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**VERBATIM REPORT**  
*(Hansard)*

*Speaker: Honourable P.J. McNicholas*

Friday

29 April 1988

The House met at 10:00 a.m.

MR. SPEAKER (McNicholas):  
Order, please!

### Statements by Ministers

MS VERGE:  
Mr. Speaker,

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

SOME HON. MEMBERS:  
Hear, hear!

MS VERGE:  
Mr. Speaker, Maxim Mazumdar, who died yesterday at the age of thirty-six, made an extraordinary contribution to the artistic life of Newfoundland and Labrador.

His legacy includes the Stephenville Festival, the Provincial Drama Academy, theatre in the schools and Theatre Newfoundland and Labrador, all of which he founded in 1979 and inspired and guided in the nine years since.

Under Mr. Mazumdar's powerful artistic direction and Cheryl Stagg's forceful administrative leadership, the Stephenville Festival has given new dimensions to theatre in our Province. Each Summer the festival has produced several plays and shows in a concentrated period of creative activity. Mr. Mazumdar brought together at Stephenville for the festival and the Associated Provincial Drama Academy artists at different stages of their development, some seasoned professionals, even celebrities such as Gordon Pinsent, the late John Gilpin and Eric Bentley, others striving to make a career

in theatre, and still other eager amateurs there just for the sheer love of it.

Mr. Mazumdar got the most from the festival company and together they gave audiences brilliant performances. Mr. Mazumdar's own masterful performances will be treasured in the memories of those of us fortunate enough to have been there.

The Stephenville Festival has toured to other centres of our Province and Eastern Canada and to the Edinburgh Fringe Festival. Following the Summer activities, select members of the festival company have mounted theatre in the schools, assisted by the Department of Education. The schools tour, featuring material from the curriculum, has reached thousands of students all around our Province in small and isolated communities, as well as the main centres. Mr. Mazumdar himself was doing the school's tour this year and was in Stephenville working on it just three weeks ago when he became ill.

Theatre Newfoundland and Labrador, or TNI, which Mr. Mazumdar started in the Fall of 1979, is now a vital force led by Edmund McLean as artistic director. Mr. McLean and TNI maintained a close association with Mr. Mazumdar and drew from his energy and his experience. Edmund McLean is one of many of the artists in our Province who was, and will continue to be, inspired and energized by Mr. Mazumdar.

Mr. Mazumdar had an amazing range of talent, acting, singing, directing, writing, adjudicating, teaching and promoting, combined with an exceptional capacity for work. He constantly pushed

himself and the results, the output and the accomplishments, are staggering.

He came to our Province first in 1976 on an international tour of "Oscar Remembered," a one-man play he had written and published in book form and had premiered at the Stratford Festival in 1975 at age 21. He returned as the adjudicator for the Provincial Drama Festivals in 1978 and 1979.

The 1979 Drama Festival was in Stephenville and it was there that he conceived the improbable idea of a Stephenville Festival. To quote from a song that he sang so powerfully in "Man of Lamancha", Maxim Mazumdar's genius lay not in dreaming impossible dreams, but in translating his dreams into reality and transforming our worlds.

Mr. Speaker, I know all hon. members will want to have Your Honour send messages of sympathy on behalf of all of us to Mr. Mazumdar's brother, Max Mazumdar in Montreal, and to Cheryl Stagg of the Stephenville Festival and Edmund McLean of TNL. Ms Stagg and Mr. McLean were with Mr. Mazumdar in hospital during the past week.

In addition, Mr. Speaker, all of us must resolve to give stronger support to the arts in our Province so that Maxim Mazumdar's legacy is preserved and cultivated.

SOME HON. MEMBERS:

Hear, hear!

MR. K. AYLWARD:

Mr. Speaker,

MR. SPEAKER:

The hon. the member for Stephenville.

MR. K. AYLWARD:

Thank you, Mr. Speaker.

I would like to thank the Minister of Justice and the Attorney General (Ms Verge) on her statement on Mr. Mazumdar. Obviously this statement recognizes the abilities and contribution of a fine gentleman in the arts in this Province, specifically the Stephenville Festival. As the representative for Stephenville I have watched the gentleman for years contribute a great deal and put Stephenville on the map nationally in the arts community. He has been an ambassador and promoter of arts for the Province.

The outline here of some of his accomplishments tells all of us in this House the magnificent contribution he made. He certainly had a lot of energy and was always pushing the arts, not only within the Province and within the adult population, but as it points out here, in the school systems, working with the Department of Education.

It is a sad day for the people of Stephenville and indeed of the Province. He made a big contribution in many ways. Hopefully the Stephenville Festival will continue in his memory.

It is our Tenth Anniversary this Summer. I would hope that this would be a tribute to him and we will see many years, in the future, for the festival and indeed the other festivals that he has created. He has left a legacy. We look forward to the future because of his past energy.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. FENWICK:  
Mr. Speaker.

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

MR. FENWICK:  
Mr. Speaker, it is often surprising to see the influence a single individual has. I think we can attribute the Stephenville Festival and the Drama Academy in Stephenville to Maxim Mazumdar.

In terms of an influence on my own family, his influence has been great. Both my oldest daughter and my oldest son are graduates of the Stephenville Drama Festival, indeed, I think the experience there will shape their lives for the future. My son this weekend is in the high school drama festival in Marystown and he has been a participant in it for a number of years. It is a direct result of the training he received at that fine Academy.

Indeed, this Fall he intends to go the Fine Arts School in Corner Brook and take drama there, so there is an influence exerted we tend to discount. In Maxim Mazumdar's case, it is a direct result of his activities that career paths are opening up for at least two of my children.

I would like to suggest that the minister, in her very fine tribute to Maxim Mazumdar, at the end of it said that we should increase our support for the arts. There is a private member's resolution from my colleague in St. John's East (Mr. Long) that will be up for debate in about three weeks time which discusses that whole area of supporting our artistic

community in this Province. Maybe by passing that resolution we will be able to move somewhere in the direction of improving our support for it.

Finally, Mr. Speaker, I would like to end on a very personal note. I have seen a number of the Stephenville Festival performances and they are of a world class nature.

One performance in particular of Maxim Mazumdar's, in a play called "Torch Song Trilogy," a three-hour play that was staged two years ago, was by far the most moving theatrical experience that I have ever seen. I will continue to remember his very fine performance in that production.

