the article states in the new Canadian Federation, printed in the Chronicle Herald in 1980, now with Meech Lake, the same thing, the repatriation of the Constitution, and I quote: 'A realistic and honest evaluation of the Canadian Federation can lead to only one conclusion. The asset far outweighs the liabilities. Starting from the premise, the most useful and promising approach is to work constructively and with confidence to renew and modernize the Canadian Federal structure'. That, Mr. Speaker, rather than an attempt to destroy it that Mr.

Speaker, we must not allow to happen. By giving this constitution a veto, will, I believe work with disaster, and we cannot and must not allow it to happen. There is real concern in the Yukon and Northwest Territories that they will never become provinces in the Confederation. Only this morning, the CBC interview with one of its Legislatures is suggesting it will be practically impossible. There are other articles, Mr. Speaker, that is not addressed under the Meech Lake Accord and time will not permit all of it to go into detail. One of this, is the omitting of the Aboriginal rights of the Canadian people. The limitations on the Federal Spending Power, Emigration, Minority rights, Women's rights. All our major concerns have not been addressed in the Accord and it must be, if the Meech Lake Accord is to become a reality. Mr. Speaker, Newfoundland's representative in the Federal Cabinet, last week, all but said Meech Lake was dead and it was due to his Government's not telling Canadians what it contains and that was his words. It is now, he said, become an emotional issue. There is good reason why, Mr. Speaker, Canadians have to become more aware of its contents. It is rejecting the Accord. Mr. Speaker, there is no doubt, that over the last number of days, there have been debate with personal view-points expressed on both sides of the House. People who are astute and will stand to express deep personal views on what we are doing in the Legislature. Mr. Speaker, I want to express, to the Premier and his Government, today, my personal support and that of the people of my district on this position taken on the Meech Lake Accord. Mr.

Speaker, Federalism, as we now know it exists in Canada, does not work. If one is to look at the Educational system in this Province, we are easy to see that is a reality. We constantly, and all Canadian tests, basic test skills come in last, last on the scores that has been delivered on a national program. Mr. Speaker, that to me, suggests one thing, that the educational institutions do not have the money, neither does it have all of what is needed to bring us on a national level.

A year or so ago, I took some students to a high school in Port Colborne, Ontario, and now, that school is closed, Mr. Speaker, because it has less than 400 students.

In that school, there was an amphitheatre; there was an industrial arts shop that allowed them to make garages and sheds, and you could bring cars in and repair them. I suggest to you that in this Province, we cannot afford that. And, to me, that is not a luxury, because what we have been preventing our young people from doing is to achieve the maximum level of their ability, whether it is in the academic or in the vocational stream. And I believe, if we are to gain our rightful place in Canada, then we have to have an educational process that will, indeed, enable our young people to develop this particular Province.

Fisheries: I have been accused a number of times, Mr. Speaker, of betraying the people in my District. And I was, yesterday - I do not know if Hansard picked it up or not - accused of being a traitor. I do not know if it is parliamentary language, or not. But, Mr. Speaker, I want to assure

the people of this Province about the fisheries.

I look at the people in Fortune - Hermitage and at the people in the other districts and I say to them and to all Newfoundlanders and Labradorians, if we had control of the fisheries, if it were a provincial jurisdiction, with the mess we find ourselves in - and we use the same statisticians, the same research - where in the world would we find the necessary funding to compensate the people in this Province for the mess the fishing industry is in? I suggest to this House that we could never, never find that.

So, in this particular position, obviously, we need to have a say in the development of the fisheries. But, to make sure it is a total provincial jurisdiction, I do not think we have the capacity to supervise the coastline we have, it is too long, and therefore, why would we assume the responsibility when we cannot carry it out?

I am convinced of the Premier's ability in addressing Newfoundland's concern on the Canadian stage.

SOME HON. MEMBERS:

Hear, hear!

MR. LANGDON:

A very large majority of Newfoundlanders hope that the Premier has the abundant reserves of courage necessary to fight the cause. They have expressed confidence in him and faith in the future of this country will be necessary for their ultimate success.

Mr. Speaker, in this debate, obviously, everybody has a

personal viewpoint, but I honestly believe that if Canada is to be a nation that is to progress in the twentieth century in a way that all of the industrialized nations of the world will do, then we need to have a great family. And I think that passing of the Meech Lake Accord would probably make one province happy, as already been suggested, but it would make the other nine provinces very unhappy within the confederation.

MR. SPEAKER:

Order, please!

The hon. Member's time has elapsed.

