



Province of Newfoundland

FORTY-FIRST GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND

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Volume XLI

Second Session

Number 12

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

*Speaker: Honourable Thomas Lush*

The House met at 2:00 p.m.

MR. SPEAKER (Lush):

Order, please!

Before proceeding to the routine matters of the day, I would like to welcome to the House of Assembly thirty Grade V and VI students accompanied by their teachers Miss Donna Jeffery and Mr. Edward Romkey from the Seventh Day Adventist School, St. John's.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

I would also like to welcome to the gallery twenty students, Grades X, XI, and XII, with their teachers, Emma Genge and Denis O'Leary, from the James Cook Memorial School, Cooks Harbour.

SOME HON. MEMBERS:

Hear, hear!

### Statements by Ministers

MR. W. CARTER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. W. CARTER:

Mr. Speaker, I am announcing today a fisheries development initiative that represents a major step in the development of the Icelandic scallop fishery off the South Coast of this Province.

SOME HON. MEMBERS:

Hear, hear!

MR. W. CARTER:

The development in question is a two-phase joint venture project between Laurentian Seafoods

Limited of St. Lawrence and Clearwater Foods Incorporated of Nova Scotia.

Under phase one of the project, which will be experimental in nature, the freezer trawler "Atlantic Enterprise" will be based as a plant extension at St. Lawrence and will process scallops landed by two offshore draggers. This phase of the project is scheduled to begin in mid-April and will directly employ fifty-four people, including thirty workers from St. Lawrence for processing on the "Atlantic Enterprise", and twenty-four local fishermen on the two offshore scallop vessels.

Under phase two of the proposal, which will be undertaken later this year, the processing equipment onboard the "Atlantic Enterprise" will be installed in the St. Lawrence plant on a permanent basis. Once this is done, the scallop processing operation at St. Lawrence will be sustained for approximately eight months of the year on an ongoing basis. Laurentian Seafoods plans to encourage the involvement of inshore vessels in the scallop fishery as well and this activity, if successful, could generate an additional thirty jobs onshore at St. Lawrence.

Mr. Speaker, my Department has taken a lead role in working with Laurentian Seafoods and the Town of St. Lawrence in promoting the diversification of the fishery in that area. I am therefore pleased that this new initiative is proceeding and I am sure that this was welcome news for the Town of St. Lawrence.

SOME HON. MEMBERS:

Hear, hear!

MR. MATTHEWS:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Member for Grand Bank.

SOME HON. MEMBERS:  
Hear, hear!

MR. MATTHEWS:  
Thank you, Mr. Speaker.

I would first like to thank the Minister for a copy of his statement, which I received well in advance of the Legislature convening, and say to him that as fisheries critic and on behalf of this Opposition Party and particularly as the MHA representing the District of Grand Bank and more specifically the Town of St. Lawrence, that I am absolutely delighted with the Minister's announcement today.

The Icelandic scallop fishery of the South Coast of the Province can be of great benefit to the people of this Province and particularly to the South Coast and Burin Peninsula region. There is a substantial resource that has been identified by experimental resource work over the last few years off that coast. And of course, what has happened is that a lot of the benefit of that particular resource has been taken by Nova Scotians, and I am very, very pleased to see that this initiative has been taken by the Minister and his officials. And as he so rightly alluded to the people involved, the officials, particularly Mr. Joe George of Laurentian Seafoods and the Town Council of St. Lawrence, who have been very, very involved and lobbied hard and strong to bring about this particular development. So, I can only say to the Minister I am particularly

delighted.

If there is ever a time on the Burin Peninsula when we needed a new initiative, a new industry, it is now. With what has happened there in the past 8 to 12 months, with hospitals and the Marystown Shipyard and what is about to happen - please God, it will not - but what we are told will happen, particularly with the fish plant in Grand Bank and with the recent down time of the mine in St. Lawrence.

We are hoping that this, at least, will fill a void not only for this year but for long into the future, and that this industry will be expanded to utilize that resource for Newfoundlanders and Labradorians and to create much needed employment in St. Lawrence and surrounding communities. So once again, Mr. Speaker, before concluding I would like to commend the Minister on this initiative.

#### Oral Questions

MR. WINDSOR:  
Mr. Speaker.

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

MR. WINDSOR:  
Mr. Speaker, I have a question for the hon. the Minister of Finance relating to his now infamous payroll tax. The President of the Board of Trade, in speaking to the Kiwanis Club yesterday, is quoted as saying that the proposed 1.5 per cent provincial tax on employers will have a dampening effect on job growth in Newfoundland; he says the tax is regressive and actually penalizes

job creation by business; he says there is a tendency, of course, for new taxes such as this to be increased in time. Now, this Mr. French, Mr. Speaker, is reflecting what all business people, all people who are interested in developing this Province and creating jobs in this Province, are saying about the Minister's new tax. Will the Minister now accept the fact that he has bungled his Budget, that he has brought in an ill-conceived tax which is having a very detrimental effect in other parts of Canada? Will he now repeal that tax before he even introduces it?

MR. SPEAKER:

The hon. the Minister of Finance.

DR. KITCHEN:

Mr. Speaker, I am tempted to say, no, and the answer is no, we will not be repealing the tax. I will say that we have received accolades from all over Canada for our insight into the imposition of this tax, even from the Federal Minister of Finance himself, yesterday.

MR. SPEAKER:

The hon. the Member for Mount Pearl.

MR. WINDSOR:

A supplementary, Mr. Speaker.

I find it very interesting that the Minister has received accolades from all over Canada. The fact of the matter is, in the province of Manitoba they are finding that the tax is a very regressive tax, and that it is having a very detrimental effect on the creation -

MR. SPEAKER:

Order, please!

I just want to remind hon. Members again that hon. Members know they are not supposed to make a response to Ministers' answers, they ought to get into the preamble as quickly as possible.

The hon. the Member for Mount Pearl.

MR. WINDSOR:

Thank you, Mr. Speaker.

Let me ask the Minister, then, will he not agree that the experience in other parts of Canada shows that this tax is regressive? And is he now aware that the province of Manitoba is repealing this tax? Let me read from a letter dated February 2, 1990, which I will table in due course. It says 'our Government has made the commitment to phase out the payroll tax. It is a punitive tax which is a disincentive to the creation of new jobs and economic growth in Manitoba. I am fully aware of the burden it imposes on the business community.' Signed by the Minister of Finance for the province of Manitoba.

SOME HON. MEMBERS:

Hear, hear!

MR. WINDSOR:

Mr. Speaker, will the Minister of Finance, now that he is made aware of the fact that the present government of Manitoba is finding the tax that was imposed by a previous socialist government is not working, now repeal this tax?

MR. SPEAKER:

The hon. the Minister of Finance.

DR. KITCHEN:

No, Mr. Speaker. Let me say this, the main reason why we picked this as opposed to another tax was that

the business community, once the GST comes into place, will no longer pay the federal sales tax and, as a result, the business community will come in for a windfall which will be dumped on the consumers of the Province, because the GST will be paid by consumers. So if we are to raise a tax this year, and we have to, then it has to be placed on those who gain by the GST, therefore, on businesses. Businesses in this Province will not be hurt by this tax.

MR. SPEAKER:

The hon. the Member for Mount Pearl.

MR. WINDSOR:

A supplementary, Mr. Speaker. I had intended to ask the supplementary of the Minister of Development, who is responsible for Tourism, but in view of the incompetent answer I just received from the Minister of Finance, let me ask him this: Since the Province's Retail Sales Tax is exempt for tourists, they can seek a rebate, since the Federal Government has announced that tourists can seek a rebate on GST, will the Minister of Finance, if he is not going to repeal this tax, which he should do, guarantee that tourist services in this Province will not be taxable at any level? Because if the tourist is not a consumer, Mr. Speaker, I do not know who is.

MR. SPEAKER:

The hon. the Minister of Development.

MR. FUREY:

Mr. Speaker, I have had no communication from Ottawa that Tourism will be exempt completely from the GST. In fact, to the contrary. This Government has

made it known to officials and to the Minister that we see the GST as being extremely dampening and having a very negative effect across the Tourism sector in this Province. Because, depending upon how you calculate it, Mr. Speaker, when tourists come into this Province they are already burdened with a 12 per cent tax, and we know where that came from for the last 18 years, and when you add to that the 7 per cent, it can be anywhere from 19 to 20 to 21 per cent, depending upon how you calculate it.

This Government has placed Tourism as a high priority. We have committed a lot of funding and a lot of time and energy to it. It is an industry that is growing, and we see the GST as having a very negative effect on this industry. In fact, Canadians generally across this country, and Ministers of Tourism, have expressed this concern, and see tourists going south; more Canadians are going south into the American marketplace and less Americans are coming north into the Canadian marketplace because of the GST. So when the hon. Member asks about that, he should perhaps make representation to Ottawa and tell them about the dampening negative effect this tax, compounded with provincial tax, will have on this sector.

MR. SPEAKER:

The hon. the Member for Mount Pearl.

MR. WINDSOR:

Mr. Speaker, I will address my supplementary to the Minister of Development. Is he not aware that the Federal Government has announced that tourists coming into Canada can seek a rebate on taxes paid while they are in

Canada, which eliminates any competition between the cost of doing tourism in Canada versus, for example, the United States? Since this payroll tax the Minister of Finance has imposed puts Newfoundland tourist businesses at a 1.5 per cent competitive disadvantage with other parts of Canada, will he, therefore, give the same assurance to tourists coming into Newfoundland, that they can seek a rebate on taxes paid while they are in Newfoundland?

MR. FUREY:  
Mr. Speaker.

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

MR. FUREY:  
Mr. Speaker, again the hon. Member is confused. I can tell him that at the Ministers' Conference, when Ministers across this country laid out the problem of GST as it impacts upon the tourism sector, the Minister at that time stated unequivocally Mr. Wilson's position, that there would be no exemptions for anybody across the board with respect to goods and services. Now he is telling us about rebates.

I have not been communicated to, Mr. Speaker, by the Minister of Tourism about any rebate with respect to the tourism tax.

MR. SIMMS:  
Why do you not check it out?

MR. FUREY:  
Mr. Speaker, the hon. Member should also know that the payroll tax instituted by this Government and brought forward is a direct result of the problem that was brought on by his Conservative

cousins in Ottawa, when they left us in a freeze position on established programs financing dealing directly with health and education. So when he wonders where this tax came from, the real question ought to be directed to him. What representation did he make to his political cousins to look after Newfoundland and Labrador's health and education, Mr. Speaker?

MR. HEARN:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Member for St. Mary's - The Capes.

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

My question is to the Minister of Education. In answering a question from my colleague, the hon. the Member for Humber East (Ms. Verge), earlier this week, he said, I believe, the budget for teacher aides is \$2.4 million in relation to the amount that was supposed to be there. The amount in the Budget is actually \$2.5 million which is, I understand, \$1 million less than that which is estimated by his Department to be the amount that is necessary.

I ask the Minister, is there a cut of \$1 million from the estimated cost of providing the program through the Department of Education? Are we going to see the program, which has become a very well accepted program, regress?

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

DR. WARREN:  
Mr. Speaker, I thank the hon. Member for his question.

This program is a good program. It was initiated last year, with funding from the Department of Social Services and from the Department of Education, and the total estimated cost was, I think, \$3.4 million or \$3.5 million. We came in under that figure, so this year's figure of \$2.5 million in the Education Budget will be supplemented again with funds or services from the Department of Social Services. Our hope is that we can maintain the same level of service in this important area for student assistance as we had last year.

I might also say that with the declining enrollments, we maybe a little better off than we were last year. I think hon. Members do not recognize that since 1971 the student enrollment in this Province has declined from 162,000 to 130,000, this year, and the projections are that by the turn of the century the number of students in the elementary and secondary schools in this Province will be 100,000. We not only maintained the level of growth in the Education budget last year and this year, but we increased it with fewer and fewer students, and we are hopeful that we can continue to improve the quality of education by doing that in the next few years.

MR. SPEAKER:

The hon. the Member for St. Mary's - the Capes.

MR. HEARN:

Thank you, Mr. Speaker.

We will talk about the increase in the Budget at another time, but today about the Teacher Aide Program. The Minister's Statement in relation to the amount is correct, but what he must remember

is that it was only September past that the Department of Education took over the responsibility for the Teacher Aide Program. The amount put in by Social Services was mainly leading up to that time, because the program had operated from that Department, something which the schools and everyone else out there was not happy with at all.

The Department had been asked for a long time to take over the program, which they did. They took it over and developed a good program, and it cost \$2.5 million from September to now, to the end of March. Consequently, I ask the Minister if the \$2.5 million budgeted for this year is only going to cover two-thirds of the program, and if we are going to see the same level of service? We are not, we are looking at downgrading the service. And we should not be looking at even providing the same level, we should be looking at doing what we have done for the last number of years in that Teacher Aide Program, and that is enhancing the program tremendously. You are certainly not going to enhance it by chopping \$1 million off the Budget.

MR. SPEAKER:

The hon. the Minister of Education.

DR. WARREN:

Mr. Speaker, I want to repeat what I said in answer to the hon. Member's question two or three days ago and what I said a few minutes ago. The level of service will not be decreased. We want to work with the Department of Social Services, as we have over the last five, six or seven years, to maintain a level of service here that is consistent with the needs in the Province. We are very

concerned, and this Government. Mr. Speaker, I can go on and tell Members of the House what we have done to promote greater equality, not only in urban and rural Newfoundland, but among all persons in education who deserve high quality education. And certainly we are committed to providing for students who are disadvantaged, high quality service. I can assure the Member that the level of service this year will not be decreased.

MR. HEARN:

Mr. Speaker, a final supplementary.

MR. SPEAKER:

The hon. the Member for St. Mary's - The Capes.

MR. HEARN:

Mr. Speaker, I ask the Minister, then, how can he explain to this House and to the parents, to the teachers and to the students how he can say it is not going to be decreased, when he is using the same amount of money to cover twelve months as they used last year to cover seven months? And if we are turning the program back to the Department of Social Services, something we have been trying to get away with for years, then how can he tell this hon. House the program is not going to be downgraded?

MR. SPEAKER:

The hon. the Minister of Education.

DR. WARREN:

Mr. Speaker, for years the whole program was offered through the Department of Social Services, in my understanding. Last year, this Government moved a large proportion of this funding from Social Services to Education. This Government made that decision last year. This Government made

that decision, Mr. Speaker, and many other decisions, to improve the quality of education for everybody in this Province. We will ensure that quality is maintained, and we expect to second from the Department of Social Services sufficient personnel to ensure that the quality of service is maintained.

MS VERGE:

So that is why, then, it is cut by \$4 million.

MR. HEWLETT:

Mr. Speaker.

MR. SPEAKER:

The hon. the Member for Green Bay.

MR. HEWLETT:

Thank you, Mr. Speaker.

Mr. Speaker, the Minister of Finance in his last Budget announced the phase out of the PDD subsidy to Newfoundland Hydro. By some coincidence, Hydro is now before the Public Utilities Board seeking a rate increase. Will the Minister of Energy confirm that this rate request is as a result of Government's direct Budgetary action, and will he indicate the size and duration of the rate increase?