Quite frankly, those productions like that are a tremendous tribute, not only to Stephenville, not only to the Province's artistic community, but to a man who made a big difference in our Province's artistic life.

Hopefully, we will be able to carry on in the future and end up with the artistic community, not only as an example of what we are as a people, but as a main way of gaining employment in the artistic community, an area that is very often overlooked.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Premier.

PREMIER PECKFORD:  
Mr. Speaker, I want to associate

myself with the comments and words of the Minister of Justice, the member for Humber East (Ms Verge). I had occasion, as I guess a lot of people in this House have had occasion, to know personally Mr. Mazumdar. We had long chats in my office and at other places over the last number of years since he came to our Province.

I was shocked and startled yesterday when the Minister called my office to inform me of his passing. He has had an unbelievably strong effect upon the arts community and theatre in our Province.

I think one of the most important things he did and the leader of the New Democratic Party is right, we have to try to do even more than we are doing now for the arts of our Province, the establishment of the Arts Council years ago tried to address some of that, but still more needs to be done - but what Maxim did that a lot of others in the arts community have not been successful in doing is to attract the community at large to become as excited about the arts, and in particular, about the theatre. That is what happened in Stephenville. He just did not attract his own kind, those who were dedicated, and a part of or interested in theatre. It was the corporate community of Stephenville and just about everybody of whatever walk of life. He made the arts come alive and to convince people that the arts were just as much a part of a community as is a building, as is water and sewer, as is a fire station, as anything else is. It is all a part of our lives. I think for that we owe Mr. Mazumdar an awful lot in this Province.

Very, very often, as we get in our own little worlds, the artists, us in politics, somebody else in business, somebody else in whatever, we tend to just travel down that artistic road, or that political road, or that business road not seeing the other.

What Maxim was able to do was to take the theatre out to the people and to persuade people to contribute to the theatre and to be a part of it, to actually visit. One of the things that amazed me at one of the first festivals in Stephenville was the feeling in that whole Stephenville area about the festival. Everybody went and saw him perform so brilliantly and saw others around him do the same because it was contagious, and they became a part of that energy and that theatre that Maxim so dearly loved.

I think it is very fitting, the tribute that the minister has made this morning to him, and to ensure that we convey from this House to all of his relatives and friends our condolences.

We have lost a very important person in the life of our Province, and that is the way to say it, not in the artistic life, in the life of our Province.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

At this stage, I would like to welcome to the gallery Mr. Joe Price, the member of Parliament for Burin - St. George's.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

I would also like to welcome Mayor

Max Tayler, St. Jacques, Coomb's Cove; Deputy Mayor, Stuart May, Belleorum; and Mr. Cyril Brown from Fortune Bay North Shore Development Association.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

I am very glad that there are so many students in the gallery today and I would like to welcome forty Grade IX students from Holy Redeemer School in Spaniard's Bay with their teachers, John Drover and Malcolm Smith.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

I would also like to welcome thirty-five Grade VII students from Mount Pearl Junior High School with their teacher, Jed Butt.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

I would like to welcome thirty Grade IX students from St. Peter's Elementary, Mount Pearl, with their teacher, Judy Moakler.

SOME HON. MEMBERS:

Hear, hear!

### Oral Questions

MR. WELLS:

Mr. Speaker:

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. WELLS:

Mr. Speaker, yesterday in the

House, concerning the matter of the alleged job negotiations with Canadian Helicopters, I accepted the assurances given by the Premier on the basis that he has given those assurances, and I had no basis, as I frankly said, for doubting them, although I wondered at Mr. Dobbin's statements. Since that time there have been further allegations and statements from Mr. Dobbin. In particular, I listened to an interview this morning on CBC radio and you have to acknowledge that Mr. Dobbin is acknowledged to be a reputable citizen of this Province. He is the head of a major corporate entity in this Province.

MR. SPEAKER:

Order, please!

I would ask the hon. Leader of the Opposition if he would pose a question.

MR. WELLS:

I must lay a reasonable groundwork for the question. This is the first question, Mr. Speaker.

MR. SIMMS:

Mr. Speaker, on a point of order.

MR. SPEAKER:

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

MR. SIMMS:

The hon. the Leader of the Opposition has been absent from the House for twenty years. Maybe things were run differently in those days, but these days when the Speaker directs a member to ask a question, he does not get up and argue back with the Speaker. He gets up and puts the question. I suggest Your Honour should ensure that that happens.

MR. WELLS:

I expect, Mr. Speaker, the same courtesy as other members, if I may address that point of order.

MR. SPEAKER:

To that point of order, the hon. the Leader of the Opposition.

MR. WELLS:

I expect from the Speaker and the members of this House the same courtesy extended to other members, to lay a reasonable foundation for the question being posed. I ask nothing more than that, Mr. Speaker.

MR. SPEAKER:

To that point of order, the point is well taken. The first question, particularly, I would say, from the Leader of the Opposition, certainly would give him quite a bit of leeway, but I do think that he was overemphasizing the introduction to his question. I allowed him to continue for some time, but I think he was overdoing it. So I would now ask him to pose his question.

The hon. the Leader of the Opposition.

MR. WELLS:

Thank you, Mr. Speaker.

In view of the further statements on the public news media this morning by that person, Mr. Dobbin, who said that there had been, in fact, three or four meetings in the Premier's dining room and Mr. Dobbin's dining room and that a deal was concluded and terms worked out two months before the news story on November 8, does the Premier still say that Mr. Dobbin's statements and allegations are totally untrue?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Yes. Mr. Speaker, I am honestly dumbfounded. I am startled and dumbfounded by the statements that Mr. Dobbin has made. That is the only way I can put it. I am dumbfounded by the dates. I am dumbfounded by, if I remember correctly the story this morning, a corporate loan as well for a transition period, this kind of thing. It is the first time I have heard it. I am dumbfounded by the dates. I honestly do not understand. As I have frankly told the House and said outside, the gentleman offered me a job. The offer was somewhere around \$150,000 a year for five years. That is as I understood it at the time, and that was all. He talked about different subsidiaries of his company and different positions like President or Vice-President and so on. As far as dates, as far as corporate loans and all that, that is brand new to me. I just do not know why the gentleman is saying those things, because they are news to me, they are brand-new information to me.