MR. LANGDON:

There just has to be some mechanism in place, Mr. Speaker, to make sure that the Meech Lake Accord does accommodate the wishes of all of the Provinces of Canada. Thank you.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Member for Burin - Placentia West.

SOME HON. MEMBERS:

Hear, hear!

MR. TOBIN:

Thank you very much, Mr. Speaker.

Before I get into what I have to say relating to this amendment before the House, let me say to the Member for Fortune - Hermitage, I do not think that anyone in this House doubts the Premier's courage. As a matter of fact, he has had the courage for the past several months to continue to say no to you, Sir, for joining his party.

Mr. Speaker, I would like to say,

How time has changed! We are going to talk about the Meech Lake Accord. We have to look at the discussions that have taken place in this Legislature over the past number of months, in our caucuses, at our political conventions, whatever the case may be.

Let me say how time has changed. I remember a certain hon. gentleman in this House a very short little while ago who had a total different stand on the Meech Lake Accord. I remember the gentleman talking about how the Premier was holier than thou, Mr. Speaker. How a certain Member who now wants Senate reform a few shorts months ago wanted the Senate abolished. I remember how a certain Member in this Legislature who a few months ago was a Member of our caucus and stood at a political function in Gander and I wish I only had the tapes to play in this Legislature tonight, and heard the praise that he now throws upon the Premier, but the condemnation that he put on the Premier a few short months ago.

SOME HON. MEMBERS:  
(Inaudible).

MR. TOBIN:

Mr. Speaker, I will say what I have to say in this Legislature. I will abide by the rules of the Speaker, Mr. Speaker, not by the Minister of Forestry, who was guided in this House for a number of years by our present MP for Burin - St. George's. What has to be said in this House, Mr. Speaker, is the truth about Meech Lake. It has to be laid before everyone who is going to discuss the Meech Lake debate.

Mr. Speaker, if somebody was against Senate reform and wanted

the Senate abolished and now wants some other sort of Senate reform, let us all debate it. Maybe I can be brought around to think that the Senate should not be abolished either and that we need greater reform in the Senate.

SOME HON. MEMBERS:  
Hear, hear!

MR. TOBIN:

Now, Mr. Speaker, there is no doubt in my mind and I do not think there is any doubt in the minds of any man, woman or child living in this Province that the Premier of this Province, Mr. Speaker, stood up to the Prime Minister of Canada at the First Ministers Conference. There is no doubt in my mind that he did it. And there is no doubt in my mind that he handled himself well. Not just the Liberal Party, Mr. Speaker, and the Members were pleased with the way the Premier was prepared to stand up for Newfoundland. But when anyone suggests in this Legislature that this is the first time that a Premier of this Province stood up to a Prime Minister of Canada, Mr. Speaker, then there is something wrong with that Member, Mr. Speaker, he did not listen, he did not hear it, he did not see it, he was not participating.

Now, Mr. Speaker, maybe it was somebody trying to impress somebody else, maybe there is somebody trying to impress somebody else, Mr. Speaker, maybe there is somebody trying to convince the Premier to back away from his courage and to accept him into his caucus.

Mr. Speaker, like the Member for St. John's South (Mr. Murhphy) was telling me a few days ago.



SOME HON. MEMBERS:

Go on, tell it.

MR. TOBIN:

No. I will not say that.

Mr. Speaker, the Member for St. John's South and myself have had a lot of confidential conversations, and I will not divulge the tone of that conversation.

Mr. Speaker, we have to look it. How anybody else can stand in this House and talk about the Meech Lake for a half an hour Mr. Speaker and touch the fishing industry, someone representing outport Newfoundland and spend one minute, probably one minute and thirty seconds discussing the fishery, and to say in that mouthful that Newfoundlanders should have no say over the fishery. That we are not able to handle it.

Now, Mr. Speaker, with plants closing up in rural Newfoundland, with Grand Bank and Trepassey, Gaultois, Belleoram, Harbour Breton, no one knows what is going to happen and to say that Newfoundland should have no say over the fishery is despicable for any member worth his salt.

SOME HON. MEMBERS:

Hear, hear!

MR. TOBIN:

Now, Mr. Speaker, it is strange that somebody can now condemn Mr. Crosbie in the statements that he had to say concerning Meech lake. When a certain Member in this Legislature, when it did not concern him, but yet could discuss with somebody in Mr. Crosbie's office all of the reasons why there should not be road built to Petit Forte, Mr. Speaker, a few months ago. When somebody in this

Legislature could talk to Mr. Crosbie and tell him all of the reasons why they should not spend money to build the road to Petit Forte when, Mr. Speaker, it did not concern him. That tells me an awful lot about a certain Member, Mr. Speaker, in this Legislature.