MR. SPEAKER:

The hon. the Minister of Energy.

DR. GIBBONS:

Mr. Speaker, yes, Hydro has gone before the PUB as of this morning at 9:30, and they are asking for a rate review that would give to the customer 4.5 per cent per year for the next 3 years - approximately 4.5 per cent per year.

MR. SPEAKER:

The hon. the Member for Green Bay.



MR. HEWLETT:

Mr. Speaker, in our Estimates Committee meeting the other night the Minister indicated that the two major power companies had a payroll well in excess of \$100 million per year. At the time, the Minister was not exactly sure of the impact of the payroll tax on these companies. Can he now say what that tax will mean to the consumers of electricity in terms of either percentage increases or dollars on their monthly bill?

MR. SPEAKER:

The hon. the Minister of Energy.

DR. GIBBONS:

Mr. Speaker, if the payroll tax applies to Hydro, it will not have any effect on the rate hearing and the costs that are being asked for at this time. Any effect of the payroll tax will be put in deferred costs that would come in later on. Right now, Hydro is only looking for approximately 4.5 per cent per year to the customer.

MR. SPEAKER:

The hon. the Member for Green Bay.

MR. HEWLETT:

Thank you, Mr. Speaker.

So the Minister has confirmed that if the payroll tax applies, it will be in a few years time. The phase out of the PDD subsidy is over 8 years, and this is only the beginning. Given inflation, PDD, GST and payroll tax, would the Minister care to confirm that our consumers could see a rate increase over the next 8 years of 40 to 50 per cent?

MR. SPEAKER:

The hon. the Minister of Energy.

DR. GIBBONS:

Mr. Speaker, no, I cannot confirm

that. I do not have any details on what the implications are in the long term.

MR. SPEAKER:

The hon. the Member for Green Bay.

MR. HEWLETT:

The Minister confirms he has not done any long-range planning?

MR. SPEAKER:

The hon. the Minister of Energy.

DR. GIBBONS:

Mr. Speaker, the answer is no. That is not the point at all. Presently, Hydro is looking for a rate review for a 3 year period. After that 3 year period, they will be going back for another rate review and, depending on the circumstances of the time, whether that is oil prices, inflation and all other factors, they will be looking at rates in the future, beyond 3 years.

MR. DOYLE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Member for Harbour Main.

MR. DOYLE:

Mr. Speaker, I have a question for the Minister of Municipal and Provincial Affairs. Could the Minister indicate what his Department policy is, or has the Department policy changed in Municipal Affairs with respect to a municipality's right to use their capital funding where they deem fit, priority areas?

I am referring, if I may, Mr. Speaker, to a letter received by the CBS Town Council from the Minister. The letter reads that the town council will receive capital funding of \$2 million, and

the Minister goes on to tell the council where to spend the money: on Dawe's Road, Perrin's Road, Conway Brook Road, Taylor Road, Tilley's Road and Forest Road.

Now, the Member for Conception Bay South and myself, Mr. Speaker, both represent the Town of CBS, and it is only coincidental, I am sure, that 80 per cent or 90 per cent of that money is being spent in the area of the Minister for CBS. But, could the Minister explain what he is doing in telling town councils where to spend the capital funding that has been approved? What is he trying to do here?

MR. SPEAKER:

The hon. the Minister of Municipal and Provincial Affairs.

MR. GULLAGE:

Mr. Speaker, it is not unusual for the Department. It has been so in the past, and it is currently the policy of the Department, to indicate to the towns involved where the capital works money for water and sewer -

MS VERGE:

That has never happened.

SOME HON. MEMBERS:

Oh, oh!

MR. GULLAGE:

If I might finish.

MR. SPEAKER:

Order, please!

MR. GULLAGE:

- to indicate to the towns involved where the capital works money for water and sewer and roads is to be spent, based on a five-year plan submitted to the Department. The roads that were itemized by the hon. Member were,

indeed, roads identified in their five-year plan.

Now, if I might explain, Conception Bay South, as we all know, is divided into four wards. The council happens to be used to prioritizing or deciding on their roads work and water and sewer work on a ward basis.

For the first time, this Government has decided to look at water and sewer and roads on the basis of ranking and prioritizing the particular works in a given town. We have been doing that, and the capital works reflect that. But the roads and the water and sewer work identified in CBS is clearly off their five-year plan. Now, we have no hesitation in making changes in that. We can consult with the town. We are not trying to dictate to the town, it is simply a matter of identification of work that was indicated in their five-year plan.

If they wish to do it on a ward-by-ward basis, as long as the other areas identified for water and sewer and roads are of equal ranking, we have no hesitation in making changes.

MR. SPEAKER:

The hon. the Member for Harbour Main.

MR. DOYLE:

Mr. Speaker, that could possibly be explained if it were in the five-year plan, but I would like to say to the Premier and the Minister, here is a letter that is being delivered today to the Premier by the CBS Town Council, and two lines of it say, 'What is most disturbing and appalling, is that the roads listed in this letter to receive these services in absolutely no way reflect the

priorities of the Town Council. As required by your Minister, Mr. Premier, this town submitted a five-year capital works budget which clearly defines the priorities of the town as it relates to municipal service. This letter not only ignores that document but clearly demonstrates a total lack of regard for the elected municipal council of CBS.'

SOME HON. MEMBERS:  
Hear, hear!

MR. DOYLE:  
Let me give the Minister a chance, once more, to redeem himself. Let me ask him again, and let him stand on his feet today and tell the truth, how could that happen to the Town Council of CBS, that the Minister would dictate to the Town Council what roads they are going to be servicing? Is it because 90 per cent of those roads are in the constituency of the Minister of Employment and Labour Relations? Is that the reason?

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

MR. GULLAGE:  
Mr. Speaker, obviously, the capital works are prioritized by way of consultation. The regional office plays the biggest part, as you all know, in terms of prioritizing capital works. The first contact point for the communities, for the towns and cities, is the regional office. The engineers look at the five-year plan, they examine the phases, they go out on the site, they look at the work being proposed, whether it be water and sewer - in this case, \$2 million is for water and sewer, \$400,000 is for roads in CBS. In this particular case, the engineers

went out and they examined the five-year plan -

SOME HON. MEMBERS:  
Oh, oh!

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

MR. GULLAGE:  
- the phases that were identified and requested in this year's capital works, and prioritized that for my Department. It came from the regional office to my officials, and subsequently we made a decision. It is not an inflexible decision. It is based on a decision made on the five year plan. I am saying, and I am repeating what I said previously, that we are willing to make changes. If identification of water and sewer and roads work of equal ranking can be identified, we are willing to make changes, and that is so for any community in the Province.

MR. HEARN:  
Caught again. Caught with his fingers in the jar.

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER:  
The hon. the Member for Harbour Main.

MR. DOYLE:  
Thank you, Mr. Speaker.

I can assure the Minister of Municipal and Provincial Affairs that he is not getting away with this one.

SOME HON. MEMBERS:  
Hear, hear!

MR. DOYLE:  
The Minister has been caught with

his hand in the cookie jar on this one, and I can tell him he is not getting away with it.

MR. SPEAKER:  
Order, please!

I have given the hon. gentleman considerable leeway. I now ask the hon. gentleman to get to his supplementary question, please!

MR. DOYLE:  
Thank you, Mr. Speaker.

Let me say to the Minister one more time, and let me ask him for the sake of the people in the largest town in this Province, who are listening today and who want an answer, is it the Minister's intention to force this list upon the Town Council of Conception Bay South, who are a very good Council, who have been working very hard for their people in there over the last number of years, who have established their priorities, who know what they want to do? Now I am asking the Minister one more time, is he going to force that list upon the Town Council of CBS, or do they have the right to establish their own priorities like every council in Newfoundland?

SOME HON. MEMBERS:  
Hear, hear!

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

MR. GULLAGE:  
Mr. Speaker, like any town council in Newfoundland, yes, CBS has the right -

MR. DOYLE:  
I will bring it in here. I will fill this building with the people of CBS. I will fill this

building. I will tell you that right now. You are not getting away with this one.

MR. SPEAKER:  
Order, please!

I will ask the hon. the Member for Harbour Main to try and restrain himself.

The hon. the Minister of Municipal and Provincial Affairs.

MR. GULLAGE:  
Mr. Speaker, as I said, any town in this Province has a right to establish its priorities. It does so in consultation; they have a consulting firm, the majority of them decide on a five year plan. It is revised from time to time. Priorities change in those communities. Their consultants work with them. They make changes. We do not always see the same priorities. In this particular case, the priorities were looked at. They were established by the town. I am saying, I am repeating myself for the third time, that if the town wishes to make changes and distribute their capital works by ward, if necessary, as long as the ranking is similar to the capital works that is approved, we have no hesitation in making those changes.

MR. SIMMS:  
Mr. Speaker.

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

MR. SIMMS:  
Yes, Mr. Speaker, I had a question for the hon. Minister of Social Services (Mr. Efford), but he is not here. I was then going to ask the Minister of Justice (Mr. Dicks), but he is not here.

Perhaps I should ask the Premier. I am not sure if he would be familiar with it. I presume he is as Leader of the Government. First of all, the Youth Diversion Programs that are in place in certain parts of this Province, indeed, I think there is one in his own area, in Corner Brook, I would like him to give me an indication, if he could, of how many are in place in the Province, if he is familiar with that. Also, could he tell me, to the best of his knowledge, if these programs are working well, and if the young people involved in these programs are receiving the guidance and the counselling and the rehabilitation they are supposed to receive under these programs?

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

Mr. Speaker, I am indeed aware of the programs. I think they have a good deal of merit. I do not have specific knowledge as to the number of them, the nature of them and where they are, nor do I have specific knowledge of the degree of success that any one or more of the programs have been achieving.

I will, however, Mr. Speaker, take the hon. Member's question as notice and ask either the Minister of Social Services or the Minister of Justice to provide an answer at the first possible opportunity.

MR. SPEAKER:

The hon. Opposition House Leader.

MR. SIMMS:

Mr. Speaker, I have a supplementary for the Premier. I am pleased to hear him say that he believes and understands the program has merit. I can assure

him that it does, certainly in the area to which I am about to refer, and that is in the Central Newfoundland area; there is an Exploits Valley Youth Focus Diversion Program, where youth are involved from Windsor and Badger, in the District of Windsor - Buchans, and from Bishop's Falls and Botwood in the District of Exploits, and, indeed, from Grand Falls as well.

Since the Premier has indicated that the program, in his view, has a lot of merit, perhaps when the Premier is checking he could check to tell us why his Government, in this Budget which was just presented, cut the \$84,000 provided for the funding of the program in Exploits Valley; they have been written and told their program is no longer in effect following this Friday.

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

I will ask the Minister of Justice or the Minister of Social Services to advise the House, Mr. Speaker, as to the very good and sound reasons why that change was made.

MR. SPEAKER:

The hon. the Opposition House Leader.

MR. SIMMS:

Mr. Speaker, I have one final supplementary for the Premier. Again, it deals with some negative economic things that have been happening in the Exploits Valley area, in central Newfoundland.

The Premier, as the Minister responsible for the Economic Recovery Commission, would know that the Economic Recovery Commission has recommended the

establishment of this new Corporation, NewCorp I believe it is to be called. The central Newfoundland Office for that particular operation is to be located in Gander, I understand.

Can the Premier tell me if it is also the intention to move the Rural Development Offices and the Newfoundland and Labrador Development Office, in Windsor - Buchans District, into Gander?

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

Mr. Speaker, the full detail of what is going to be done is all under review. The basic framework and planning is largely complete, I would say, now. The Minister of Development has greater knowledge of that than I do, because he is responsible for the implementation side of this program. Very shortly, the Minister, I have no doubt, will be making a statement to this House spelling out exactly how the offices will be established, exactly where the primary regional offices will be, and exactly where satellite offices will be. All of that detail will be made known by the Minister in due course.

MR. SPEAKER:

The hon. the Opposition House Leader.

MR. SIMMS:

I have a short supplementary. Perhaps I can refer it to the Minister of Development, and perhaps he can answer my question?

Incidentally, I did see some information today on the wire where they announced, among other things, that the Campaign Manager for the Liberal Party in the last

election was appointed Vice-President for the Central Newfoundland Office, a Mr. Lush.

My question to the Minister is, again, a follow-up to the one to the Premier. Are the six personnel with Rural Development in Grand Falls, the two personnel with Newfoundland and Labrador Development Corporation in Windsor - Buchans District being moved to Gander? There are eight positions involved. Are any or all of those being moved to Gander?

MR. SPEAKER:

The hon. the Minister of Development.

MR. FUREY:

Mr. Speaker, as the Premier said, all of this is currently under review. There will be a new Crown corporation, as we have stated in the Budget, established for the delivery of all business programs and community development programs right across this Province. We have announced where the central offices in each region will be: There will be one in Happy Valley - Goose Bay, one in Corner Brook, one in Gander, one in Clarenville, and one in St. John's. Each of these regional offices will have satellite offices for quick delivery of these programs in other areas. Grand Falls - Windsor will be one of those areas to have a satellite office.

MR. SIMMS:

(Inaudible).

MR. FUREY:

Well, in terms of personnel it is all being worked out right now by a transition team made up of the Public Service Commission, the Department of Development, the Economic Recovery Commission, and NLDC.

With respect to the hon. Member's side comment with respect to Mr. Lush, I should tell him that I did announce today seven new Vice-Presidents for these regions across the Province.

MR. RIDEOUT:

Why was it not announced in the House?

MR. FUREY:

These are outstanding men and women. Mr. Lush, Mr. Speaker, besides being a counsellor in Gander, besides being on the Gander Economic Development Committee of the Gander Council, he also ran, I am told, a number of Conservative campaigns in the 1970s. He was an advisor to the former Premier; I believe he was an Executive Assistant to the Conservative Minister of Health.

SOME HON. MEMBERS:

(Inaudible).

MR. SPEAKER:

Order, please!

I again refer hon. Members to the point of raising extraneous matters to a supplementary question. This is not a part of the main question. The Minister has answered the question. Again I would advise hon. Members, when they are doing their preambles, to try and keep to the substance. This will not give Ministers leeway, then, to get into this.

The time for Question Period has expired.

### Petitions

MR. SPEAKER:

The hon. the Member for Humber Valley.

SOME HON. MEMBERS:

Hear, hear!