May I, while I am on my feet, just answer, so I do not take up the time of the House later, the question yesterday by the Leader of the Opposition - I am sure he will not mind, it will only take a couple of seconds - on the question of conflict of interest, because I think this is very important, on the business of the money from the two governments to his firm for the establishment of the helicopter simulator. The proposal was submitted to the government on May 27, 1986 and then it was reviewed by the government in December, 1986.

because it was back and forth. The first proposals were not proposals that we could accept. I will have a copy of this for everybody. It was reviewed by the government on December 9, 1986; December 16, 1986; February 19, 1987; and it was approved by the government on February 26, 1987. So that was long before Mr. Dobbin ever offered me a job. It was approved by the government on February 26, 1987. It was submitted to the federal government on May 2, 1987, it was approved by the federal government on April 23, 1987, and the offer was made to the company on May 8, 1987, and they still have not concluded the deal. They still have not accepted the offer so that is where that part of it is, but to the original question that the leader of the Opposition asked, I can only say it is as much news to me as it is to him.

MR. WELLS:  
Mr. Speaker.

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

MR. WELLS:  
I appreciate the Premier's assurances. Mr. Speaker, I have to ask the Premier if, in the light of what he has told us in the House today - and I must frankly state I have no basis other than Mr. Dobbin's statements and the news media for questioning - but in the face of that, and in the face of the extremely serious allegations made by a reputable businessman in this Province who is the leader of a major corporation employing a significant number of people in this Province, would the Premier agree, if the Opposition would move the motion, to bring Mr.

Dobbin before the Bar of the House

SOME HON. MEMBERS:  
Oh, oh!

MR. WELLS:  
- to justify these serious allegations, for the purpose, Mr. Speaker, of protecting the reputation not only of the individual who holds the office, but of the Office of Premier of this Province, and protecting the reputation of this House of Assembly and the government, the whole government process, from such allegations? Would the government agree to such a motion if the Opposition will move it?

MR. BAIRD:  
Let us bring you to the Bar of the House with your conflict with Bowater and Kruger. That would be a nice thing to bring to the Bar of the House.

MR. SPEAKER:  
The hon. the Premier.

PREMIER PECKFORD:  
If there was any conflict of interest here, or anything like that, which I have demonstrated there was not, I would be only too happy to do it, but in these circumstances I think it would be silly, foolish. If, in fact, I have used my office as Premier in some way, to assist Mr. Dobbin because he was offering me a job, and therefore I was in a conflict of interest situation, then I think that would be a very legitimate request. As it is, I think it is just silly, just foolish.

MR. WELLS:  
Mr. Speaker.

MR. SPEAKER:



Order, please!

A final supplementary, the hon. the Leader of the Opposition.

MR. WELLS:

Mr. Speaker, Mr. Dobbin also said on a number of occasions the Premier of this Province is lying. That is a serious allegation against the office, against the person individually, and against the government of this Province. That is a serious thing and that is what I am talking about.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! Order, please!

MR. WELLS:

Would the government reconsider -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. PATTERSON:

Bring in the fellows who are paying your salary. You need the unanimous consent of the House to bring anyone before the Bar.

MR. SPEAKER:

Order, please!

I would ask hon. members on my left if they would please extend the courtesy of hearing the members on my right, as that courtesy is extended to the left on most occasions.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Leader of the

Opposition.

MR. WELLS:

Thank you, Mr. Speaker.

Mr. Speaker, in view of the fact that this man has made allegations that the Premier of this Province is lying, would the Premier and the government reconsider the proposal and bring the man before the Bar of the House, to bring whatever evidence he has to support his position, so that the House itself can judge whether or not it and the government and people of this Province have been insulted?

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, there is no privileges of the House being broken here. I mean, from time to time we hear where a member from either side of the House goes to this district or that district and is supposed to have promised this or that, somebody comes on the radio and says that member So-and-So said this and I was going to do this, and the member comes on and says they are not. I mean, you know, that is part of the political game, if you will. I think it is extremely unfortunate, very, very unfortunate in this particular case, what Mr. Dobbin has said that we supposedly agreed, to which I just cannot agree with. Like I said, the information is brand new to me. But to bring him before the Bar of the House I think is just not called for. There are so many incidents that occur between members of the House and people outside the House, in

the public at large, where there is a disagreement. Where would this stop? I think we would be setting a very dangerous precedent for the future.

Now if fact, though, as I said earlier, there was, and it could be demonstrated that there was some conflict of interest here by me, then that would be a different situation altogether. But as there is not, then I do not think it is warranted to have the man brought before the Bar. I think the Leader of the Opposition is trying to do very nicely something which has a lot of political motivation to it.

SOME HON. MEMBERS:  
He is good at that.

SOME HON. MEMBERS:  
Hear, hear!

MR. WELLS:  
Mr. Speaker.

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

MR. WELLS:  
Thank you, Mr. Speaker.

Mr. Speaker, the question is not whether or not the Premier has been in conflict of interest. That can be dealt with by other means. The question, and this is what I asked the government, and the Premier in particular to consider, is when a person outside this House, a reputable businessman in this Province, has called the Premier of this Province a liar, that affects the whole of the reputation of the people of the Province. It was made in respect of statements made in this House. I have already said I accept the Premier's

position on it. In view of that, Mr. Speaker, and in view of the seriousness of it to the reputation of the government of this Province and the Province as a whole, would the Premier deal with it by calling the man before the Bar of the House? It has nothing to do with whether or not a conflict exists.

MR. SPEAKER:  
The hon. the Premier.

PREMIER PECKFORD:  
No. Mr. Speaker, I will deal with it in my own way, but not here in the House.

MR. EFFORD:  
Mr. Speaker.

MR. SPEAKER:  
The hon. The member for Port de Grave.

MR. EFFORD:  
Thank you, Mr. Speaker.

Mr. Speaker, my question is directed to the hon. the Minister of Health (Dr. Collins). It has to do with the report released on April 17 in one of the local newspapers concerning the eight individuals infected with AIDS at Memorial University. In light of the statement made by Dr. Russell Harper saying that these numbers were only the tip of the iceberg, I would ask the Minister of Health very clearly can he confirm that this is actually the number infected with this virus, or is Dr. Harper correct when he says that this is only the tip of the iceberg and there may even be more than the numbers reported in this paper?

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

DR. COLLINS:

No, Mr. Speaker, I cannot confirm those figures. I saw the newspaper item. I was surprised by the figures in it. We made enquiries about them. The physician who was supposed to have been quoted himself expressed surprise at the newspaper account, and he could not supply us with any information as to where those figures might have come from. So I cannot confirm the figures, and we have not been able to confirm the figures by making an approach to the gentleman who is supposed to have supplied the figures to the newspaper reporter.