I will tell you who it was not, Mr. Speaker. It was not the Member for Placentia (Mr. Hogan) who supported me on the Placentia road, nor the Member for St. John's South (Mr. Murphy), nor my friend and colleague the hon. decent Member for Carbonear (Mr. Reid), it was not him, Mr. Speaker.

Now, Mr. Speaker, there is a lot we can say about this Meech Lake Accord, but there are certain things that have to be said. The record has to be set straight. You cannot be all over the place, Mr. Speaker. Have you ever tried to play hockey with a skate and a shoe?

AN HON. MEMBER:

Yes.

MR. TOBIN:

Well, Mr. Speaker, we saw it tonight. Political hockey with a skate and a shoe, Mr. Speaker.

Now, I want to get into the debate and the discussion to exactly outline my position, Mr. Speaker, on the Meech Lake Accord to tell the people what my position is and what it has been. To tell you, Mr. Speaker, exactly where I stand and how I feel about what has taken place in this Province and this country. I was the third - If I am right, I was the third Canadian born person to be elected to this legislature. The first, Mr. Speaker, was my colleague for Humber East, and the former,

former Member for Carbonear, Mr. Moores. They were elected in 1979 both of them and in 1982 as myself and the Member for Humber East - 1975, you were 1979.

So, I am proud to be a Member in this House - there has been a lot more since then, but I am proud to be the third Member to sit in this legislature full-fledged Canadian born. But while I was born a Canadian I was always proud to be a Newfoundlander. I was born in Trepassey, Mr. Speaker, but my Grandfather's Father came from Merasheen Island and lived in Dunville on their way to Trepassey. So, I mean we have moved around.

AN HON. MEMBER:  
(Inaudible).

MR. TOBIN:  
Yes.

AN HON. MEMBER:  
(Inaudible).

MR. TOBIN:  
Yes, Mr. Speaker. The Minister of Fisheries, Mr. Speaker, would not say that because the Minister of Fisheries knows well that I did well as a poll captain considering the product I had to sell.

Mr. Speaker, I was always proud to be a Newfoundlander, always proud to be a Canadian as I am sure everybody in this House of Assembly are and, indeed, everyone in the Province. But I am sure that when we sit down, Mr. Speaker, and watch television and see somebody that we have never met in our life participating in some sort of an olympic competition who wins a gold medal and you see the Canadian flag flying, and Oh Canada being sung, I think everyone here are proud of

that moment. That is the problem now, Mr. Speaker, he puts his hand over his head and I do not know if that means singing the American Anthem - But Canada is a country that we are all proud of. Canada is a country that no man has the right to destroy. The structure of this nation from Vancouver to Newfoundland which no doubt is a massive land mass, Mr. Speaker, with millions of people with different views. So far it has worked. So far, Mr. Speaker, Canada has worked. In my opinion, Mr. Speaker, and I may be bias, in my opinion Confederation has been a great thing. No doubt there have been questions about periods in our history that one would like to reflect on.

The Premier is probably the only one in this House who was here when the great Churchill give away took place, and I am sure since then we have been questioning our thoughts and our action as Newfoundlanders in terms of the give away of Churchill Falls to Quebec, Mr. Speaker. There are others, I could have made it -

AN HON. MEMBER:  
(Inaudible).

MR. TOBIN:  
I am not arguing that, and I am not saying that and I did not say anything derogatory. I am saying that he was probably the only one that was here when our rights were given away that could have made us a have province.

Now, Mr. Speaker, we all no doubt remember the Trudeau years.

We remember his vision of Canada. We remember when what was referred to as the three great wisemen, Trudeau, Chretien and Lalonde. We remember when they refused to give

us -

SOME HON. MEMBERS:

Oh, oh!

MR. TOBIN:

Just listen now! The three wisemen, Mr. Speaker, that refused to give Newfoundland any control or any say over the offshore oil and gas. That is what I am talking about, Mr. Speaker.

SOME HON. MEMBERS:

No, no!

MR. TOBIN:

Yes, Mr. Speaker, Lalonde gave us the date when Trudeau pulled it out from under his feet.

MR. MURPHY:

(Inaudible) Atlantic Accord.

MR. TOBIN:

We all remember, Mr. Speaker, when we talk about Confederation. We all remember when the Prime Minister at the time Trudeau gave the finger salute to the people of Western Canada. We all know what he said to the former Member for Gander - Twillingate.