MR. WOODFORD:

Thank you, Mr. Speaker. Most of the time, Mr. Speaker, it is a happy valley by the way. I would like at this time to take the opportunity to present a petition on behalf of 147 fishermen and crew from the Jackson's Arm area and some other areas in the Province, in fact, the Minister of Fisheries area - the Comfort Cove area. Something I tried to do yesterday and could not, so I will take this opportunity now that I have five minutes to do just that. The petition is from the White Bay South Development Association Fishermen's Committee. One of the hon. Members asked me to read out the names, but I will not as I only have five minutes to talk about the petition as such, but there are no names of secretaries on it and not one name from the city of St. John's or from anywhere in this area. This is a legitimate petition presented by the fishermen of the District of Humber Valley. It says, Mr. Speaker, that we the Fishermen's Committee, do hereby petition the Government to honour the commitment made by the previous Government to allocate money for the marina at Jackson's Arm, White Bay. This marina services the communities of Jackson's Arm, Harbour Deep and Sops Arm and it will also service boats from all other places around the Island which works the White Bay area during the caplin and mackerel fishery. Mr. Speaker, this project was started I believe, in 1988 in the community of Jackson's Arm, to do just what the prayer of the petition said. All of a sudden, last year, after the Provincial election the project

was finished and cancelled. Again, this year, there are no monies for the project in the Jackson's Arm area.

Now, Mr. Speaker, if you are going to apply the fairness and balance rule, which was introduced by this Administration some ten months ago, this is a place where it should have been applicable and where it should have been put. This was not based on politics, it was a decision made purely on the economics and the needs in the area at the time. Not only the area, but there are people from all over Notre Dame Bay and other parts of Newfoundland who take part in the fishery in White Bay at different times of the year. The petition is backed up by support from the Council of Jackson's Arm, the Fishermen's Committee in Jackson's Arm and also from the Council in Hampden. It is signed by the Liberal candidate in the last provincial election in the District of Humber Valley, he supported it by saying: ' I did not receive a great deal of support from Jackson's Arm, but I believe the current Liberal Government should honour this previous commitment'. So I am sure that my shadow for the area, Mr. Short, will take that message back to the Gentleman and probably get a word in to some of his colleagues that this project should proceed on time and without further delay.

There is also a representation and support from as far away as Comfort Cove from the fishermen around the Comfort Cove area of Notre Dame Bay, and also some other people in the area who fish there during the caplin and mackerel fishery.

There was nothing there for years

with regards to a Marina in the Jackson's Arm area and there is nothing there now. We started a couple of years ago to try to have a legitimate Marina to look after the boats from all around, because they usually have to leave and come to the east coast to have repairs done or go to Englee on the Northern peninsula, which is a long distance.

There were no monies allocated in the Federal/Provincial agreement for it, which I think was signed a couple of years ago, and last year this project was cancelled, but yet there were another two or three added elsewhere in the Province. Now I do not deny and I do not know, maybe those other areas were legitimate, so more power to them, but the question I have to ask the Minister of Fisheries and his Cabinet colleagues, is why was the project dropped? They did not ask for all of it to be done in one year, or two years, they were willing to be patient, willing to wait and have it done phase by phase. They knew it would take time and they would not get it overnight. I think the first contract was for somewhere around \$200,000. It is started, it is out there now, and it is in limbo. I do not think it is fair. I ask the Premier now, especially since he is in his Chair, if he would take this under consideration and pass on the concerns of my constituents and myself with regard to this matter. I am sure when he does look into it he will see that it is a very important project for that area and I am sure their concerns will be addressed.

Thank you, Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the



Opposition.

MR. RIDEOUT:

Thank you, Mr. Speaker.

I am very pleased to rise and support the prayer of the petition presented so ably by my colleague for Humber Valley. In addition to supporting his constituents, this particular facility, if and when it were completed, would also be very much appreciated and very useful to constituents in my District. For example the community of Great Harbour Deep, a permanent community, a fishing community which does nothing else, it has no other economic activity only fish, only the fishery, and the fishermen do not have a place anywhere in close proximity where they can haul a longliner out of the water, service it, and put it back in the water again. They either have to go for a two and a half hour steam from Great Harbour Deep to Englee or a three or four hour steam from Great Harbour Deep across White Bay to La Scie.

That whole area of the Northeast Coast, including Great Harbour Deep - Little Harbour Deep has a fishing station in the summer, Cooney Arm, Westport, Bear Cove, Sops Arm, Jackson's Arm, all that area of White Bay, Mr. Speaker, on the east and the west side of White Bay, populated by fishing communities, do not have any appropriate access to a Marine haul-out.

Mr. Speaker, the people of Jackson's Arm and the fishermen of that area were not asking for a cadillac marine service centre like you find in La Scie, Englee, Isle aux Morte, or someplace like that. They are simply asking for the ability to be able to lift a vessel thirty-five or forty-five

feet out of the water and be able to service it and repair it. We, I believe, in co-operation with the Member for Humber Valley approached that in a very realistic way. For example, each summer as water and sewer work was being done in the town of Jackson's Arm we would arrange with the town to make sure that the rock-fill from that project would be brought to a certain site - the site of what we hoped some day would be a small marine service centre with a small fifty ton lift, perhaps, to be able to lift vessels out of the water.

After that was allowed to happen for, I believe, two or three years and when there was a basis of a foundation for a marine service centre there, then the Provincial Department of Fisheries began to phase in the finishing off of the project by finishing the top, getting an entrance wharf build and putting a small fifty ton lift on the site so that the fishermen, several hundred fishermen in that region would have a service, not a luxury service, not a cadillac service, but a service that we believed, when we were there, they deserved.

Mr. Speaker, fairness and balance got as far as April 20 because after that even though the project had been started, money has been spent previously, there was no further funding last year, and the Member tells me that there is no indication of funding in the Budget this year. I hope that for the sake of the fishermen in those communities, Mr. Speaker, the Government will reconsider.

I am very pleased to have the opportunity to support the prayer of the petition presented by my colleague for Humber Valley.

## Orders of the Day

### MR. SPEAKER:

This being Wednesday, Private Member's Day I believe it is the Motion of the hon. the Leader of the Opposition.

The hon. the Leader of the Opposition.

### MR. RIDEOUT:

Mr. Speaker, on Thursday of last week the Premier presented his rescinding resolution on the Meech Lake Accord to this Assembly, at the same time I presented the resolution we are about to debate today, a resolution which I styled, the Pro Canada resolution. Because, Mr. Speaker, the resolution that I presented to this Legislature last Thursday is in stark contrast to the resolution and to the approach taken by the Premier and this Government to the whole Meech Lake question. It is in stark contrast as well, Mr. Speaker, to the initiative taken by Premier McKenna just a week or two ago in his approach to try and solve the constitutional impasse that this country finds itself in today.

Mr. Speaker, it is in the McKenna initiative, the initiative that has since been at least adopted by the Prime Minister of Canada to the extent that there will be public hearings held on the initiative. It is an initiative based on compromise, Mr. Speaker. Nobody's suggestion is perfect yet. But it is an initiative based on compromise, it is an initiative based on a conciliatory approach to try and solve the constitutional dilemma of this country. It is in direct contrast, Mr. Speaker, to the constitutional initiative which is

before this Legislature in another means which will be debated on other days. It is in direct contrast to the dug-in, bunker approach of the Premier. There is no room for conciliation, there is no room for a conciliatory approach, Mr. Speaker, in the method outlined by the Premier in his resolution yesterday, tabled in this House last Thursday, no room for compromise whatsoever.

The Premier has laid down the challenge, Mr. Speaker. He has thrown it down and it is this: 'It has to be my way or no way.' I am not prepared every time somebody in this country, Mr. Speaker, whether it is another Premier or whether it is somebody else, layman, laywoman, whether it is another legal constitutional expert, every time somebody else proposes a new constitutional initiative, Mr. Speaker, it does not meet the requirements of the Premier of Newfoundland and Labrador. Nobody has been able to yet, with all the ingenuity that is out there in the population of Canada, nobody yet has been able to make a proposal that suits the Premier of Newfoundland and Labrador.

Mr. Speaker, that is why this resolution calls for the House to urge the Government to adopt an approach that is equally as constructive as the flexible and constitutional approach adopted by the Premier of New Brunswick.

Now, Mr. Speaker, this Premier of New Brunswick happens to be a Liberal. This Premier of New Brunswick happens to be a lawyer. Two of the characteristics of the present Premier of Newfoundland and Labrador. This Premier is a Liberal - well he is a Liberal, Mr. Speaker, in the political term

- I think he is, perhaps, the first conservative Premier that Newfoundland and Labrador has ever seen. But in Liberal terms or in political terms he is supposed to be a Liberal. He is also a lawyer. I understand that Premier McKenna of New Brunswick did his thesis in constitutional law. I understand that he has some expertise. He has been pretty compromising and conciliatory, he has not tried to leap frog his way into the spot light and the lime light as the saviour and the be all and the end all of constitutional knowledge in Canada. He has taken a more middle-of-the road approach, Mr. Speaker, trying to draw from people on all sides of the question and hopefully find something that would be acceptable to the vast majority of Governments and people in Canada. And he has made it clear, Mr. Speaker - even though he might have some qualifications that would qualify him to wear the title of constitutional expert - he has been humble enough to suggest that his proposals are not written in stone, that perhaps they can be added to it, that he would be quite willing to listen to sensible suggestions from the rest of Canada on this whole issue, Mr. Speaker.

So, Mr. Speaker, the resolution is really pleading with this Government to show an equal attitude to compromise. It is really pleading with this Government to show a Canadian attitude towards conciliation. It is a plea to this Government to knock down the walls of the bunker and open up their minds to other initiatives, open up their minds to other proposals, listen to what some other people in this country are saying. And the resolution,

Mr. Speaker, also asks the Government of Newfoundland and Labrador to refrain from rescinding the Meech Lake approval granted by this Legislature a couple of years ago, while the Meech Lake process, the Meech Lake initiative put forward by Premier McKenna is still underway.

Now, Mr. Speaker, I do not believe that is too much to ask. This Government has been in power now since May of last year, a resolution to rescind this Legislature's approval for the Meech Lake Accord could have been brought in at any time. It could have been brought in in the first session, in the spring last year. It could have been brought in in the fall session of 1989. It could have been brought in earlier in this session. But why is it within days of another Premier taking a major constitutional initiative that the Premier of this Province finally had to strike? What was there about the timing, Mr. Speaker, that the Premier choose not to do it last spring. He choose not to do it during the fall session last year. He choose not to do it during the first couple of weeks or three weeks or whatever it was of this session this year. But he choose a time to strike with his rescinding resolution within days of another Premier, the Premier of New Brunswick, trying to strike some compromise in the approach to the Meech Lake impasse. Why was it that the Premier had to do that? Was there something about the timing that made it necessary, Mr. Speaker?

There are those in this Province, there are those in this country, Mr. Speaker, who believe that the Premier did it for his own selfish political reasons.

AN HON. MEMBER:

His own personal political reasons.

MR. RIDEOUT:

His own personal political reasons, Mr. Speaker. The Premier of Newfoundland and Labrador could not stand the thought of somebody else, for the next two or three or four or five weeks, being center stage on the constitutional issue in Canada. There are those who believe that the Premier came with this infamous rescinding resolution so that he could once again leap himself onto the center stage of constitutional debate in this country - so he could make sure, Mr. Speaker, that his venom and his poison and his nation-bruising-rhetoric could get him on the Journal every night, Mr. Speaker.

MR. SIMMS:

Barbara has called him again.

MR. RIDEOUT:

So that Barbara would give him another ring and say, how about coming on with me, Clyde, my dear? So he could get on Canada AM every morning, Mr. Speaker. In other words, the timing had nothing to do with anything, only the Premier's own personal agenda.

And secondly, Mr. Speaker, while all this is happening, the people of Newfoundland and Labrador continue to be lulled by all this, and instead of focusing on the economic problems of this Province, the Premier continues his successful divisionary tactic of keeping people's minds on something else. Now, Mr. Speaker, that is really what is behind the timing of this particular resolution that the Premier has before the House now.

MR. SIMMS:

A crafty crowd.

MR. RIDEOUT:

It is just as crafty, Mr. Speaker, and just as fraudulent as the Budget document that the Minister of Finance delivered in his House two weeks or three weeks ago.

MR. SIMMS:

We are seing through that now. The people are too.

MR. RIDEOUT:

Mr. Speaker, you could not find a soul, I suppose, for the first week after the Budget came down, you could not find a person in this Province who was not saying great things about the great Budget that the Minister of Finance presented. But finally, Mr. Speaker, after two weeks of almost continuous questioning by the Opposition in the House of Assembly, finally the message began to get out that there were tax increases, that the Minister had not told the whole truth to the people of the Province when he presented his Budget, that he did sock it to the ordinary individual, that he did sock it to the business community.

Finally, Mr. Speaker, even The Evening Telegram, which has had such a liberal bent in its editorials over the last several months, even it had to admit, in an editorial last weekend, that they had been duped by this fraudulent Budget brought into this House by this Government and this Minister of Finance.

Well, I say, Mr. Speaker, that the same crafty public relations approach is what is behind the Premier's present motion to rescind approval for Meech Lake. It is even worse than that. Because, as I pointed out in this

House last night, the Premier of Newfoundland and Labrador, in November of last year, allowed his name to be associated voluntarily with a commiqué issued on behalf of all First Ministers of this country, giving his word and his pledge that he would not ask this Legislature to rescind its approval of the Meech Lake Accord provided he was kept abreast of constitutional developments in the Country. Nothing was done behind his back. Senator Murray was supposed to go out and do what he is doing up until this day, and New Brunswick is doing its initiative. In other words, there are new initiatives in progress.

MR. SIMMS:

He said he checked with the other Premiers, and there was nothing going on.

MR. RIDEOUT:

And the Premier has admitted that, when there was some thought that there might be moves to isolate the Premier and play circles and get around him. Oh, no. He came on the airwaves and he said he checked with Premier McKenna and Premier Filmon and there were no such moves, there were no secret deals, there were no talks. So he cannot say that was what was worrying him. He cannot say that is what troubled him, Mr. Speaker. But whatever it was, whether it was this crafty political approach of this Premier and this Government, it was enough, once again, for Newfoundland's word not to be worth the paper it was written on, Mr. Speaker. The commiqué that the Premier associated himself with is now not the worth paper it was written on.

What is the result of that, Mr. Speaker? This is twice now, under

the leadership of this Premier, the word of Newfoundland and Labrador has not been worth the paper it has been written on; not worth the breath it took to utter it, or the strength it took to sign it. One is the rescission resolution before this Legislature now. The other, Mr. Speaker, was the Premier's commitment to his fellow First Ministers that he would not move to rescind that resolution while certain conditions and certain things were happening in the constitutional process, or the Meech Lake Process, in Canada. That was his firm commitment. What is the result?

The result with the other ten First Ministers of Canada, I am told, is that any word from this Premier they do not want to hear tell of. The Premier cannot be trusted, Mr. Speaker, is what I am hearing from other capitals across Canada.

MR. SIMMS:

You can laugh, but that is what they are saying. You can laugh all you want.