MR. EFFORD:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Port de Grave.

MR. EFFORD:

Mr. Speaker, this is just not something which anybody in this Province, any member of government or any citizen of this Province, can take so lightly as just to say that we cannot confirm it. Obviously if Dr. Lesley Harris and Dr. Harper and the Student Council and all the people involved in this particular campaign have agreed and made this statement, surely goodness the Minister of Health and his department can at least confirm it, or get somebody in the Department of Justice to act if the statements are alleged to be false, because this is a very serious situation.

I ask the minister: Will his department not instruct the proper officials to investigate this and to tell the people of the Province if this is either false or true information?

MR. SPEAKER:

The hon. the Minister of Health.

DR. COLLINS:

Mr. Speaker, I will volunteer to syringe out the hon. member's ears if he wishes. I have already answered that question. You asked me would I confirm it. I said no, I cannot confirm it. And then I went on to say that we went back to the source and they could not confirm it. Now the hon. member wants me to do that. I have already said that we have already done it.

There is a hearing aide in the thing there. I wish you would listen to the answers that I give to your questions.

MR. EFFORD:

Mr. Speaker.

MR. SPEAKER:

A final supplementary.

MR. EFFORD:

It is quite obvious, Mr. Speaker, that the Minister of Health makes light of everything, makes a joke of everything. This is not something that we can joke about. There is nothing wrong with my hearing but there is something wrong with the effectiveness of the minister doing his job as Minister of Health, that is one thing that we can be assured of.

I would ask the minister, in my final supplementary, given the fact that Dr. Leslie Harris has said publicly that the programme initiated by the Department of Health has been ineffective in initiating education on AIDS in this Province, will the minister agree with that? Will he implement a programme more effective than the one that he had in the past, and not only at

Memorial University but at every government institution province wide, all residences where students or any groups in this Province reside to attend institutions established by the government of this Province? Will he at least step up the programme, especially when we see the numbers of students in the galleries today, to protect all students in the Province, because this affects every citizen in this Province? Let us not joke about it, let us do something about it.

MR. SPEAKER:

The hon. the Minister of Health.

DR. COLLINS:

Mr. Speaker, I think the very fact that the member mentioned the galleries today gives some motivation for his question.

MR. EFFORD:

No.

MR. SIMMS:

Exactly.

DR. COLLINS:

I have had discussions with Dr. Harris at the University on a range of things.

MR. SIMMS:

He did not know that.

SOME HON. MEMBERS:

Oh, oh!

DR. COLLINS:

Is the hon. member going to listen to this answer now, because otherwise he will be asking the question all over again?

I have had discussions with Dr. Harris over a range of matters. He has never volunteered to discuss with me the AIDS education programme at the University, but

if the hon. member likes I will go back and ask Dr. Harris to specifically say this to me. He has already had opportunities, as I say, because we have discussed other matters, but he did not bring it up so I presume that the reason why he did not bring it up is he did not feel that it was necessary or appropriate or contributory to bring it up. But if the hon. member would me like to go back and ask Dr. Harris specifically would he comment to me, I have no problem with that.

I should point out that like most other provinces we have put out information on the AIDS question, we have also indicated if any groups wish further information we would be only too pleased to supply that. We have a packet of information available for that purpose. I would just go on further to say that in this Province we have been fortunate, we have been very fortunate in that the number of positive tests, which does not necessarily mean the disease itself, have been very low here on a population basis, and the actual number of cases of the disease actually proven has also been extremely low on a population base in this Province. I think we have been fortunate here, but that does not mean to say that in the Department of Health we are not monitoring the thing on a daily basis. We are constantly in touch with the federal government on the matter and in touch with other provinces so that we can keep up to date on what is happening throughout Canada with this particular matter.

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Mr. Speaker, I have a problem here. My question is directed to the Premier and it has to do with the situation that has arisen over the last couple of days with regard to his credibility and the credibility of Craig Dobbin. My question for the Premier is this: If we accept his version of the event, then what we have is **The Sunday Express** and **The Daily News** in Halifax, two papers owned by Harry Steele, and we have Craig Dobbin, who is one of the other large industrialists in the Province and a major contributor to political parties, as we have seen in the past, so can the Premier suggest to us what is going on there? Is there some sort of conspiracy here where the major industrialists in the Province are trying to cashier him, trying to discredit him and perhaps support the Liberals at the same time?

SOME HON. MEMBERS:

Hear, hear!

MR. FENWICK:

Because, Mr. Speaker, we do know that given the hotel receipts from the Windsor - Buchans byelection that Harry Steele's hotel paid out at least \$2000 toward that campaign.

SOME HON. MEMBERS:

Interesting!

MR. SPEAKER:

Order, please!

MR. FENWICK:

My question to the Premier is: Is there a conspiracy involved?

MR. SPEAKER:

Order, please!

I think it should be clear that

this is question time, and in fact a preamble is quite in order and necessary to introduce a question, but if one gets into the realm of making a speech it certainly is not in order at this particular time.

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, to the questions put by the leader of the Opposition I answered as honestly, as frankly, as openly, and as truthfully as I know how. As I will say later on when I speak to the press, I am very, very concerned about the situation. Because when the story broke I was informed that there was a meeting between Mr. Harris, Mr. Steele and Mr. Dobbin on the Thursday or Friday before the Sunday when the story broke in **The Sunday Express**. I was told by some people in the press that there was a meeting of those three people the Friday before the Sunday when the story broke. So I do not know who is up to what. I do not want to make suggestions or make allegations against people, but I can state the facts as I know them. That is what I was told. Now, what has happened since that time? Obviously the credibility of **The Sunday Express** has suffered. I was supposed to not be where I am today according to **The Sunday Express** when they broke the story earlier. Obviously I am here, which means that they were wrong in their predictions. They have, I guess, some egg over their face. I do not know if that is the reason why it has resurrected itself anew at this point in time. I honestly do not know. All I know is that I think that meeting did take place between those three individuals and the story broke only two days after

that. For it to be renewed again now, I do not know what the motivation is on behalf of those people. I do not know what it is, but I do know that obviously I am here and **The Sunday Express** said I would not be.

MR. FENWICK:

Mr. Speaker, a supplementary.

MR. SPEAKER:

The hon. the member for Menihek, a supplementary.