AN HON. MEMBER:

(Inaudible).

MR. TOBIN:

Mr. Speaker, the junior Deputy House Leader wants to ask a question. The parliamentary expert. The constitutional expert, Mr. Speaker. He does not even know the rules of the House and he tells us he knows everything about Meech Lake.

Now, Mr. Speaker, in terms of all of this, in terms of the Trudeau years and in terms of the way that his vision of Canada, which the Premier of the day tries to express on his behalf, and there

are those in the Province who were suspicious as to why. But one thing I want to say that in the Trudeau years Newfoundland had one thing going for them, they had a very honourable, decent person, Mr. Speaker, a great man, a great Newfoundlander, a great Canadian the person of Don Jamieson representing this Province of Canada. There is no doubt about it, Mr. Speaker. I think anyone who ever knew Mr. Jamieson knew the great man that he was.

So, Mr. Speaker, the arrogance of the Trudeau years is now being brought back by the Premier of this Province. Sheila Cobbs said last week that Trudeau told her that he would only support Chretien if he carried through his vision of Meech Lake.

AN HON. MEMBER:

(Inaudible).

MR. TOBIN:

Mr. Speaker, I will wait until you speak and then I will react.

MR. MATTHEWS:

You will be waiting sometime, brother!

MR. TOBIN:

Mr. Speaker, why is there a Meech Lake agreement. Why was it necessary for a Meech Lake Accord? Was it as a result of the constitution that was patriated, Mr. Speaker, I am sure by good intentions. There is no doubt in my mind there were good intentions when it started. But somehow, for some reason Quebec was not a signature. And this country cannot function, Mr. Speaker, as a country without Quebec becoming a part of the Canadian family. We all realize that.

So, Mr. Speaker, there was a group

of individuals who way back then started discussion, back for a number of years, back since 1982 that started discussion that brought about the Meech Lake Accord.

AN HON. MEMBER:  
(Inaudible).

MR. TOBIN:  
What was that?

Well Mr. Speaker, this is when his brother built the boat.

Now, Mr. Speaker, Meech Lake was the product of extensive discussions ever since the promise of renewed federalism in 1980, and the exclusion of Quebec in 1982. Quebec's five objectives were set out in detail and in May 1986 a year before the Meech Lake agreement is when Quebec set out their five conditions, in May 1986.

Now you have these people, Mr. Speaker, who will say that this was done in the dark of the night, behind closed doors. Now, Mr. Speaker, that is not true. That is not what has happened.

That is not what will happen. The Premier says he has no problem with the distinct society clause except he would like to see it in the preamble rather than in the body of the Constitution.

Mr. Speaker, there are a number of people living in this Province who oppose the Meech Lake Accord because they feel that Quebec will be recognized as a distinct society, and who believe that is one of the objections that the Premier has. The Premier has stated here in the House on several occasions that he does not object to the distinct society clause. For some of the people

who have spoken, and who talk about the overriding factor of the distinct society clause, the distinct society provisions do not override any of the charter's equality rights, the distinct society clause is merely an interpreted clause to be used in interpreting the substantive provisions of the Constitution.

I listened tonight, Mr. Speaker, to the Premier with great interest when he was talking about the spending powers. The only thing, as far as I can check, Mr. Speaker, and I have done some research on it, the only thing that has been restricted is the ability of the Federal Government to use its spending powers to intrude without provincial consent into areas of provincial jurisdiction. The spending power provision pertains only to new national shared programs in areas of exclusive provincial jurisdiction. It does not affect any existing shared cost programs, and it does not affect cost shared programs or services under federal jurisdiction. Despite what some people have said when they were speaking, Mr. Speaker, after I researched it, that is the information I came up with.

First of all, he recognizes, for the first time, the constitutionality of the federal spending in areas of exclusive provincial jurisdiction; secondly, the provision establishes conditions whereby the two orders of Government are encouraged to consult and negotiate in designing new national cost-shared programs which will meet the needs of Canadians in every province of Canada.

Mr. Speaker, the Premier made reference tonight in his speech to

cost-shared programs, and I am sure the Minister of Social Services was listening when he referred to new programs. Only new programs can be affected by this, it has nothing to do with the programs already in existence.

The Premier mentioned Day Care. Now, Mr. Speaker, I know exactly what the Minister of Social Services is doing in terms of Day Care, the same thing we went through, and I would suspect the same formula is being used as we tried to use with the Federal Government. But, despite the fact they committed it several times, we could not extract that money from the Federal Government.