MR. RIDEOUT:

Laugh! He can laugh for the next three months, until the 23rd of June. The word out of all other provincial capitals is simply that Clyde Wells cannot be trusted. Clyde Wells cannot be trusted, is the word all across Canada with the other ten Provincial Premiers. What is going to be the final effect of that? I do not believe the Premier when he says this, but I hope that at some point between now and the 23rd of June the Premier of this Province will start to move, he will start to do some compromising, he will start to try to be a positive force in solving the

constitutional impasse of this country. But even if he does, Mr. Speaker, even if the Premier slightly changes some of his positions and slightly changes his mind over the three or four months remaining, the problem is, Mr. Speaker, none of his colleagues whom he has to deal with is going to trust him. None of his colleagues he has to deal with are going to believe him, because he has already reneged once on his word, and he is attempting to renege, secondly, on the word of this Legislature and the word of the people of Newfoundland and Labrador. The consequences of that, Mr. Speaker, for our Premier, the credibility for him to have a credible role to play in breaking this impact, I do not think exists. Surely, Mr. Speaker, the least we can do is participate in the same manner, in the same vein, and in the same way that Premier McKenna is trying to invite other Canadians to participate today. Surely that is the least we can do.

If the Premier of this Province does not like everything Premier McKenna has proposed, surely he can try to build on it. Surely there must be some common ground between his document and what is in the McKenna document. I will tell you something that is in the McKenna document, Mr. Speaker, that I find disturbing, and that is the move to have the roles and responsibilities in fisheries only mandatory for one round, the first round of constitutional negotiations after Meech Lake. But, Mr. Speaker, I suspect that is a position put forward by Premier McKenna that our Premier sanctions wholeheartedly, because it is once too often for our Premier. Our Premier has said time and time again in the past

that he does not want any further jurisdiction, or any further role to play, or any further influence on the most important economic resource we have in this Province, the fishery.

MR. TOBIN:

He did not mentioned it last night.

MR. RIDEOUT:

That is an important point. In the hour of debate last night by the Premier he never once mentioned the fishery in the context of the Constitution, not once! coming at a time, Mr. Speaker, when this Province faces the greatest crisis in the fishery that we have had before us, certainly in decades, in the sense that it is a resource problem now, not the financial problem that was the problem with the deep-sea fishery back in the early '80s.

Premier McKenna's move to gut the provision of the Meech Lake Accord that fisheries roles and responsibilities would, along with Senate reform, be constitutional items to be dealt with on an annual basis, I suspect, Mr. Speaker, the Premier is happy with that approach. You would think it would be one area where the Premier would be pointing out that he does not necessarily agree with the McKenna approach. Because Premier McKenna has made it clear his ideas are not written in stone, they can be built on, there is some opportunity here, were it to be exploited by this Premier, to be able to lead the way in breaking the impasse, to be able to lead the way in trying to get Canadians to come together. But the approach of this Premier is to lead the way in dividing Canada, to lead the way in wrecking the nation. That has been the approach of this Premier. And

when the people of this Province see it is about to happen, his approach is about to fail and the consequences become abundantly clear for the people who live in Twillingate, Fogo, or St. Anthony, when the consequences of that action become abundantly clear, the political superstar of March 1990 will be burned in effigy from every building in Newfoundland and Labrador.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

Mr. Speaker, as the whole thrust of the comment today appears to be a personal attack against me, and most of the comment last night that put forward totally unfounded suggestions and allegations about constitutional opinion -

MR. RIDEOUT:

(Inaudible).

PREMIER WELLS:

Now, I listened to the Leader of the Opposition without interrupting him. I would like a reasonably comparable courtesy.

I do not know whether the hon. the Leader of the Opposition really believed it or not, if he did, he is very badly informed, or if he did not check it out, he was very careless about accepting and using advice from his constitutional advisor, but he put forward the proposition that virtually every constitutional expert in this country disagrees with the position of Newfoundland. Just the opposite is true, Mr. Speaker.

AN HON. MEMBER:

The vast majority.

PREMIER WELLS:

Now, I am also going to produce the opinion of the expert on whom he greatly relied. It has been tabled in this House before, as a matter of fact. But I am also going to produce, Mr. Speaker, an idea of some of the names, and I am going to table the letters they have written me and written to the paper and others, to explain their position. There are: Professor Howard McConnell of the Faculty of Law, University of Saskatchewan; Dr. Bryan Schwartz, Faculty of Law, University of Manitoba; Jack London, Faculty of Law, University of Manitoba; Lorraine Weinrib, Faculty of Law -

AN HON. MEMBER:

Who is he?

PREMIER WELLS:

I am going to table the letters in just a moment.

- Faculty of Law, University of Toronto; Bill Graham, part-time Professor, Faculty of Law, University of Toronto; Ed Ratushny, University of Ottawa Law School; Stephen Scott, Faculty of Law, McGill University; Beverley Baines, Queen's University Law School; John D. Whyte, an eminent constitutional expert in this country. John D. Whyte has written a massive text on the constitutional law of this country. He is the Dean of Queen's University Law School; Harry Arthurs, former Dean, Osgoode Hall Law School and now President of York University; Peter Cummings, Osgoode Hall Law School; Daniel Hurley, Faculty of Law, University of New Brunswick; Lynn Smith, Faculty of Law, University of British Columbia.

Now, let me read out the name of the pre-eminent constitutional

expert in this country, the individual -

MR. MATTHEWS:  
Clyde Wells.

PREMIER WELLS:  
No.

- the individual to whom every national news media, every organization when they sense a constitutional issue in this country, turn, the individual to whom they have turned for the last twenty years, a man whose origins are in Newfoundland -

SOME HON. MEMBERS:  
Hear, hear!

PREMIER WELLS:  
- in Grand Bank, Newfoundland, Dr. Eugene Forsey, the pre-eminent constitutional scholar of this nation; Al Johnson of Ottawa; Tom Kent of Nova Scotia; endless others.

Now, Mr. Speaker, I am going to table all these letters, but I want to draw hon. Members' attention to the comments in some of them. Here is one from the University of Saskatchewan, Dr. Howard McConnell, Professor of Law. Listen to his comment.

SOME HON. MEMBERS:  
Oh, oh!

PREMIER WELLS:  
Mr. Speaker, it is no wonder the hon. gentlemen opposite are so lacking in knowlege, they keep listening to their own voices all the time. If they do that, they will be forever lacking in knowledge.

Now, Mr. Speaker, I would like to read for the record. Here is what Professor W. H. McConnell, an

eminent constitutional scholar, says: "I have never understood how some constitutional scholars, such as Peter Hogg or Jim MacPherson, can argue" - I will read Professor Hogg's opinion, so we will have both sides of this - "can argue that the distinct society clause would not confer special status on Quebec. For one thing, legislators and judges are admonished in the very text of the Accord to interpret the constitution by reference to the distinct society. For another, how can the Quebec National Assembly promote the distinct identity of the distinct society of Quebec without legislative intervention? The clause is not simply a symbol. This is further emphasized when the putative beneficiaries of the clause exclaim, 'Now we have the right to self-determination,' - Monsieur Bourassa; or 'What I would not do with such a clause!' - Monsieur Parizeau. The clause could have a strong impact in areas such as communications, trade, language, culture, international relations with Francophone states, and the distinguished Quebec journalist, Lise Bissonette, has even said that it could be the legislative basis for a Quebec presidential system." That is how far it is possible to take it.

His final paragraph, and I will table the whole letter -

AN HON. MEMBER:  
(Inaudible).

PREMIER WELLS:  
This is a letter addressed to me.

AN HON. MEMBER:  
(Inaudible).

PREMIER WELLS:  
Would the hon. Member mind? He is



trying to prevent the words from being heard. He will continue to be as lacking in knowledge if he keeps listening only to his own voice. I am quoting from the letters of the constitutional scholars whom the Leader of the Opposition claims are opposed to it. Here is his letter to me: "In short, Mr. Premier, your performance at the recent conference was superb and I commend you deeply for it. You were speaking for the majority of Canadians and for all those who foresee serious flaws in the Accord exist".

Mr. Speaker, another one came in to me on March 21. It was mailed on March 21st, this one, from the faculty of Law, McGill University in Montreal, La Belle Provence, from Professor Peter Benson. Here is what he says, and I ask hon. Members to pay attention to what he 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, care and lucidity required in matters of such deep importance. There is also no question in my mind but that the objections you have raised against the Accord have not been adequately answered by those First Ministers who would have it ratified as is, or who have suggested certain modifications to it.

"Indeed, I understand your objections, especially with respect to Section 2 of the Accord. They 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, to mention only two institutions, 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, I am thinking of professors from McGill, Osgoode Hall, and 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."

AN HON. MEMBER:

(Inaudible) Peter Hogg.

PREMIER WELLS:

I will get to Peter Hogg just a moment.

"To the best of my knowledge, 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."

SOME HON. MEMBERS:

Oh, oh!

AN HON. MEMBER:

(Inaudible) your view.

PREMIER WELLS:

It is not my view.

"They are, however, well intentioned, simply individuals with a 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 argument, and therefore real dialogue, that is intelligible, accessible and thoughtful. Your work and efforts are a source of pride and hope to all who believe that deliberation about constitutional changes of this magnitude demand nothing less than this."

Now these are the experts whom he says do not know what they are talking about or do not exist. Others, numerous others, Mr. Speaker, Dr. Bryan Schwartz of the University of Manitoba - I will table that.

Michael Behiels, professor and chairman, Faculty of Arts, the University of Ottawa; Ramsay Cook, eminent constitutional scholar, frequently consulted, writing letters to the editor in the Globe and Mail; Al Johnson, Mr. Johnson is professor emeritus of political science at the University of Toronto. He is a former president of CBC and former advisor on Federal/Provincial relations. On February 2, in the Globe and Mail - this has been tabled already in the House, I believe - the opinion of Neil Finkelstein, an eminent professor of constitutional law at the University of Toronto Law School and also at Osgoode Hall Law School with detailed case

authorities, spelling out his opinion, and I will just read the concluding half dozen lines, Mr. Speaker. 'In my view Section 2 of the Meech Lake Accord will expand Quebec's legislative jurisdiction significantly. In that sense Quebec will enjoy a special legislative status under the constitution. I am also of the opinion that Section 2 will narrow the application of the Charter of Rights in Quebec and to a lesser extent elsewhere.'

And I will table also his curriculum vitae so that you can measure his qualification. I will table also a list of others who spoke two years ago on the Canadian Coalition on the Constitution and their names are there and a statement of their concerns are there. I will table all that. I will also table, Mr. Speaker, an actual survey of lawyers in Canada.

Now, Mr. Speaker, let me read for the House and for those who are interested, the opinions of the lawyers conducted by a magazine called Canadian Lawyer, as the hon. the Member for Humber East (Ms Verge) knows what it is. Here is the opinion poll done in November 1987, six months after the Meech Lake Accord.

AN HON. MEMBER:  
1987?

PREMIER WELLS:  
Yes, November 1987, six months after the Meech Lake Accord. Now here is the opinion results, Mr. Speaker. Question 1 - Do you favour constitutional recognition of Quebec as a distinct society? Yes, 22 per cent; No, 78 per cent. Now there is the view of lawyers across the country. Do you feel the revised wording of

the Accord creates two Canadas? Yes, 75 per cent; No, 25 per cent. Do you agree the provinces should have a constitutional role to submit names of candidates to the Senate? Yes, 44 per cent. No, 56 per cent. Do you agree the provinces should have a constitutional right to submit names of candidates to the Supreme Court? Yes, 33 per cent. No, 67 per cent. Do you favour the granting of a veto power on constitutional changes to all of the provinces? Yes, 15 per cent, No, 85 per cent. Do you believe the Meech Lake Accord is good for Canada? Yes, 20 per cent; No, 80 per cent. Just the opposite of what the Leader of the Opposition was saying.

SOME HON. MEMBERS:

Hear, hear!

PREMIER WELLS:

Now, Mr. Speaker, this House needs that information.

Now here is Professor Hogg's opinion. Professor Hogg went through the whole of the constitution and he talked about differences that existed for one province or another in education, denominational education. Newfoundland could have coloured margarine and the rest of the country could not. Really things of massive importance like that. Really a fundamental constitutional precept of the nation. He goes on to say, 'Therefore there are differences among provinces.'

Then he comes to this conclusion, and here is his conclusion on the special legislative status for Quebec, and I will read it for hon. Members. Having gone through this he says 'The distinct society clause of Quebec makes no more

than a small addition,' but he acknowledges an addition. 'to Quebec's powers to preserve and promote its distinct society.' Conclusion sums up: 'I conclude that the Meech Lake Accord does not confer significant new powers on the Province of Quebec.' But he acknowledges it does confer new powers, but he thinks they are not significant.' He goes on therefore to say 'I therefore conclude that it does not confer special status on the Province of Quebec.'

Now there is the opinion of Dr. Peter Hogg, a man for whom I have great respect. That is why he said clearly it does confer powers on Quebec. But he says 'In my judgement they are not significant. And because I think they are not significant, I would have to conclude that they do not create a special status.' Now that is Professor Hogg's opinion. So let us see the truth and let us look at it as it really is.

Mr. Speaker, I do not have a great deal of time. I only have another five or six minutes. But I want to deal with a couple of others. I will table all of these, Mr. Speaker, and I have a package - you can table them all.

Now, Mr. Speaker, let me deal with a couple of other things. The hon. the Member for Humber East (Ms Verge) keeps saying I was hiding this rescission thing. I never made it known. Well now I have proved that it was known and discussed during the election campaign. So her latest statement

MR. TOBIN:

Not true.

MS VERGE:

Oh, oh!

PREMIER WELLS:

Now she is moaning again. Just let her moan on. She is moaning again now, she is moaning again, and she is saying he only sort of snuck it into a quiet little paper in Corner Brook, in the Western Star. Well, Corner Brook is a pretty important place in this Province, at least I think so. The hon. Member may not, but I do. She was condemning me as though I had not said it in this House or something and that this would have been all right.

MS VERGE:

Campaign (inaudible).

PREMIER WELLS:

I tried to campaign but those who could not cope with it would not address it, would not campaign against it. I raised it, the Opposition would not touch it.

Now, Mr. Speaker, let me read from what happened in this House during the debate. On May 16, 1988 the then Minister of Fisheries, now the hon. the Leader of the Opposition - incidentally, Mr. Speaker, one of only two Members sitting on the Opposite side of the House who spoke on that debate - because I have the total record, it is all here. I dug it out and I am going to get some truth out about what happened in that debate.

AN HON. MEMBER:

Only two, is that right?

PREMIER WELLS:

Yes, that is right. He is one of only two Members who spoke on the Opposite side of the House. And here is what he said about our request for public hearings, hear is how he denigrated public hearings. Let me just read what

he said. Here is what he says in demands from our side, then in Opposition, for public hearings. Here is his ridicule of public hearings. 'So, Mr. Speaker, I want first of all to tell the hon. gentleman for Fogo that I have been swamped, I have been deluged, I have been almost ridden out of town with requests from my constituents and from Newfoundland and Labrador to have public hearings on Meech Lake.' He ridiculed the suggestion, absolutely ridiculed. 'I cannot keep up with the telephone calls or the letters,' he went on in more ridicule. 'I just cannot keep ahead of it with the great head of steam that is building out there in rural Newfoundland and Labrador. In fact, there are demonstrations in the streets of Round Harbour every night,' he went on to ridicule again. That is what he thinks of the opinion of the people of this Province that this Government hold public hearings on Meech Lake.