MR. FENWICK:

My supplementary, Mr. Speaker, is that what the Premier seems to be suggesting is that we have a couple of industrialists here who are pulling the strings, or at least orchestrating the political events of this Province. Clearly that is an inappropriate thing to have happen.

My question to the Premier is this: One of the reasons they can get away with this is because their contributions to any political party are secret, not divulged by any legislation in this Province and their influence, therefore, cannot be ascertained, so will you renew the commitment that you made in 1979, when you ran for the leadership of the P.C. Party, to bring in election reform before the next election so that we know who is supporting the Liberals, we know who is supporting the Tories, and we know who is supporting us? Because clearly this kind of influence, Mr. Speaker, is not appropriate.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

That is a really good point, Mr. Speaker. As I told the Leader of the NDP Party some time ago, we are working on the act.

MR. FUREY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Barbe.

MR. FUREY:

Mr. Speaker, we want to thank the Premier for tabling the order of events with respect to the helicopter simulator and Sealand Helicopters. I would like to ask would the Premier undertake to table the Order in Council approving the provincial government guarantee of \$8.3 million? Would the Premier undertake to do that?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

I will take it under advisement. I have no hesitation in tabling whatever is normal to table as it relates to that whole helicopter simulator thing. So I will get a package together and have it tabled. All I did overnight was get the people go get the dates on it, but I have no problem.

As you know, it is not a deal yet, because the company has not agreed to its side of the bargain, so nothing has been signed as of this date. But the offer was made and that was as far as we were prepared to go way back then. But I will get as much of the documentation as is appropriate to table outlining all of that stuff.

MR. GULLAGE:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Waterford - Kenmount.

MR. GULLAGE:

A question to the Minister of Finance (Mr. Windsor) concerning the unfunded liability in the government's pension plans, and I would like to read, first of all, from the notes of the financial statements of the Public Accounts of last year. 'The Province is currently investigating alternatives for the adequating funding of current service costs and the reduction or the elimination of actuarial unfunded liabilities of these plans.' I am speaking specifically of the unfunded liability. My question is: Given that the actuarial reports received by the government do not recommend a funding method to reduce the deficiencies in the various plans, has the subcommittee of the Pension Investment Committee yet recommended an appropriate method of funding to ensure that the future liabilities of the plans, future benefits, if you like, are supported?

MR. WINDSOR:  
Mr. Speaker.

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

MR. WINDSOR:  
Mr. Speaker, it is a pleasure to get a question that is more pertinent to the issue than the ones I got yesterday from the leader of the NDP Party (Mr. Fenwick) on the same question of pension funding. And the answer is that indeed we have received actuarial reports and our Pension Investment Committee has studied them and is making certain recommendations to government, and we are considering the whole

question of how do we meet the unfunded liability of the pension funds. And that is exactly, as I have stated already, what we wish to discuss with the unions, because it is not our pension plan, it is the employees pension plan. We administer it on their behalf, and we intend to sit down jointly with them to discuss ways and means of dealing with the difficulties that we perceive for the future.

MR. GULLAGE:  
A supplementary.

MR. SPEAKER:  
A supplementary, the hon. the member for Waterford - Kenmount.

MR. GULLAGE:  
Did the actuarial firm at the time - I am speaking of the actuarial study that was done after July 1980, when in fact the government started to fund to fund the plans - recommend matching contributions or did the government increase its share because of its failure in the past to advise the unions of proper funding required in negotiations at the bargaining table?

MR. WINDSOR:  
Mr. Speaker.

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

MR. WINDSOR:  
Mr. Speaker, you know, we are talking about pensions here, we are not talking about collective bargaining. These are two issues. The collective bargaining process simply guarantees that there shall be a pension fund put in place. The terms and conditions of that pension fund are something that is discussed jointly with the unions on a

separate basis from the collecting bargaining process. And that is as it should be, because it is a separate issue.

The actuary basically tells us what the financial position of the pension plan is now, and will be in ten years, twenty years, thirty years and fifty years from now. Obviously, then it is up to government and the unions jointly to decide how to deal with any deficiencies that are there. There are many ways of doing it, and that is obviously what we have to sit down and discuss with the unions over the next number of weeks, months and years.

MR. GULLAGE:

A final supplementary.

MR. SPEAKER:

A final supplementary.

MR. GULLAGE:

Given that answer, Mr. Speaker, will the government now have another actuarial assessment done, since it is now over three years since the last actuarial review was done, and at the time of the last actuarial review government promised that every three years, in fact, a firm would be engaged to do an actuarial review of the pension plans to avoid the problems that could occur as occurred in the past.

Such an actuarial review would give proper actuarial advice on a current basis towards the unfunded liability and do a cash flow analysis as well. Will this be done before negotiations start with the unions concerning their proposed contributions in the future?

MR. SPEAKER:

The hon. the Minister of Finance.

MR. WINDSOR:

Mr. Speaker, we did indeed indicate that we would be doing actuarial studies on a continuing basis and we have been doing that. We recently received an actuarial study on the teachers' pension plan which we will be discussing with the NTA very shortly. And all pension plans will be done every three years in the future, as we committed government to a number of years ago.

MR. W. CARTER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Twillingate.

MR. W. CARTER:

Mr. Speaker, my question goes to the hon. the Premier. Last October, Mr. Speaker, when the Canada-France fishery boundary dispute was at its height, the Premier suggested, at least indicated publicly that he would be recommending to Ottawa that there be certain economic sanctions imposed against that country. At the time I believe he talked about the nuclear submarine contract that is soon to be awarded, and I believe he mentioned the Airbus contract. I wonder did the Premier make that representation, Mr. Speaker? If he did, what response did he get back from the federal government?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Good question. I thank the hon. member for Twillingate for it. We have, ever since that time, been trying to impress upon the federal government, in writing and otherwise, our concern that the



federal government is trying to solve this issue, which is really in our view a national issue, only on the backs of the fishermen of Newfoundland and the fishery of Newfoundland.

And we have been on to External Affairs, to our federal representative in the Cabinet and others to try and get them to enlarge it, to use all of the levers at their disposal in trade and commerce between France and Canada as a means to getting this thing solved, not just on the fishery. We have not been very successful. We have not been very successful.