AN HON. MEMBER:  
(Inaudible).

MR. TOBIN:  
I do not have it off-hand, but I am sure the papers I left behind are the ones you are using.

Mr. Speaker, the fact of the matter is, a national day care program may be designed and tailored to the needs of Metropolitan Toronto, obviously drafted by some of the bureaucrats in Ottawa or to be done for some other large urban centre. But that day care program may not be in the best interests of somebody from Lewin's Cove in my District, or Carbonear or Dunville, whatever the case may be. It may not be designed to be in the best interests of the people of Newfoundland and Labrador because it could be drafted, Mr. Speaker, in the interests of some urban centre such as Toronto, Ontario, or Montreal, whatever the case may be.

What we can do now, Mr. Speaker, is we can participate in it,

design it, tailor it to the needs of Newfoundland under the new provision.

AN HON. MEMBER:  
(Inaudible).

MR. TOBIN:  
Oh, yes, Mr. Speaker.

Will you support Meech Lake if I am right? Will you?

AN HON. MEMBER:  
No.

MR. TOBIN:  
No, he is not going to support it anyway.

Mr. Speaker, it can be tailored and designed to the needs of somebody in Ming's Bight, Newfoundland, as opposed to somebody in Toronto, Ontario. We can collect the money provided for a day care program, design the program, and fit it to the needs of Newfoundlanders. Then, we can take the national funds and tailor our own program rather than have a program for somebody in Ontario pushed on us.

AN HON. MEMBER:  
You will never know (inaudible).

MR. TOBIN:  
Well, what is incompatible? Ask the Premier.

AN HON. MEMBER:  
Do not forget the fishery, old buddy! Do not forget the fishery! And do not forget where we got that (inaudible).

MR. TOBIN:  
Yes, I know what you are saying, but I am saying, if they went to bring it in.

AN HON. MEMBER:

(Inaudible).

MR. TOBIN:

Well, I know exactly. You do not have to argue with me, Mr. Speaker. I have sent more letters off to Ottawa and made more telephone calls to Jake Epp when he was Minister of Health; you can ask your officials about it and they will tell you.

As a matter of fact, the present Minister promised to have a Day Care program within six months. Now, Mr. Speaker, as my time is coming close, there is one area I want to concentrate on, and that is the provision that will see a constitutional conference called by the First Ministers to deal with the fisheries. The conference convened under Section 1, should have included under agenda for the following matters: Senate reform including the role and functions of Senate, its powers, the method of selecting Senators and representation in the Senate. Roles and responsibility in relation to the fishery. Now, Mr. Speaker, -

AN HON. MEMBER:

I beg your pardon.

MR. TOBIN:

Read it again?

AN HON. MEMBER:

Yes.

MR. TOBIN:

Roles and responsibilities in relation to the fisheries and such other matters, as agreed upon. Now, Mr. Speaker, we have heard speaker after speaker stand in this House from the other side, and never mentions the fishery. There is a need for the fisheries to become part. There is a need for the fishery to be debated and

discussed. There is a need for the fishery to become part of the agenda of the First Ministers, and I am sure the Minister of Fisheries agrees with that. There is a need for the fisheries to become part of the agenda for the First Ministers.

AN HON. MEMBER:

(Inaudible).

MR. TOBIN:

Mr. Speaker, we have another constitutional expert.

SOME HON. MEMBERS:

Hear, hear!

MR. TOBIN:

The fisheries in this Province is extremely important to everyone. Whether you live in St. John's or whether you live on the Burin Peninsula, the South Coast or the North East Coast.

AN HON. MEMBER:

What about Buchans?

MR. TOBIN:

Yes, Mr. Speaker, it is important to the people of Buchans and Grand Falls and everything else, and I am sure my friend the Minister of Transportation will tell you that how the fishery goes depends on how the car sales go in Grand Falls. How the fishery is on the South Coast. Because last year I spoke to people when the fishery was down and the plants were closed. I spoke to people from the Board of Trade, who told me that St. John's was affected like you would not believe, the business community, because it was down for a few short months. So, Mr. Speaker, the former Premier of this Province, Mr. Peckford, was successful in getting all of the First Ministers, because, as a matter of fact, Mr. Speaker, I was

there -

AN HON. MEMBER:

And you know who else was up with (inaudible) The Finance Minister.

MR. TOBIN:

The Minister of Finance. Well, Mr. Speaker, the Minister of Finance was up with his Premier, so now he knows where he got his statement for last night. He took that out of that conference behind closed doors.