Now, Mr. Speaker, in marked contrast I will read for the House what I said when I spoke - in marked contrast. Just listen now, Mr. Speaker. 'The Minister of Fisheries jokes and says that he has no demand for hearings. Well that is true. The people of this Province are too consumed with the problems of putting food on their table and finding jobs and finding means to stay in the Province, not having to leave 15 a day every day for the last three years. That is why they cannot be consumed with Meech Lake, and they have not been given the full story yet. Mr. Speaker, the Liberal Party will give the people of this Province an opportunity to express their opinion fully on Meech Lake after the next election.' That was the statement of what we were going to

do, here in this House.

Hear the rest of it and then I will want to hear what the hon. the Leader of the Opposition has to say. Let us hear the rest.

AN HON. MEMBER:

Read what Leo Barry said.

PREMIER WELLS:

They do not like truth very much, Mr. Speaker. They are not very fond of truth.

I went on, Mr. Speaker, 'because if the proclamation -' this is May 17, 1988. 'Because if the proclamation is not made by that time, we would use the provisions of section 46 and put in a resolution to revoke the existing resolution and give them an opportunity to decide whether they do, indeed, want Meech Lake,' which is exactly what we are going to do. That is precisely what we are going to do. We are putting in a resolution, Mr. Speaker, to rescind. We are not only going to hold public hearings so a handful of academics can come and have their say, we are going to hold a referendum so the people of this Province can have their say.

AN HON. MEMBER:

(Inaudible).

PREMIER WELLS:

Yes. And I commit to the people of this Province that if New Brunswick - and I have said this numerous times - if the other legislatures of this country approve it, Newfoundland will not stand alone on the basis of what this legislature said. We will go to the people in a referendum. I said it long before.

Now, Mr. Speaker, a little dose of truth gets them very upset does it

not? Now let me give you a little bit more truth about the months they spent debating the Meech Lake Accord. The total time, Mr. Speaker, and I have it here.

AN HON. MEMBER:

Your time is up.

PREMIER WELLS:

I have two minutes left, I believe, Mr. Speaker. I will get onto that at another time.

MR. SPEAKER:

You started seventeen minutes after three.

PREMIER WELLS:

I just have another minute or so.

Mr. Speaker, I checked it and there were a total of twenty-three different speakers, some more than once, on parts of thirteen days some with as little as ten minutes a day for a total of about eleven hours of debate. Here is what the Opposition House Leader said at the time he was sitting on this side of the House. Here he is on July 7, 1988 taken from Hansard saying, 'we have spent approximately 15 to 16,' now I say he was exaggerating because I do not think we did that, we have spent approximately -

MR. RIDEOUT:

A point of order, Mr. Speaker. The Premier cannot take the House on his back and deliberately present false facts to the House.

MR. SIMMS:

He is misleading again as usual.

MR. RIDEOUT:

The debate on the Meech Lake Accord, Mr. Speaker, started on March 17, 1988, ended on July 17, and there were forty-four speakers. Now who is doing their

research, Mr. Speaker? The Premier therefore is giving false information to the House. He is not telling the truth. He should not be allowed to do it and he must withdraw. There were not twenty-three but forty-four, Mr. Speaker. Anybody can look it up, have the information and do what they like. Forty-four people spoke in the Meech Lake debate in this House, Mr. Speaker.

PREMIER WELLS:

Mr. Speaker, I would like to address that point of order.

MR. SPEAKER:

The hon. the Premier on a point of order.

PREMIER WELLS:

In addressing that point of order I will quote the Opposition House Leader. Now here is the Opposition House Leader speaking on July 7, 1988.

MR. SPEAKER:

Order, please!

I think I heard a comment from down in the corner there that the Speaker was asleep. Did I hear that comment?

MR. TOBIN:

No Mr. Speaker.

MR. SPEAKER:

I will check Hansard.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

Mr. Speaker, I have to say, Sir, that it is intolerable to have the Speaker addressed in the manner in which the hon. Member for Port au

Port (Mr. Hodder) just did. If that is going to persist in this House we will ask you to name offenders, whether they are on this side or that side of the House, and we will make the necessary motion.

SOME HON. MEMBERS:

Hear, hear!

PREMIER WELLS:

Now, to address the point of order, Mr. Speaker.

In addressing the point of order, Mr. Speaker, I am going to quote from the Opposition House Leader speaking in his capacity then, on this side of the House as Government House Leader, on July 7, 1988. Here is what he said.

AN. HON. MEMBER:

Are you addressing the point of order?

PREMIER WELLS:

I am addressing the point of order.

AN HON. MEMBER:

The point of order was on how many spoke.

PREMIER WELLS:

That is what I am saying. I am quoting the Opposition House Leader. Here is what he said with respect to it. It is Page R 4024, July 7, 1988. "We have spent approximately fifteen to sixteen hours of debate on Meech Lake here in this Legislature. We have had thirty speeches, made by, I think, twenty-seven members." Now there is the forty-four speakers that he referred to. "So more than half the Legislature has spoken on the debate at one time or another during this period of time." He felt this was enough time. He estimated fifteen to sixteen hours with thirty speeches, he thinks,

by twenty-seven. Our count, having looked at the record, Mr. Speaker, indicates that there were twenty-four Members who spoke, some of whom spoke twice, so there are a number of Members who spoke twice.

MR. SIMMS:

Due to amendments.

PREMIER WELLS:

That is right. Due to amendments being made, a number of Members spoke twice. So last night it comes out that we had a month of debate in this House when all these forty-two members spoke. That is simply not accurate so I want to make the point clear.

MR. SPEAKER:

There is no point of order just a disagreement between two hon. Members.

PREMIER WELLS:

In conclusion, Mr. Speaker--

MR. SIMMS:

The Premier's time is up.

PREMIER WELLS:

The Speaker called on me and I am about to say that I am ready to conclude. On another occasion I will have occasion to address some of the other inaccuracies of the Leader of the Opposition.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Member for Humber East.

MS VERGE:

Thank you, Mr. Speaker.

In the Premier's entire presentation here this afternoon he has craftily avoided the key

issue of public hearings on his resolution and his constitutional alternatives.

What is the Premier afraid of? He is (inaudible). Why will the Premier not practice what he preaches and allow the citizens of Newfoundland and Labrador to be involved in the critical deliberations of this Assembly now dealing with the future of our Province and our Country? Why will the Premier not strike a select committee of the Legislature to hold public meetings on the resolution rescinding the Meech Lake Accord and on his constitutional proposals?

For months since he brought this topic to the head of his agenda right after he was elected, he has been preaching about the failure of other First Ministers, involved in constitution building in the previous years, of involving their constituents in their constitutional deliberations. He has been faulting the Meech Lake Accord process saying that it was struck by only First Ministers in the dead of night. In his speeches and even in his statement to the House of Assembly in November, he praised the approaches of the Premiers of New Brunswick and Manitoba in having a legislative committee, in one case, and a task force in another, hold public hearings and get the input of citizens of those provinces on the Meech Lake Accord and on alternative proposal.

The Premier has given the impression to people in this Province he has spoken to, that he was about to launch some process of public consultation. Now he is being put to the test because he has taken the radical move of

presenting this Assembly with a resolution reversing the Legislature's position on the Meech Lake Accord and also going back on his own personal word that he gave to the First Ministers at a conference in November.

Mr. Speaker, the Premier and his colleague, the Minister of Development, now are complaining about our not having had public hearings when some of us now in opposition were Members of the previous PC Government who supported the Meech lake Accord.

Mr. Speaker, the climate was very different then. And perhaps we were wrong. The Premier and his colleague the Minister of Development make up the Government now. They are in control now. They can hardly excuse their failure to hold public hearings now by pointing to what they alleged as a failure of a previous Government. Why are they not practicing what they preach? Why is the Premier not doing what he said others should have done? Why is the Premier not being consistent? The only conclusion, Mr. Speaker, is that the Premier is afraid of putting his constitution position to the people in a way that the people will understand the real import of what he is doing. He is comfortable operating in a milieu where the public have only a fragmented superficial grasp of what is going on. The public opinion polls show over and over again that the vast majority of people in our Province and elsewhere in Canada acknowledge they know little or nothing about the Meech lake Accord. Obviously people would know far less about the Premier's alternatives. I doubt that very many people in our Province have any clue about the

Premier's alternatives about the position he put forward in November, or about his modified proposal he tabled last week.

Now why will the Premier not put all that out to the people and provide for debate? The Premier is quite good as an autocrat in going around the Province speaking to select service clubs and Liberal associations. He is good at preaching in a monologue style. But he has not made any provision for creating debate, for putting out information, for raising the level of knowledge and understanding about the Meech Lake Accord, about the Canadian Constitution, or about his alternative proposals.

An ideal way to do that, Mr. Speaker, would be to strike a select committee of the House perhaps involving the Member for Pleasantville (Mr. Noel), who has shown such an interest in constitutional matters, perhaps involving the Member for Lewisporte (Mr. Penney), who seems to be quite diligent, and my friend the Member for St. John's South (Mr. Murphy), they would make fitting representatives of the Government side of the House and a couple of us over here could be on the Committee and that way there would be two points of view represented. We could hold public meetings here in St. John's. We could hold meetings in the other major centres of Newfoundland and Labrador. We could invite citizens groups, individuals who have demonstrated an interest in the Constitution, people who are asking for a copy of the Meech Lake Accord, people who are thirsting for information about it, to come to meet us. Mr. Speaker, students and teachers in high schools, at university and



colleges have been trying to get information about the Constitutional process. The level of information is seriously inadequate. The news media have been giving widespread coverage to it but all that is coming out is ten second clips, twenty second clips and there has really been no comprehensive presentations of what the Meech Lake Accord is all about, let alone what the Premier's alternative is.

The Premier in this debate steered clear of the whole question of public hearings. Yesterday, Mr. Speaker, in his answers to the questions of the Leader of the Opposition and then in his speech on his rescinding resolution, the Premier indicated that he is not prepared to have public hearings on his rescinding resolution. He left some doubt about whether he might consent to a public hearing process at a later stage but, Mr. Speaker, now is the time.

The deadline for ratifying the Meech Lake Accord, or of adopting some alternative to the Accord, is June 23. That is fast approaching. This is almost the end of March and we have only three months left and if there are to be public hearings surely now is the time to start. The Premier points to the provision in his rescinding resolution for a referendum but the referendum gives the Cabinet the discretion as to whether a referendum will actually be called and in his public statements the Premier has said that will only be done if Newfoundland and Labrador ends up as the only hold-out Province and he hastens to add that he does not think that is likely. He is clinging to Manitoba.

If Newfoundland and Labrador ends

up as the only Province objecting to the Meech Lake Accord that probably will not materialize until late in the going and where will we be then? Will we have to have a referendum and a panic situation with no time left to conduct a public education program and have public hearings? Does the Premier perhaps envision some kind of a one-sided Clyde Wells Provincial Government propaganda campaign? Perhaps that is what he has in his mind.

But I would like to bring him back to his own words, the statements he made in his statement to this House of Assembly last November when he praised the approaches of the governments of New Brunswick and Manitoba, which had a select committee and a task force involving all the major political parties in those provinces, involving people holding different points of view on the Constitutional process and which held public hearings throughout their provinces and got quite a bit of public input.

Mr. Speaker, the Premier may not have all the answers. Perhaps if he were to listen to even some of his backbench Members, perhaps if he were to listen to men, women and children throughout our Province he would get some new ideas. Perhaps the whole business of considering the Meech Lake Accord and alternative proposals would be enriched if we were to bring into the debate in a meaningful way the citizens of our Province. But that is not happening, now.

There is no leadership on the part of the Premier, there is no initiative on the part of anyone on the other side now to carry on a dialogue with the citizens of

the Province. There is no provision being made now for citizens of the Province to contribute to this process. Mr. Speaker, does the Premier want to end up having a referendum at the last minute, in a rush, with the people of the Province really not understanding what they are voting on, is that what the Premier is trying to do? Unless that is what he wants to do, why does he not move immediately, now, three months in advance of the deadline to strike a select committee to hold public hearings.

Mr. Speaker, the Premier, took great pleasure this afternoon in reading some fan mail, in reading letters from lawyers praising his conduct and his style and his presentation. The Premier would have to concede, though, that the vast majority of expert legal and constitutional authority in Canada is on the side of the Meech Lake Accord. Mr. Speaker, I have with me a letter that was sent to the editors of major Canadian newspapers supporting the Meech Lake Accord, signed by forty, 40, forty constitutional and legal authorities.

AN HON. MEMBER:

Name them.

MS VERGE:

I will name just some of them. No.1, Professor Peter Hogg, university professor and professor of law, Osgoode Hall Law School, York University, Toronto. This is the lawyer the Premier referred to earlier. This is the lawyer whose opinion the Premier sought on the question of the Government's Loan guarantees to Sprung, and in reading the opinion provided, the Premier described Professor Hogg as the pre-eminent constitutional legal authority in Canada, that

was a few short months ago, when Professor Hogg's opinion happened to suit his purpose of the day. No. 2. Professor Marc Gold, Osgoode Hall Law School, Toronto, No.3. Professor James Macpherson, Osgoode Hall Law School, Toronto, No.4. Professor Peter Russell, Faculty of Arts and Science, University of Toronto. Professor Russell, is an eminent political scientist whose text book on The Canadian Constitution, is a classic. No. 5. Professor Stephen Dupre, Faculty of Arts and Science, University of Toronto. No.6. Professor William Lederman, Faculty of Law, Queen's University, Kingston. The Premier would have reason to remember Professor Lederman since they were on opposite sides of the Constitution Patriation case, a few years ago. The Premier was representing his mentor, then Prime Minister Pierre Elliott Trudeau. It so happened that the Supreme Court of Canada ended up siding in favour of the provinces and in favour of the case put by a Dean Lederman and against Prime Minister Trudeau and his counsel, Clyde K. Wells of Newfoundland. No.7, Mr. Speaker, Professor Bruce Feldthussen, Faculty of Law, University of Western Ontario, No.8, Professor Constance Backhouse, Faculty of Law, University of Western Ontario, No. 9. Professor Craig Brown, Faculty of Law, University of Western Ontario, No.10. Professor Nathalie Des Rosiers, Faculty of Law, University of Western Ontario, No. 11. Professor Robert Virkutis, Faculty of Law, University of Western Ontario, No. 12.

Professor Stephen Toope, Faculty of Law, McGill University, and on, and on, and on, until I get to Number 24,

Professor Innis Christie, the Dean of Law, Dalhousie Law School, the Premier's and my alma mater. Also, from Dalhousie University, Professor Wayne MacKay, a Constitutional authority who has been in the Newfoundland news media, and on, and on, and on, until we get to Number 40.

All these eminent legal scholars wrote a letter saying the following: "The Distinct Society Clause consolidates and strengthens the legislative powers that Quebec currently has along with the other provinces. The Accord clearly states that the Clause does not derogate from the powers, rights, or privileges of the Federal Government. There is no transfer of powers from the Federal Government to Quebec. Indeed, this is the first time in twenty-five years that such a transfer of powers has not been demanded by Quebec.