They have resisted using levers other than just going with fish quotas and then going on to the boundary. We have not been very successful in getting the federal government to look at this in a broader way. We have insisted upon it as a Province. I have argued for it, the Minister of Fisheries (Mr. Rideout) has, the Minister of Intergovernmental Affairs (Mr. Dawe) has in letters and in meetings that we have had with them. We find them very, very intransigent on this point. I think it is extremely unfortunate. I think history will record that the Canadian government was very, very wrong to take the approach that they are continuing to take on this. They have narrowed it down and have not used other levers. We continue to insist, but we are not being that successful.

MR. W. CARTER:

A supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Twillingate, a supplementary.

MR. W. CARTER:

Mr. Speaker, I am rather surprised to hear that, because it puts in question, of course, the wisdom in allowing Ottawa to have a say in appointing a mediator to settle that dispute. If that is the attitude being taken by the federal government, that they are not willing to take these steps, surely then one would have to question their sincerity.

Mr. Speaker, having said that - I thank the Premier for his answer - in light of press reports emanating from Ottawa in recent days to the effect that Air Canada is about to or may have already awarded a contract for thirty-four Airbus aircraft to a company that is based, I believe, in France - if not, it certainly has a large French component in it - I wonder has the Premier made representation recently to the federal government with a view to having that action stopped? If they are sincere about settling that argument, well then surely this is not the way to do it. Has the Premier been in contact with his federal counterpart recently to, again, plead with them not to go ahead with that contract?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

We were aware of Air Canada's involvement with Airbus a long time ago, and, at that point in time, made representation on submarines, on Air Canada, and on other things they could do. As a matter of fact, back on January 24 when that infamous agreement was signed with France on this whole business, there was around that time another agreement signed between Canada and France on general trade. We indicated at

that time that they were being sort of contradictory and that they should not move ahead on that agreement that they had.

So we have pointed out to them not only the Airbus, but submarines and other things, many, many other things that Canada could have done rather than just use the fishery, but they have not been co-operative on that score. That is clearly where the federal government is coming from. They indicated they were going to do some studies to look at other things, but we have not seem very much back from them on it. At all our meetings we have always insisted that they enlarge it. What we have done there is clear, but they are not eager to do it.

MR. SPEAKER:  
Order, please!

The time for Oral Questions has elapsed.

MR. W. CARTER:  
By leave, Mr. Speaker.

PREMIER PECKFORD:  
No. If it is a question of leave, I will deal with it on Monday, if you want me to.

MR. TULK:  
Mr. Speaker.

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

MR. TULK:  
I rise to give notice of a point of privilege, and I hope Your honour will understand why I am doing it a little later on, as I get through why in fact I am giving the Chair notice that I intend to raise a point of privilege.

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

MR. TULK:  
Mr. Speaker I give notice for two reasons, and I did not rise earlier for two reasons, and that is I believe the Premier in Question Period this morning, and I refer Your Honour to Beausheue, Section 81, could have perhaps cleared up the matter by agreeing to take certain actions in the House, given the fact that the House is the master of its own fate.

MR. J. CARTER:  
What is the point of privilege?

MR. TULK:  
Mr. Speaker, the point of privilege is simply this, that a member of the public has accused a member of this legislature of lying, I understand, in the legislature about statements that he made in the legislature.

Your Honour, I will prove later, I think substantially, that there is a prima facie case, but I have to ask your Honour's guidance and judgement in this. As I understand it, if I am to rise on a point of privilege in this House based on something that was said in the public press, then I must read or present to the table, and I refer your Honor again to Section 83 -

AN HON. MEMBER:  
Are you giving notice?

MR. TULK:  
Yes.

AN HON. MEMBER:  
Well, give notice.

MR. TULK:

But I want to explain why I am giving notice.

I am giving notice according to Section 83 which says that if I am to raise a point of privilege on something in the public media, I should either "read" or present that to "the Table".

MR. SIMMS:

On a point of privilege, MR. Speaker.

MR. TULK:

I am on a point of privilege.

MR. SPEAKER:

Order, please!

MR. SIMMS:

The hon. member is not on a point of privilege, he is giving notice of a point of privilege.

MR. SPEAKER:

The hon. member is recognized at present on a point of privilege.

MR. SIMMS:

You are on the point of privilege now.

MR. TULK:

Mr. Speaker, I rely on your Honour's judgement here as to whether I have to present the tapes or transcripts of the tapes from some of the radio stations in this Province noting the words of one Mr. Craig Dobbin, or whether I can now present my point of privilege. If Your Honour is now prepared to hear the point of privilege in spite of Section 83, I am prepared to present it now.

MR. SPEAKER:

The hon. the President of the Council.

MR. SIMMS:

Mr. Speaker, to that point of

privilege. It is a flagrant abuse of the rules. The hon. members are simply trying to continue with what the leader of the Opposition started yesterday, and everybody knows what they are up to. For political purposes and nothing else, they are trying to carry on this charade - that is all it is, a charade - over something silly and simple and which the hon. members are trying to make into something larger and grandiose. The member said he was going to give notice of a point of privilege, Mr. Speaker. He did not say he was standing on a point of privilege. Subsequently, your Honour then said he was on a point of privilege. If that was a point of privilege, Mr. Speaker, I will tell you, then, this House is really, really falling apart.

There is no point of privilege. It is a point of foolishness.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

To that point of privilege raised by the hon. member I am going to look into the matter and I will have more to say about it on Monday.

### Orders of the Day

MR. SIMMS:

Mr. Speaker, Motion 3, the Meech Lake Accord, adjourned by the member for St. John's East Extern (Mr. Parsons).

MR. SPEAKER:

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

SOME HON. MEMBERS:

Hear, hear!

MR. PARSONS:

Thank you, Mr. Speaker.

Seeing that a couple of weeks have passed since I closed this debate, I might as well refresh my mind as to what I had said, and perhaps the other members of the Assembly.

I spoke about the Quebec situation, being a distinct society, and I want to make it quite clear to all hon. members that I had difficulty with that situation. I had difficulty in saying that anyone could be distinct in a family which I think Canada is. It is a wonderful country, a family, and a great nation.

I gave it a lot of thought, Mr. Speaker, and I said there was really nothing changed as far as the Quebec situation was concerned, rather an affirmation of what already was taking place. Quebec was always a distinct society language-wise and culture-wise, so really all we hope to do with the Meech Lake Accord is to put that in writing, to give them that in a factual way, Mr. Speaker.