Mr. Speaker, let us face it there was a lot of give and take. There were a lot of concessions made over the days that led up to that discussion. And it was the Western Premiers, by the way, that insisted on something to be said as it related to the Senate. They said no, we have to have something there regarding the Senate. We cannot, Mr. Speaker, really get involved in Western Canada unless there is something there for the Senate. And Brian Peckford said if the Senate comes in the fisheries is going on. If there is anything going in there for the Senate there is something going there for fisheries. That was Brian Peckford's stand and position.

And, Mr. Speaker, true to his word and against the wishes of most of the Maritime Premiers, against most of the Maritime Premier's, Mr. Speaker, when Premiers Getty and Devine and Pawley and them insisted that something had to be put there for the Senate reform in order for them to take the Meech Lake back home, Brian Peckford said the fisheries is going on this too. And, Mr. Speaker, when the deal was done there was reference made to the Senate but there was also reference made to the conference on the fisheries.

And I remember it was not that night, Mr. Speaker, it was about 5:00 o'clock in the morning.

AN HON. MEMBER:

You were there?

MR. TOBIN:

Yes, I was there. It was about 5:00 o'clock in the morning, Mr. Speaker, when Brian Peckford was able to get that deal done. And I remember how happy he was as a Newfoundlander to have been able to make that major achievement in having put on this Meech Lake agreement a conference on negotiations. As a matter of fact, Mr. Speaker, after negotiating, being involved in it from early that morning, that day, all through, that night until the next morning, Mr. Speaker, and then they came back and the Prime Minister dressed up, I remember that the Prime Minister had to dress up and comb his hair and get prop and primmer to have his press conference to announce the deal and what was reached and all of that. But Brian Peckford was so excited, Mr. Speaker, that he had made such a contribution to bringing Quebec as part of the Canadian family, so excited by the fact that he had been able to succeed in having put on the constitution table, Mr. Speaker, a discussion on the fisheries that he did not even sleep. He could not wait, Mr. Speaker, to see this country united, being brought together and I would suspect, Mr. Speaker, that he has great difficulty today to see someone trying to destroy the country. To see the country tried to be wrecked would cause Brian Peckford great difficulty as well as other Premiers.

AN HON. MEMBER:

Adjourn the debate.

MR. TOBIN:

Okay, Mr. Speaker, I will adjourn the debate.

MR. BAKER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. BAKER:

Thank you, Mr. Speaker. I wonder if we could stop the clock for a moment? There are a couple of things that have to be discussed here.

I do not believe there are any more poems because I believe the Member for St. Mary's - The Capes did not have a chance to write them up tonight, and I am sure that the Opposition House Leader's poems would not match the ones that he read to us yesterday.

I would like, first of all, to suggest to the Opposition House Leader that we would be as Government willing to forego our Private Member's Day tomorrow so that we can get a more complete and thorough debate on what I hope are Meech Lake resolutions depending on what happens tomorrow morning and the agreement we reach with regards to splitting the resolution that is before the House. So I wonder if we could come to some agreement about foregoing Private Member's Day tomorrow to simply go on with the Meech Lake debate or debates with the understanding that then the next Private Member's Day, of course, would be an Opposition Private Member's Day. And it would not simply be postponing it, we would be giving up our Private Member's Day. So I would like to ask the Opposition House Leader if that would be acceptable to his

people or to him.

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Opposition House Leader.

MR. SIMMS:

Mr. Speaker, I perhaps misunderstood from an earlier conversation that the Government House Leader and I had a little earlier. Unless something has changed to change that, I thought we were talking about dealing with the matter on Thursday and that tomorrow would continue. Is that not what he understood that I said?

SOME HON. MEMBERS:

(Inaudible).

MR. SIMMS:

I see. Okay. So, if the Government House Leader understood that I said that tomorrow, which is Private Member's Day, but is the Government's Private Member's Day or Government Member's turn if it was their desire to proceed it would be only, as I understand it, to proceed with debate on the original - on the first half now of the resolution, the rescinding part of the resolution.

So if it is your Private Members Day and if you wish to ask your Member to give up his turn then I guess we would really not have any major objection to that. We prefer to debate the GST but if that is what the Government decides.

Is that clear?

AN HON. MEMBER:

(Inaudible).

MR. SIMMS:



That is what I said in the first place.

MR. SPEAKER:

This House stands adjourned until tomorrow, Wednesday at 2:00 p.m.