"Again, the Accord only reminds the courts to acknowledge Quebec's distinctiveness, which has been a constitutional reality since 1774, and to interpret the Constitution accordingly. Because of this reality, there maybe occasions where Quebec would be able to enact a law that could be invalid if passed by another province. However, in the future any other province, including Manitoba and Newfoundland, may well be able to argue its own regional and economic distinctiveness in disputes over, for example, natural resources management or fisheries jurisdiction. The Accord is a step in the continuing evolution of our Constitution's recognition of regional, cultural and linguistic diversity."

The letter then concludes, Mr. Speaker, by saying, and I think

these are words we should all pay attention to: "More than virtually any other nation in the world, Canada places the highest constitutional value on diversity and reconciliation of differences. Such diversity is also our greatest asset. If we can keep this in mind, perhaps both the supporters and opponents of Meech Lake can come together to prevent our greatest asset from turning into a nation wrecking liability."

MR. TOBIN:  
What is that?

MS VERGE:  
If we can keep this in mind, that is the importance of the diversity of the nation, perhaps both the supporters and the opponents of Meech Lake can come together to prevent our greatest asset from turning into a nation wrecking liability.

"We urge that the Meech Lake Accord be ratified."

These forty constitutional and legal experts are urging that the Meech Lake Accord be ratified.

They finish by saying: "Any improvements to the Accord, or amendments dealing with other critical issues, such as aboriginal rights and the enhanced protection of the rights of women and minorities, can be dealt with in a parallel agreement. A nation is at stake."

Of course, we see the proposal of Premier McKenna, which has been put to the Parliament of Canada now by the Prime Minister, addressing these concerns about aboriginal peoples and women's rights.

Mr. Speaker, I want to go back to the main point that we in the Opposition are trying to make at this early stage of our Legislature's consideration of the Meech Lake Accord and the Canadian Constitution, and that is right now is the time to involve the citizens of Newfoundland and Labrador. There is no excuse for the Premier to delay any longer bringing into this Constitution development process the constituents, the people he is supposed to be serving as Premier of the Province.

Mr Speaker, the Premier has his back turned to me now. Perhaps he is ashamed to own up to his own lack of consistency, perhaps he is embarrassed to realize how hypocritical he has been. This is the man who piously denounced the Meech Lake Accord because he alleged it was drawn up by eleven First Ministers in a secret room in the dead of night. This is the Premier who faulted the Accord because the citizens of Canada were not brought into the process of drafting the Accord. Mr. Speaker, now this Premier has his chance to involve his constituents in creating the kind of constitution that he is advocating. He says he will. Why not now?

PREMIER WELLS:

When we put the proposal, we will.

MS VERGE:

That is not acceptable, Mr. Speaker. The Premier is asking this Legislature, on behalf of the citizens we represent, to reject the Meech Lake Accord, to go back on our word, to go back on the word the Premier himself gave -

PREMIER WELLS:

I am also asking to approve it on

condition.

MS VERGE:

- personally to the other First Ministers of Canada, yet he is not willing to bring in the people. Why? He must be afraid to subject his resolution and his alternative proposal to the scrutiny of the people. Perhaps he is happier operating in a milieu and the people do not have the full facts. Well, Mr. Speaker, we in the Opposition will have to strive and struggle to educate and inform people, but obviously we do not have the resources at the command of this Legislature as a whole, or at the disposal of the Government.

Mr. Speaker, in speaking to the Premier's resolution previously, I made the point that it appears to be seriously flawed legally. Constitutional experts have expressed serious doubts about the constitutionality of the Premier's resolution. I will be saying more about that later, but at the first opportunity, on behalf of the Opposition, I signalled our concern about the legality of the Premier's resolution, and the Premier and the Members of the Government would be well-advised to take that seriously.

Mr. Speaker, before I close, I would like to support wholeheartedly the motion of the Leader of the Opposition, the pro-Canada motion. To remind hon. Members, the motion is resolving that the House commend the Government of New Brunswick for its conciliatory approach to the resolution of the current constitutional impasse; that the House urge the Government of this Province to adopt an equally constructive and flexible constitutional position and work with the Government of Canada and

the Governments of the other provinces to bring Quebec fully into the Canadian constitutional family; and, further, that the Government of this Province refrain from proceeding with a resolution which would have the effect of rescinding the approval of the House of the Meech Lake Accord.

That kind of rescission, that kind of reversal, Mr. Speaker, would be extremely detrimental to efforts already underway to try to bring about a resolution of the constitutional differences in the country and to include Quebec in the constitutional family, so that we can then get on with further constitutional development. Thank you, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. NOEL:  
Mr. Speaker.

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

MR. NOEL:  
Mr. Speaker, they call it the pro-Canada private Member's motion. Through much of the debate in this House I asked myself the question, Who do hon. Members on the other side think they have been elected to represent, Canada or Newfoundlanders and Labradorians?

Premier Bourassa and all the Quebec MPs and MLAs, we hear them on the media every night fighting for Quebec's interests. We do not hear them fighting for Canada's interests very much, we hear them fighting for Quebec's interests. You people were elected to fight for Newfoundland's interests.

MS VERGE:  
The fishery.

MR. NOEL:  
The fishery. What do you think you have in Meech Lake on the fishery? You have an understanding that it would be discussed at constitutional conventions every year. The fishery has been discussed, I imagine, at every Federal/Provincial conference that has ever been held in this country. What do we gain from that?

It is the same thing with economic development to end regional disparity and to improve equality in the country.

MS VERGE:  
What do you want to gain on the fishery?

MR. NOEL:  
I will tell you what we are going to do. We are going to create a kind of Federal Government that is going to give our Province and the other small provinces more say about all aspects of our economy, not just the fishery. Real say, you know, where we are going to have people in the Federal Government who will have power, not just a promise on paper, to discuss a particular topic at a constitutional conference. What does it mean?

Premier Peckford came back here in 1987 and said, 'I got this great commitment! Newfoundland should support Meech Lake, because look at what I got out of it.' Yes, Brian, we will talk about your fisheries at the various annual meetings; we will talk about your fisheries, we will talk about constitutional change, we will talk about Senate reform. What

good is that?

That is what has been happening as long as we have been in Confederation - talk, talk, talk. Now we are talking about Senate reform, and the Federal Government, and Prime Minister Mulroney, and Robert Bourassa, and even the Premier of Ontario, who is getting off in this debate very lightly. Ontario has as much to gain out of this as Quebec does. What are they saying about Senate reform? They know one of the main concerns of the Provinces which do not support the Meech Lake Accord is that we want Senate reform, and all they will say is we will talk about it. They must think we are a crowd of fools. And to put up with the kind of country we have here, if we were to continue doing it, I would agree that we are a crowd of fools. All you have to tell these people is we will talk about it. You sign on the bottom line, and we will talk about it afterward. How much talk are we going to get about Senate reform if we pass this Meech Lake Accord do you think?

MR. GOVER:  
Zero. Zero.

MR. NOEL:  
If those people are serious about talking to us about Senate reform, why do they not say now what they feel about it? If there is a willingness to really negotiate with us, let them say what the prospects are for Senate reform. We know that they are not saying it because we know there is nothing meaningful in what they are prepared to do. I think the hon. Member, and people on the other side, would be surprised by how much the average Canadian and the average Newfoundlander knows about this Meech Lake Accord. You

know, sometimes too much knowledge is a bad thing, and maybe that has been the case with some of the Members on the other side.

MS VERGE:  
That is why you are not going to hold public hearings, is it?

MR. NOEL:  
My friend, who is asking for public hearings other than you twenty people over there? Who else in this Province is asking for public hearings?

AN HON. MEMBER:  
Why are you scared of them? Answer that.

MR. NOEL:  
We are not scared of them. Every day, any of us who are available go out and talk to people. We go to radio shows, the Premier has talked across the country and across the Province. You tell me who is asking for your public hearings. You people do not seem to realize that we live in a media age. People find out things without going to public hearings.

MR. A. SNOW:  
Why are you scared of a process similar to (inaudible).

MR. NOEL:  
We will have public hearings when there is something to have a hearing about. Right now all we are proposing to do is to rescind the present approval.

MR. SIMMS:  
Were you not complaining one time that the Premier was spending too much time on Meech Lake and not enough on the economic situation?

MR. NOEL:  
No, Sir.

MR. SIMMS:  
You never did that?

MR. NOEL:  
No, Sir. Not to that effect.

MR. SIMMS:  
Your book you could not get published, can you tell me anything about that?

MR. NOEL:  
I got a book published. I will give it to you to read. If the hon. Member had read it, he might be in a little different position in life than he is today; he might be one seat to the right.

We will have public hearings when there is something to put on the table to have people discuss. All we are doing now is taking off what you people so improperly committed this Province to.

AN HON. MEMBER:  
Without public hearings.

MR. NOEL:  
Yes, without public hearings.

What I am going to tell you about is what we want out of constitutional reform. It is really unbelievable! You talk about the open lines. I was on Q Radio the other day and the former Premier, Mr. Peckford, called in. We had a little exchange and he said, 'Well, do not tell me about the Constitution, I was one of the people who helped put it together, helped come up with this Accord.' And I said, 'Well, you should understand what we are trying to get through Senate reform.' He said, 'You are trying to give the Senate all these powers. Where are you going to get them from?' I said, 'The Senate already has the same powers, essentially, as the House of Commons.' 'You are

wrong,' he said. 'You do not understand the present Constitution.' Now this is the fellow who went up to Meech Lake and negotiated for us.

Not only does he not know what he negotiated, he did not know what he was negotiating about. Because the present Senate, as you people over there and all your constitutional expert friends should realize, has the same powers as the House of Commons except, like everything.

MR. FUREY:  
Write that down, now.

MR. NOEL:  
Do you not know know what same means? Same means everything. It was not only my book the hon. Member did not read, he did not read many books. Do you know what the powers of the House of Commons are?

MR. SIMMS:  
Do you?

MR. NOEL:  
Yes. Do you?

MR. SIMMS:  
Well, tell us.

MR. NOEL:  
Tell me if you know them.

MR. SIMMS:  
You are the one who is in debate. Tell us.

MR. FUREY:  
It is obvious they do not know.

MR. NOEL:  
I have the whole Constitution here. I would have to go through that in order to tell you all the powers of the House of Commons. But your former Leader did not

realize the existing powers of the Senate, and your present Leader does not realize them either.

He got up in this House yesterday, I think it was and said, How can we give the Senate more power without taking it from the House of Commons? Newfoundland would be better off if we were to have a more powerful Senate. We would have to give up some of our provincial powers. What you people cannot seem to understand, and I cannot believe it, is that what we are going to do through giving the Senate more power is give the Federal Government more power; give our Province and the other smaller provinces more influence in how the federal power is exercised. The federal power stays just the same as it is now.

As Canada is presently constituted, every piece of legislation has to pass the House of Commons and the Senate. The trouble is our Senate does not have the political clout to have any meaningful influence over the legislation because it is an appointed Senate. That is why we need to have an elected Senate, and that is the way our Senate was intended to be.

MR. HEWLETT:  
Will it be non-partisan?

MR. NOEL:  
No, it will not be non-partisan.

MR. HEWLETT:  
Then how do you get (inaudible)?

MR. NOEL:  
Electing Liberals would be a good way to start, I would suggest.

We are the only federation in the world in which the national government appoints all the

Members to the second Chamber. The rest of the world out there is looking at Canada and saying, 'These smaller provinces must be crazy. They set up a confederation of ten equal provinces then they say to two of them, you guys can run the show. They set up a House of Commons in which Ontario and Quebec have two-thirds of the votes and, consequently, they can pass whatever laws they want to pass. This is the kind of confederation we have. It is so unusual, there is nothing like it.

MR. SIMMS:  
(Inaudible).

MR. FUREY:  
Go get another perm.

MR. SIMMS:  
Go write a book, boy.

MR. NOEL:  
Do not let me interrupt you.

MR. SIMMS:  
Tell us about the State of Maine, and how equal they are to the State of California.

MR. NOEL:  
It is the most unusual federation in the world. You bring up the State of Maine. As everybody keeps saying, every State in the United States has two Senators and they are all on par. That is why you have so much less regional inequality in the States than you have in Canada, and you have so much less preoccupation with regional discourse. The State of Maine you are asking about, the Gross Domestic Product, in billion of dollars in the State of Maine, is 17.3; the unemployment rate is 4.4.

SOME HON. MEMBERS:



Hear, hear!

MR. NOEL:

The average unemployment rate in the United States is 6.2 per cent.

MR. FUREY:

Do you want to know about Maine?

MR. MURPHY:

There is Maine.

MR. NOEL:

We are not saying that a Triple E Senate will perform miracles -

SOME HON. MEMBERS:

Oh?

MR. NOEL:

- will make us prosperous, and will make all of the smaller provinces prosperous. We are not saying that. What we are saying is that it will give us an opportunity to exploit our potential to the maximum, and that is all we can ask for. We do not want anybody else to look after us in this country. Indeed, they have not been doing it. We heard Premier Bourassa last week, I guess it was, talking about Ontario and Quebec contributing 68 per cent of the Federal Government revenues. He is only admitting that they contribute their share. They have two-thirds of the population; that is just about what they should contribute anyway.

MR. SIMMS:

Where is all of this disagreement over a Triple E Senate coming from, by the way, are you suggesting that we are opposed to that idea, or something?

MR. NOEL:

Are you for it?

SOME HON. MEMBERS:

Sure.

MR. NOEL:

Well, how do you think we are going to get it if we do not negotiate with the rest of the country?

MR. SIMMS:

How do you think we are going to get it if Meech Lake does not pass?

SOME HON. MEMBERS:

Oh, oh!

MR. SIMMS:

Your Premier, himself, said to the University students that we will not get it if Meech Lake does not pass.

MR. NOEL:

What you do not understand is that this is our opportunity to get it. This is the crucial time.

SOME HON. MEMBERS:

How? How?

MR. NOEL:

Because the rest of the country want to change their constitution to satisfy Quebec and to satisfy some other needs in the country. Now if we agree to do that, and that is completed this June, when do you think there is going to be serious talk about a reformed Senate?

MR. SIMMS:

(Inaudible) and Quebec is not in the constitution, how are you going to do that?

MR. NOEL:

Well, we can do it today by the -

MS VERGE:

How?

MR. NOEL:

You do not understand any more than your leaders.

MR. SIMMS:

You are not explaining it.

MR. NOEL:

Quebec is in the constitution today. It is not correct to say they are not in. In order to have a reformed Senate today, we need 50 per cent and seven out of ten provinces. I do not think you need to have Quebec to have seven provinces and you do not need them to have 50 per cent. So the technicality is that we could have Senate reform without Quebec, but the reality is that we are in a very crucial negotiating time in this country. This is our opportunity to say this far and no further.