Mr. Speaker, the patriation of the constitution in 1982 was Canada's greatest constitutional effort in history. Canada has a modern federation, but up until 1982 had to seek advice for changes within its parliament, and in 1982 that ceased. It also provided a Charter of Rights and Freedoms, something again that was a great achievement in this wonderful country of ours.

But, Mr. Speaker, it was flawed by one province who refused to sign that Accord. All Meech Lake has done, and even if it was all that

it did, was to bring Canada again into a family of people by bringing Quebec into the Constitutional Accord, then Meech Lake would be worth it.

Mr. Speaker, Meech Lake took a lot of effort on behalf of the First Ministers to bring Quebec into our family and it is a great day for Canada when this did happen.

Mr. Speaker, we had some changes in the immigration laws where provinces and the central government participated in the rules and regulations pertaining to immigration. Really all that is happening as far as the Meech Lake Accord is concerned is that provinces can have more input into immigration which I cannot see anything wrong with, and certainly the provinces should be part of.

As far as immigration is concerned, Mr. Speaker, the end result is that if there is incompatibility, the federal law prevails.

Mr. Speaker, again, on the Supreme Court, what is wrong with the provinces participating in the Supreme Court, in recommendations as it pertains to judges in the Supreme Court? Again, it is only participation and recommendations. It is the provinces being part and parcel of this great country.

On Senate reform, Mr. Speaker, as I stated in my first few remarks two weeks ago, certainly shows nothing on a minus sphere of action but, rather, when our own first appointed since this law came into affect was such a great Newfoundlander, a great Canadian, why not? This is the way it should be.

Mr. Speaker, more important to Newfoundland and Labrador was the fisheries, where the fisheries now could be part of our constitutional reform and where the fisheries could now be discussed at First Ministers' Conferences.

Mr. Speaker, that is of great importance to Newfoundland and Labrador, so important that each and every Newfoundlander has an involvement in it. Mr. Speaker, we have to look to the Premier, who fought so hard for our rights to shared jurisdiction, as far as our fisheries are concerned.

I read from **Maclean's** where it states about Mr. McKenna, who denounced the active role that Newfoundland would play as it pertained to the fisheries. All it was, Mr. Speaker, is he just did not have foresight enough to do what the Premier of Newfoundland did. Now they are trying to adversely affect the Meech Lake Accord just on this fisheries situation alone.

Mr. Speaker, it also came to my mind, as I went over some of the resolutions that were brought before this Assembly, I do not want to eulogize or do anything like that to the hon. member for Twillingate (Mr. W. Carter), but, as I went over the resolutions, Mr. Speaker, I found myself looking at the resolution from the hon. member for Twillingate. Mr. Speaker, since I came into the House I must say that many of the questions being asked by him and his participation in debate has certainly reflected fine stature.

Mr. Speaker, I would like to read one of the "WHEREASES" in the gentleman's resolution. "AND WHEREAS the federal government's

vessel licensing regulations are having a negative impact on the inshore fishery." In the last part of his resolution, "BE IT FURTHER RESOLVED that this House call upon the Government of Canada to review its vessel licensing regulations with a view to eliminating their negative impact on inshore fishermen wishing to upgrade and improve their fishing vessels."

Mr. Speaker, I cannot see, for the life of me, how the hon. member for Twillingate can now say to me or say to this hon. House that he disagrees with the Meech Lake Accord.

What the Meech Lake Accord will mean for Newfoundlanders and Labradorians is just that. The leader of the Opposition (Mr. Wells) is shaking his head, and he has to, because he is after going in different parts of this Island and saying that we do not want any more jurisdiction. We do not need any more jurisdiction. We will give fish to France. This is the criteria laid down by the leader of the Opposition and surely goodness he is going to be over there shaking his head when I say that the member for Twillingate (Mr. W. Carter) is right on. We should address the situation and it is being addressed in the Meech Lake accord.

The leader of the Opposition stated categorically that we have enough jurisdiction. Mr. Speaker, all we said, and I am sure that every Newfoundlander in every crack and corner of this fine Province, will agree that all we wanted was shared jurisdiction.

We are not naive enough to think along the lines of going out there on an international basis again,

and coming up with deals or with other countries or going out there on surveillance work, like the Cowley and those. How could a small Province in Newfoundland, number one, afford it?

MR. PATTERSON:

They could not do it.

MR. PARSONS:

They could not do it at all, Mr. Speaker.

MR. PATTERSON:

You might get an extra salary for someone.

MR. PARSONS:

Well, that might be possible. You might get some money from some other areas

But, Mr. Speaker, that is not the intent of the fisheries being part and parcel of the Meech Lake Accord. It is shared jurisdiction that this Province wants and that this Province has been crying for. It is to give jurisdiction in the bays, where there are quotas placed on mackerel and herring, places that we should have jurisdiction over.

Mr. Speaker, why should any one from Ottawa or any one else have jurisdiction over what is caught in our bays? Mr. Speaker, it should not be. The Meech Lake accord addresses that situation.

Mr. Speaker, the other thing comes to my mind now, I was speaking to fishermen in Flatrock a few days ago and they were speaking about the length of their boats. That again falls in the guidelines of a jurisdictional capacity of the central government. Mr. Speaker, I believe that that has to change.

I believe that local issues have to be dealt with by our own local authorities. I am sure they are quite capable of doing that, Mr. Speaker. I hope that it will come about. I hope people will see on the other side of the House. It is so important to Newfoundland that everyone, we need all factions no matter what stripe they are, to come out, no matter what their federal counterparts think. We saw what happened here in 1979 when the Premier stuck up for Newfoundland and the Minister of Fisheries (Mr. Rideout). I mean, it was not a party line. It was because of Newfoundlanders and Labradorians and what their need was and how great their need was.

We cannot be going around the Province like the Leader of the Opposition saying we should not have jurisdiction over the bays. We should not have that kind of right, Mr. Speaker.

MR. PATTERSON:

He will be gone in June.

MR. PARSONS:

Well, perhaps so.

I know that my friend over there from St. Barbe (Mr. Furey) is to follow me. I hope that he stands on his feet, a fine young man, he comes from a good district, and I want to see what he is going to tell the people at Parsons Pond, at Daniel's Harbour, at Squid Cove, at Port au Choix. There is no way that he is going to get up and be able to say to those people, 'You have enough jurisdiction now. You do not need any more.' No, Mr. Speaker, it cannot be done or it cannot be said.

We need jurisdiction as far as the fishery is concerned. Again, Mr.