We do not want Premier Bourassa talking about how much they keep Newfoundlanders. You would think Newfoundlanders do not contribute anything to Federal revenues every year. When you add up all the taxes we pay in income taxes, business taxes, unemployment insurance -

MR. SIMMS:

We send more than they give us.

MR. NOEL:

I would say we are responsible for more revenues of the Federal Government each year than they give back to us. That is right, Sir.

MR. SIMMS:

Yes.

MR. NOEL:

Now, if we had a Triple E Senate, which is our way of getting more say in how the Federal Government is exercised, we would have more control over national policies. For instance, interest rates. We do not need the kind of high interest rates we have in this

country today. They need them in southern Ontario, because too much federal resources are funnelled into southern Ontario, and more are going to be once the Department the Premier was talking about last night is properly functioning, the new Department of Science, Industry and Technology. What we need in Canada right now is for the Federal Government to stop contributing so much to the economy of southern Ontario and more to the other provinces, to balance out the Canadian economy. They are not doing that, because Ontario and Quebec control the Federal Government.

MR. SIMMS:

Not the Senate.

AN HON. MEMBER:

Do not listen to him.

MR. NOEL:

I want him to reveal how little he knows about things. Sometimes, when you give him a chance to talk like that, you find out just what a man does not know.

Again, let us talk about our tariff policies. If we had a Federal Government in which the smaller provinces had more say, we would have tariff policies in this country that would be more encouraging to the development of our economy, and would be less protective of the Central Canadian economy.

People do not understand our potential for creating industry in this Province. We are well located geographically, we have tremendous resources. The Leader of the Opposition was talking about Vermont yesterday, I believe. Maybe Vermont does not have a great standard of living. I have not studied those things in

detail right now, but they do not have the resources that Newfoundland has. A more sensible Government in this country is not going to create resources, but it is going to give us the opportunity to make sure we can exploit our resources properly.

Now this side is going to vote against the motion, Mr. Speaker. We do not want to support the Meech Lake Accord, we want a better deal for our Province. We could go through the various recitals, but there are so many things in there with which we would disagree, there would not be any reason to vote for your proposed motion.

MR. PARSONS:

Can we make it on our own?

MR. NOEL:

Sir, we can make it on our own. You, I have questions about.

The Leader of the Opposition has been using scare tactics in this Province. He is saying, What are we going to do for our Unemployment Insurance? What are we going to do for pensions, and for Baby Bonuses and things like that? That is the trouble with you people over there, you do not understand standing on your own. You do not understand how self-reliant Newfoundlanders have been over the years. The hon. the Member for St. John's East Extern has told me he has travelled a fair bit, and you have travelled to Ontario, you walked the streets of Toronto. If you ask those people for money, do they hand it over to you? No, they only do it through their Government. You must be some foolish to believe that! How can you be foolish enough to believe that the people of Ontario want to continue

Confederation as it is so that they can have the opportunity to pass their wealth over to the smaller provinces.

MR. SIMMS:

That is the old NDP philosophy.

MR. NOEL:

The old NDP philosophy?

MR. SPEAKER:

Order, please! Order, please!

MR. NOEL:

The problem with you people is that you do not understand economics, you do not understand the economics of this Country, and you do not understand the politics of this country.

MR. SIMMS:

We do not understand anything you are saying, that is for sure!

MR. NOEL:

Well, I can appreciate that. You do not understand other things, so why should you understand my sophisticated logic here this afternoon?

MR. SPEAKER:

Order, please! Order, please!

The hon. Member's time has elapsed.

SOME HON. MEMBERS:

By leave! By leave!

MR. NOEL:

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MS DUFF:

Mr. Speaker.

MR. SPEAKER:

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

MS DUFF:

Thank you, Mr. Speaker.

I am very sorry the hon. Member's time is up. I was finding what he was saying very interesting, but such is the rule of debate. I would like to assure the hon. Member, first of all, that the only concern I and my colleagues have in this whole debate is that Newfoundland and Newfoundlanders have the best possible deal by staying within a strong and united Canada, and our biggest concern about the precipitous and, I would say, somewhat dangerous course on which the Ship of State, the Legislature of Newfoundland, is currently embarked, is that, in fact, it will be so damaging to Canadian unity, it will so sour Provincial and Federal relationships, that Newfoundland's chance of having a fair deal within a strong and united Canada will be destroyed forever.

Now, I am standing to speak today as perhaps the Member of our caucus who had the biggest doubts about Meech Lake, who had the most concerns, and I have made no secret about that. My knowledge of Meech Lake, I suppose, was about equivalent to most Canadians who actually read the papers and look at television. When it happened, I looked upon it as an exercise in nation building, a step in a process. Everybody was very happy about it; all the ten Premiers, all the three Parties were happy. I did not question it any further than that. I said it must be okay. I was not at the table, but there were no voices raised in descent, and knowing a bit about Quebec - I lived there for 7 years. I do speak french. I have a daughter who was educated there - I felt very happy, in fact, that the wrong that had been

done to the Province of Quebec in 1982 had finally been righted, and that Quebec would be now part of the constitutional family and we could lay to bed the Quebec question and hopefully get on with some other issues that are important to the future of Canada.

Now, people may underestimate the strength of feeling in Quebec about this whole constitutional process, and about the Meech Lake Accord and the importance of the fact that the minimal demands of Quebec be accepted. Because in Quebec the average man on the street, just like the average Newfoundlander on the street, feels now that he is going to be condemned to poverty forever if we sign Meech Lake, which I think is false. The average Quebecer feels that he was knifed in the back in 1982.

Now those who know a little more about it know that Quebec, at the time, had a very obstructionist Premier, Rene Levesque, who was determined, probably, to do anything other than sign that Accord. But the fact that the First Ministers of the day did have a meeting in the middle of the night without him, allowed the Quebec people to believe they had been knifed in the back. And they call it, the man on the street, the students in the schools, les nuit des couteaux longues, the night of the long knives. And it was very difficult to achieve this step in getting the whole Canadian family once again on side in a Constitutional Accord, which is now known as the Meech Lake Accord.

My own background in it did not go any further than that, until I decided to run in Provincial politics. At that time, I thought maybe it is a good idea for me to

learn a little bit more about it. In fact, the first thing I ever read about Meech Lake was an article in a dentist's office, in the Reader's Digest, by Pierre Elliott Trudeau. I have great respect for Mr. Trudeau. In fact, at one point, in my early days, I belonged to a sub-group, called the people for Pierre, who did not want Joey Smallwood but wanted Pierre Trudeau, federally.

MR. HODDER:

Headed by Cabot Martin.

MS DUFF:

Cabot Martain and Rex Murphy. I worked very hard to get Pierre Elliott Trudeau elected.

Now, I read that article, and it gave me cause to pause, it made me think that perhaps the Meech Lake Accord was not perfect. So I wrote to a friend, who is a lawyer in Ottawa, and I said to him, 'Can you send me some information about Meech Lake? I want to know more about it.' And he did. He sent me the Manitoba Law Journal, which I read, he sent me Brian Schwartz book, which I read, called Fathoming Meech Lake, and that only convinced me even further that perhaps we were into something that we had great cause to be alarmed about in Meech Lake.

I brought this concern to my leader. When I ran as a Member of the PC Caucus I said to Tom Rideout, I have to tell you right now, up front, I have some very grave concerns about Meech Lake, and I do not really know how I am going to handle this. Tom said to me, Alright. I know you are not going to do anything that is against your principles or your beliefs. I would like you to bring your concerns to our caucus, lay them on the table, and we will

discuss them, which, in fact, we did. We had a full day on nothing but Meech Lake. In fact, I sent Mr. Rideout a whole lot of literature from Bryan Schwartz and other people.

I began then to realize that many of the points that were put forward in Trudeau's article, or in Bryan Schwartz writings, or in the Manitoba Law Journal were one side of this issue and that there was another side to almost every point that was raised. So I went a little bit further than that and wrote to my daughter who is a Law student in British Columbia, who has a tremendous interest in constitutional law and is doing a joint degree in civil and common law, who speaks French and has done part of her training at Lavelle and part in British Columbia, and she sent me a number of articles, including articles in French, written in Quebec. When she was home this summer, we had a lot of discussions about it. In fact, I have gotten to the point, almost, where Meech Lake makes me break out in hive, because I feel I am drowning in a sea of words and paper that has been written about it.

But the only conclusion I could come to, having really sincerely tried to see both sides of this argument - because I can tell you that the last thing I would ever want to do is put Newfoundland in a position where it would be disadvantaged in the Canadian confederation. I would rather quit politics than do that, and I told Mr. Rideout so.

SOME HON. MEMBERS:

Hear, hear!

MS DUFF:

But I began to realize that there

was a tremendous weight of constitutional and legislative opinions that very definitely did not agree with those positions that had been taken, and that we are into something here that is, at least in some ways, subject to interpretation. Our Government has taken one particular interpretation of Meech Lake and run with it as the gospel truth.

Now I have heard a lot of debate back and forth over the last three days and it makes me uncomfortable. I have heard a lot about who is right; forty lawyers say Meech Lake is okay, so many other lawyers say Meech Lake is wrong; this province likes it, that province does not like it. Lawyers are well known for mincing words, for being fanatical about interpretations and crossing T's and dotting I's, and I think we are getting hung up on this constitutional word mincing. I think, in fact, the nation, with all due respect to those present, is suffering from a plague of lawyers.

SOME HON. MEMBERS:

Hear, hear!

MS DUFF:

It is time we took it out of this realm and put it into the real politics of the Canadian nation. You have to put the substance in the context of the reality of what we are dealing with; you have to allow room for interpretation and room for compromise in all of this.

I would say right now and right here that if at some point I become convinced that Newfoundland is in danger, I know how I go on this issue. But, at this present time, what I have seen happening in terms of process, is that our Premier, and I do not doubt his

sincerity or his intelligence, but our Premier, who has taken a certain particular position on this, has leaped, or leapt, onto the main stage of Canada, using the forum of a First Minister's Conference, to put Newfoundland front and center into this issue, and that has, in fact, given a tremendous amount of airtime, if your like, to his particular interpretation of Meech Lake, which may not be - there is room for doubt - the right interpretation of Meech Lake. But the net political effect of it is, that he has now put himself in a position, and I am not sure if history will show that he is the all-time Canadian hero, or if he is in the ironic position as being the last-in first-out and will end up destroying Canada. And the burden of history he bears on his shoulders is not his burden, it is a burden for the whole Province of Newfoundland, and that makes it very, very serious.

SOME HON. MEMBERS:

Hear, hear!

MS DUFF:

I do not wonder at all that there is tremendous popular support for the position the Premier has taken. In the first place, the whole ideas of David and Goliath is a beautiful position to be in. I was proud, I was very proud to see our Premier look Brian Mulroney right in the eye and tell him how it is. I think every Canadian in the country would have liked to have been in the position to do that -

SOME HON. MEMBERS:

Hear, hear!

MS DUFF:

- as did Brian Peckford, as did Joey Smallwood with Diefenbaker.

That David and Goliath position is a popular one. The country is very frustrated at the moment with the federal PCs over all kinds of issues. It is a mid-term government. I mean, who likes the GST and other things? So that was there to go on the side of David in this issue. There was frustration with Quebec, and there is, and all of this now is being tied to Meech Lake. But what is happening, and some of things I do not like that are happening, is that we have become a focal point for divisiveness in terms of the English/French issue in Canada. Quebec and English Canada, for too long, were the two solitudes, and Quebec and English Canada are terribly important to each other in having a strong and united Canada.

Unless we doubt for one moment that there is a lot of anti-Quebec sentiment in this popularity of Mr. Wells' position in Newfoundland, I just want to read for you one letter from a constituent in my District. He says, 'I am an angry P.C. I am very supportive of Mr. Wells, and so is my family. And by the time I am finished, everybody in the Province will be.' And his last words are: 'I and my family are behind Mr. Wells, and will be behind him with a lot more people when I am finished. Damn, damn, damn Quebec. Froggie, Froggie has no hair, and Froggie, Froggie would not have a head if I had my way with him.' Now, if that is not anti-French and anti-Quebec sentiment -

PREMIER WELLS:

Who is the letter to?

MS DUFF:

That is a letter from a constituent.

PREMIER WELLS:

To whom?

MS DUFF:

To Mr. Rideout.

PREMIER WELLS:

I think it is disgusting.

MS DUFF:

Yes, but he is saying he is supporting you and berating us for not supporting you.

PREMIER WELLS:

Would the hon. Member permit a similar short letter to be read, just to show the contrast? Would the hon. Member permit it?

MS DUFF:

Well, if I can have an extra minute at the end.

PREMIER WELLS:

Yes. Okay.

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

I just happened to have it on my desk with a pile of others. I was just signing the reply. It is from Vancouver, B.C. Here is what it says: "Premier Wells: Please find enclosed my token of appreciation for your work on behalf of the Canadian people." It was a cheque for \$20. "I am an unemployed logger and cannot afford as much as I once could have." An unemployed logger in Vancouver, B.C. is sending me a cheque for \$20, which I am returning to that person. This is what I was doing when you got up to read that. Now, there is a stark contrast. And here is what that unemployed logger says: "I also believe the Meech Lake Accord was ill-conceived and could be further negotiated. I believe

French-Canadian rights should be protected. They were the first new Canadians, but they are not the only Canadians." Now, these are the kinds of letters I am getting that I am talking about.

MS DUFF:

That is not -

PREMIER WELLS:

I understand that, but that is the way people feel. And there is the depth of concern.

MS DUFF:

Mr. Premier, people feel in many different ways.

MR. SPEAKER:

Order, please!

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

MS DUFF:

But I do not think many people really understand the importance of Quebec's five minimal conditions or the political reality in Quebec that means those conditions cannot be further diluted if we are going to move forward, or the fact that Quebec's five minimal conditions, as you have admitted yourself, are reasonable and need to be accepted by English Canada.

Now, the other problem I have with the popular support for the position that has been taken by the Government is that it is very much linked to this whole question of economic disparity. I have heard the Premier, time and time again, use words like, 'It will doom Newfoundland to economic disparity. It will strip us of every shred of dignity. It will create three classes of Governments. It will make us take the crumbs from the Federal

table. It will put us in economic shackles.' Make no wonder I would not want to vote for Meech Lake, if that is what it was going to do. Make no wonder people do not like it.

Now, I am sure every Member in the House gets much comment on Meech Lake, and a typical kind of comment we are getting is, 'Well, I do not know an awful lot about it. The Premier says it is so, so it must be right, because he is a constitutional lawyer.' Now, that places you in a position I would not want to be placed in. Because people who do not understand it and probably, because there are still hundreds of lawyers arguing about it, may never understand it, are taking your word for what Meech Lake will do. Now, I presume that most of that prediction comes from Clause 106 (a), which is the limitation on Federal spending powers. I have read it, and I have read it backwards and inside out, and I cannot see anything in Clause 106 (a) which says that it will put the provinces in economic shackles forever, or prevent the Federal Government -

AN HON. MEMBER:

(Inaudible) the Senate.

MS DUFF:

Well, the Senate is another thing I will come to in a minute, if I have time. But this limitation or this opting out, if you like, just says, 'The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction,



if the province carries on a program or initiative that is compatible with national objectives.' Now, I think, once agreements are made on whatever, national cost-shared programs in exclusive provincial jurisdiction would come at that point in those agreements between provinces, and that wording of 'compatible with national objectives' should be tightened up. But it certainly does not mean that people are going to lose Medicare, or that there will be no more ACOAs, or that the Government, again, can never address regional disparity with particular programs. Nobody can say it means that, yet, that is what the average, ordinary Newfoundlander believes and nobody has ever told them the difference. I do not have time to get into various aspects of it.

As far as the Senate is concerned, I do not think anybody here is going to disagree with the need for Senate reform. What puzzles me is that we have now laid down the glove, we have laid down an ultimatum and said, We will not ratify Meech Lake unless we have a commitment on Senate reform. Now, Senate reform is not something that is going to be able to happen between now and the June 26. What has happened is a commitment to place discussions on Senate reform on the table of a First Ministers' Conference, and I think that is the only reasonable position we can take.

Now, a big point has been made that if Meech Lake is approved, then we will never again be able to have Senate reform because of the amending formula being changed. Well, Gordon Roberston, who, again, is known as one of the leading constitutional experts - I am getting poisoned with leading

constitutional experts - he is noted and highly recognized, and he writes an article called The Five Myths of Meech Lake, and he says the new requirements for unanimity to bring about Senate reform is probably a change more in form than in substance, because it is doubtful if any significant reform of the Senate would be approved by Parliament without the consent of all provinces, whatever the technical requirements may be. Now I would agree with that. I would think it would be totally impossible for Canada to contemplate Senate reform if Quebec -

MR. SPEAKER:

Order, please! Order, please!

It is 4:40 p.m. on Wednesday. The hon. the Leader of the Opposition.

SOME HON. MEMBERS:

By leave! By leave!

MR. SPEAKER:

Does the hon. Leader of the Opposition give the hon. Member permission to continue.

MR. RIDEOUT:

By leave.

MS DUFF:

- if Quebec were not part of this process. Now, to contemplate Senate reform without contemplating Quebec as part of the process, is most certainly to contemplate a Canada that is well on the way to breakup, and I think that would be the worst possible scenario for the Province of Newfoundland.

In all of this there has not been nearly enough focus, not nearly enough clarification of what happens after Meech Lake. If Meech Lake fails, what happens?

Optimally, I suppose, the provinces could continue to try and negotiate some kind of a constitutional agreement. I am not sure how credible we would be as partners at that table, having precipitated the breakup of the earlier agreement, but I can tell you Quebec is not going to be in for minimal demand; the next time it is going to be in for something that is going to be an awful lot tougher for everybody else to agree to.

Now if, in fact, we do not try again and Quebec moves, as it is now ready to move, it is economically, totally feasible for Quebec to move as an independent country, and I wish I had about fifteen more minutes to elaborate on that one, if Quebec moves towards sovereignty association or some other form of separation, then that is the start of the breakup of Canada, the start of a process of centralization, and the start of something that will leave us very isolated and very economically damaged; all the social programs that were used to sell us into Confederation are gone.

I mean, I do not know why the hon. Member for Pleasantville thinks about that, if we could go it on our own, but I would certainly challenge the Premier or anybody else who thinks that is an option to lay it out before the people and tell us how. Because I think the people have a right to know what the consequences of the action we are taking are.

SOME HON. MEMBERS:

Hear, hear!

MS DUFF:

Now, there is lot of more talk going to happen on this. I think

I have said enough for today, and I want to thank the hon. the Leader of the Opposition for giving me leave to finish.

MR. RIDEOUT:

A good speech.

SOME HON. MEMBERS:

Hear, hear!

MR. RIDEOUT:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. RIDEOUT:

Thank you very much, Mr. Speaker.

First of all, I want to thank all hon. Members, on both sides of the House, who participated in this debate today. I particularly want to say how pleased and proud I am of my colleague for St. John's East. I have heard a lot of debate, I have participated, I suppose, in a lot of debate on this issue myself over the last number of months, but I have seen that particular Member agonize, I suppose is the right word, over Meech Lake and its potential impact on the Province of Newfoundland and Labrador, and its potential impact on Canada.

I do not know of anybody else that has taken the step by step analytical approach to all of the available evidence pro and con that that Member has taken. Deliberate, time consuming, soul searching, hard elbow work, bringing together the various aspects of a very technical, in many respects, technical argument, but being able then to tread her way through it and come to a position that makes her comfortable in her final judgement

that the Premier of Newfoundland and Labrador is not the only expert on this question.

She has done a marvellous job on her own, arguing, debating with caucus, hour after hour, that is what I call courage, Mr. Speaker, that is what I call dedication. That is what I suppose, as the Opposition House Leader said, but I really admired the position and the work that the hon. Member has done. Mr. Speaker, there are a few items to which I want to refer and which were raised in debate today. The Premier, once again, in his rebuttal or his attempt at rebuttal to a number of points which we made, shows once again his obsession with his position on the Meech Lake Accord. The Premier is obviously obsessed. There is no way that anybody else - the Member for St. John's East, great constitutional experts throughout the country - there is no way that anybody else, fellow Premiers, fellow First Ministers, 40 constitutional lawyers, there is no way that anybody else can break through that bunker that the Premier has put around him, that wall that he has put around him, that he is right.

Somehow or other, I hope it will happen. The Premier got up today and read out a list of names, constitutional experts in their own right, to support his position, but the fact remains as I said last night in this Legislature. If you add up all the constitutional experts who are with the Premier and all who are against him, it is not close, it is not close to being 50/50. It is not 60/40, it is not 70/30, it is not 75/25, it is way in excess of 80 per cent of the constitutional authorities in this Country who say that Clyde is

wrong, Mr. Speaker. Just as an ordinary individual, taking all of the constitutional expertise on both sides of the question can come to her decision, that the Premier is not necessarily right.

Now, Mr. Speaker, the nub of the problem here is that if that ever could sink in, if the Premier could ever allow himself, for a moment in time, to think that, 'My goodness, there might be somebody else right here, besides me,' if that could happen, then we might be able to break this impasse and make some considerable progress in solving the constitutional problems of this country. Now, that was the big contribution the Premier made to this particular debate.

I want to say a word or two about the Member for Pleasantville (Mr. Noel) who also participated. And, I must say, I think the Member for Pleasantville has done a fair amount of work on this subject, as well, and is to be commended for that.

SOME HON. MEMBERS:

Hear, hear!

MR. RIDEOUT:

He seems, though, Mr. Speaker, to have inherited the Premier's obsession with Senate reform. He has inherited that particular obsession. And he looks at the equality of the American states in terms of political equality. I do not know if he has, but he has not, as yet, produced any economic evidence to suggest that political equality means economic equality, Mr. Speaker.

For example, just let the hon. gentleman listen to a few of those statistics. The state civilian employment rate in a number of the

United States, let me give him New York, which is comparable to California in many respects of economic development. The state civilian unemployment rate in New York in March, 1988 was 4.3 per cent. That is around the American average, I would think. Would the hon. gentleman care to guess what it was in another politically equal jurisdiction in the United States? In the State of West Virginia, 11.8 per cent, Mr. Speaker.

MR. SIMMS:  
That is equality.

MR. RIDEOUT:  
Louisiana, 11.7 per cent, Mr. Speaker.

AN HON. MEMBER:  
That is a lot better than 20 per cent.

MR. RIDEOUT:  
Sure, it is a lot better than 20 per cent, but is the spread much different? This is the panacea that is going to erode, for all time, economic disparity in Canada, this Senate reform. The fact of the matter is, Mr. Speaker, the reality of the matter is - the hon. gentleman knows it, the Premier knows it - that it will not do that. It has no hope of doing that. So the economic disparity between states in the United States is just as much as it is in Canada, and it is wrong, absolutely false, absolutely untrue, for the Premier of this Province to try to convince the people of Newfoundland and Labrador that that will be the magic saviour for all their ills, Mr. Speaker. And that is where we have to part ways with the Premier.

MR. SIMMS:  
But you do not disagree with

Senate reform.

MR. RIDEOUT:  
I have never disagreed with Senate reform. If the Senate, Mr. Speaker, is to be retained as an institution in Canada obviously, I think, anybody would agree that it must be reformed. It is a useless chamber, in my view, as it exists.

MR. SIMMS:  
We always agreed with that.

MR. RIDEOUT:  
As a matter of fact, Mr. Speaker, if the hon. gentleman will listen and cool down for one second, then go back to the public record twelve or eighteen months ago during the Leadership campaign, I was asked by a national reporter: 'What was my view of Senate reform?' And the answer was not only published in Newfoundland and Labrador but published in the Globe and Mail and other agencies across the country, I said: 'My preferred option on Senate reform would be Senate abolition.' That would be my preferred option. 'If that is not possible, if Canadians do not agree with that, then some reform of the present Senate is absolutely essential.' That is exactly what I said, Mr. Speaker. Now I believe that perhaps will be done and will take place.

Mr. Speaker, another question was asked here today. I believe it was asked by my colleague for St. John's East (Ms. Duff) a very, very legitimate question. If this Meech Lake process fails, what about life after Meech Lake in Newfoundland and Labrador? I believe that is a legitimate question that must be addressed in this whole debate.

The Premier and the Government so far, Mr. Speaker, have not tried

to advance what their theory of life in Canada will be if there is not a Meech Lake, or if there is not some agreement so that Meech Lake or some version thereof becomes a reality a constitutional reality in this country over the next three or four months. Government has been very much been on the attack in wanting to tear down but they had not proposed or laid out for the people the consequences of a failure.

Now, Mr. Speaker, a former Member of this House, I do not think it has been published in the St. John's region yet, but a former Leader of the New Democratic Party who supported Meech Lake when he was a Member of this House - I do not know where the present Leader stands - but the former Leader did and he wrote an article just a week or so ago. Mr. Fenwick the former Leader of the NDP wrote an article a week or so ago on that very topic, Life after Meech Lake. I do not know if many Members of this House have seen it yet because as I have said it has not been published in the St. John's area. It was published in the Western Star last week I believe. He makes some very telling observations if Meech Lake fails and if Canada fails. The conclusion, Mr. Speaker, that this gentleman comes to is that for a period of time the Atlantic Provinces will try to struggle along somehow on their own. The Maritime Provinces will probably form some kind of loose confederation to begin with, but at the end, shake all you like, the reality has to come home. At the end of the process, that will fall apart and the Atlantic Provinces will gradually drift towards the United States of America. An option, Mr. Speaker, that the Premier made some comment

on a few weeks ago. Quebec, of course, as we all know, will be able to survive quite nicely on its own. All the economic studies now, Mr. Speaker, indicate that Quebec will be able to survive quite nicely on its own. So could Ontario, obviously.

The Western provinces, Mr. Speaker, according to the speculation of this gentleman on life after Meech, will first of all try to come together and form some kind of an association with Ontario, but eventually that will start to drift apart as well.

AN. HON. MEMBER:

That is foolishness.

MR. RIDEOUT:

Well, okay it is foolishness. It is foolishness, but it has to be part of the reality that is dealt with and this gentleman is dealing with it as he sees it. Mr. Speaker, what I am telling the House is that this is a very high stakes poker game that we are playing here, and it is the highest stakes that the Premier has ever been involved in, Mr. Speaker. It is a high stakes game. Call it a poker game, constitutional game or call it Clyde game, Mr. Speaker, it is a game that is being played here. It is a gamble. One thing that it is not, Mr. Speaker, and that is trivial pursuit.

SOME HON. MEMBERS:

Hear, hear!

MR. RIDEOUT:

The very fabric and future of this country as we know it is at stake, and the other side of the debate, Mr. Speaker, they want to hide. They are not the same Liberals that we saw only a couple of years ago participating with Federal

Liberals, scaremongering their way from one end of Newfoundland to the other during the free trade election telling that a vote for them would mean there would be no more old age pensions, no more family allowances.

One particular Federal MP did a drop-off in a senior citizens home saying if you vote for the PC's in November 1988, you will not get an old age pension cheque in December. That was Liberal scaremongering, Mr. Speaker, and did that Liberal scar mongering work? You bet your life it worked, everywhere in Canada that was socially disadvantaged. It did not work in the center of the country. It worked in the Atlantic region, Mr. Speaker, and it worked marvellously well for their political cousins. Very, very well, Mr. Speaker.

But to carry on, Mr. Speaker, with the minute or so that I have left let me offer the House the conclusion that was reached by the former Leader of the NDP, on life after Meech. He said, the following 'As independence', talking about Newfoundland independence, 'As independence was declared on that cold March 31, 1999' -

SOME HON. MEMBERS:

Oh, oh!

MR. RIDEOUT:

'As independence was declared on that cold March 31, there was one notable person missing on the platform, Clyde Wells, the man who had started the break-up of Canada over ten years ago. Clyde had been voted out of office in 1993.'

SOME HON. MEMBERS:

Hear, hear!

MR. RIDEOUT:

When the consequences of his actions had become apparent and as the business climate in St. John's became worse, he moved to Toronto to resettle his practice for the second time, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. RIDEOUT:

That could very well be, Mr. Speaker, life after Meech for Newfoundland and Labrador. That could very well be, Mr. Speaker, life after Meech for one Clyde K. Wells. And that is why it is important, Mr. Speaker, that this resolution of compromise, this resolution of conciliation, this resolution of co-operation, that is why it is important this resolution be adopted and that the Government put their rescinding resolution on the back burner and try to solve the constitutional impasse in Canada, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

PREMIER WELLS:

I believe he also predicted the NDP would win.

MR. SPEAKER:

Order, please! Order, please!

Is the House ready for the motion?

On motion, resolution, defeated.

MR. BAKER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. BAKER:

Mr. Speaker, before the normal motion for adjournment, tonight I

would like to inform Members that the Government Services Committee is meeting in the Colonial Building to examine the Estimates of the Department of Employment and Labour Relations. And tomorrow night also in the Colonial Building the Social Services Committee is examining the Department of Education.

The debate tomorrow, Mr. Speaker, the Order that is called will be Motion 11.

MR. SIMMS:  
Mr. Speaker.

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

MR. SIMMS:  
Could I just ask the Government House Leader if there has been any provision made yet to reschedule the Forestry and Agriculture Estimates that were scheduled for last night, but got delayed as we all know. Is there any date set yet for that?

MR. BAKER:  
Mr. Speaker.

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

MR. BAKER:  
What I could do is perhaps tomorrow give a rundown of everything that has been tentatively scheduled. The way things have been going and because of what happened last night you never can tell what might happen to interrupt the Committee proceedings. I kind of hesitate to go beyond the day ahead to notify Members. But, yes, Mr. Speaker, it has been rescheduled. What I will do is, I will give

Members tomorrow a complete rescheduling, but Members have to realize that anything beyond a day ahead is still tentative, because things happen to come up at the last moment, as Members recognize.

MR. SPEAKER:  
I declare this House adjourned until tomorrow, Thursday, at 2:00 p.m.