Speaker, it is not that we need the greatest of the central government or the capabilities of the central government, Mr. Speaker. What we are speaking about is shared jurisdiction. What I am speaking about this morning is what the hon. the Minister of Fisheries (Mr. Rideout) and the hon. the Premier has been saying over and over: 'Give us the right to have a say in our own destiny, to have a say in Newfoundland's and Labrador's future.'

Mr. Speaker, I hope that the members opposite, when they get on their feet will, again, think along the lines that I have been thinking. The hon. member for Mount Scio - Bell Island (Mr. Barry) said that anyone who disagrees with the Meech Lake Accord was frozen in time. Mr. Speaker, I say to the hon. gentlemen on the other side that you are frozen in time if you do not get on your feet and support this Meech Lake Accord if, for no other reason than being Newfoundlanders and Labradorians and this pertains to our fisheries. Mr. Speaker, if they do not, then I believe they are iced up. Mr. Speaker, I believe they are dead.

Mr. Speaker, when - we cannot say if - this election is called I am sure that if they do not get up and apply themselves, the same as the member for Mount Scio - Bell Island, and stick up for Newfoundlanders and Labradorians, forget party lines, they will lose. Do not leave Newfoundland fishermen in this maze of bewilderment, stick up once again, come out loud and clear that we agree with the Meech Lake Accord because in the Meech Lake Accord there are good ways and means to

help Newfoundlanders and Labradorians.

With that, Mr. Speaker, I thank you very much.

SOME HON. MEMBERS:  
Hear, hear!

MR. FUREY:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the member for St. Barbe.

SOME HON. MEMBERS:  
Hear, hear!

MR. FUREY:  
Mr. Speaker; let me say from the beginning, I listened very, very carefully to the hon. member's speech. I took in every word, every challenge. I listened to him and gave great thought to what he had to say.

But in the final analysis, Mr. Speaker, I must say that deep down that speech was pretty shallow. It did not deal with anything that had to do with the Meech Lake Accord, with the exception of one issue. He dealt with jurisdiction in the fishery and left it at that.

Mr. Speaker, what he engaged in was what George Orwell would call newsspeak, mouthing the official state line. If you say something long enough, you really begin to believe it. Once you start believing it, it becomes easier to sell. Then if everybody huddles together to sell the same unbelievable message through newsspeak, then all of the sudden you can numb the minds of the people in that society you control.

Mr. Speaker, nobody on this side is going to be fooled by newsspeak. We heard and we have

documented proof of the Premier seeking legislative jurisdiction in the fishery. No matter how many times the hon. member for St. John's East Extern (Mr. Parsons) says it, he cannot switch around now and say shared jurisdiction, partnership and the like. It was legislative jurisdiction.

Mr. Speaker, just a quick history lesson on the patriation of the Constitution in 1982. It was Pierre Trudeau and the Liberal Government of Canada at that time that sought to bring home Canada's own fundamental laws and establish them here on our soil, to patriate the Constitution. But the wall that he ran up against at that particular time was the wall that came to be known as the Gang of Eight, the eight Premiers who would not allow the patriation of the Constitution unless it was done under their terms and by their setting the standards and setting the rules.

I refer hon. members to a fine book written by Ron Graham, a former writer with **Saturday Night** magazine, who had written a book called **One-Eyed Kings**. The hon. member is familiar with this.

He says that during that time the decision of the federal government was to act alone to bring home her Constitution and it was based on the belief that Canada was more than the sum of its provinces.

At that time Mr. Trudeau faced the Gang of Eight, Mr. Speaker -

MR. J. CARTER:  
A point of order, Mr. Speaker.

MR. SPEAKER:  
A point of order, the hon. the member for St. John's North.

MR. J. CARTER:  
Mr. Speaker, this is an important point. We should not sit on our rights. I appreciate what the hon. member is doing and I would remind him that reading from a book, which is perfectly acceptable, means it must be tabled.

MR. FUREY:  
I am not reading. I am referring.

MR. J. CARTER:  
It must be tabled unless there is unanimous consent not to table it. I notice it is a hard cover book and probably expensive. Unless the member wants to let it slip out of his hands, he should not refer to it anymore. But otherwise, it has to be tabled. That is just the rules.

MR. FUREY:  
Mr. Speaker, I would be honoured to table these particular pages. I am not reading directly from the book. I am referring to a book. But should I quote, Mr. Speaker, directly from the book, and I might, I would be glad to table it. Not only that, Mr. Speaker, I will go a step further, I would be glad to loan the book to the hon. member.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
To that point of order, both points have some merit, but I conclude that it is a difference of opinion between two hon. gentlemen.

The hon. member for St. Barbe.

MR. FUREY:  
Good ruling.

Mr. Speaker, as I was saying Mr.



Trudeau and the federal liberals tried to patriate the constitution and it came down to a possible plebiscite nationwide where Mr. Trudeau was prepared to go directly to the people to ask the people themselves in a private ballot, in a plebiscite, 'Do you want Canada's fundamental laws brought home?'

What happened, Mr. Speaker? The gang of eight scurried, they freaked, they became nervous, agitated. They said, 'We had better get on side,' because everybody knows that Canada, being in her right, her own country, wanted her own fundamental laws on her own soil. Who could vote against that?

Mr. Speaker, it was interesting to note that most of the Provinces, with the exception of Ontario and New Brunswick, under two Tory governments at that time, Premier Davis and Premier Hatfield, were the consistent exception to the gang of eight, and agreed with Mr. Trudeau. But the provinces at that time saw Canada as an understanding amongst themselves.

In other words, Canada made up the component parts, the ten separate distinct parts and Ottawa was only their agent on broad matters or the equivalent in her own jurisdiction. It is interesting to note, Mr. Speaker, that the gang of eight rejected the opening preamble to the previous constitution for Canada on her own soil. They rejected, 'We, the people of Canada,' and they proposed that a Premier co-chair all federal-provincial conferences with the Prime Minister.

They refused, Mr. Speaker, to refer to Ottawa as the national government, but rather they

referred to Ottawa as the federal government. It is interesting to note, Mr. Speaker, and I give this brief history lesson of the patriation of the constitution in 1982 to point out to you that at one of those meetings our Premier, at that time, actually said, Mr. Speaker, he declared on behalf of Newfoundland and Labrador that he would subscribe to the Lévesque vision of Canada, rather than the federal liberal vision of a nation strong unto herself. That is what this Premier said.

Just as an aside, Mr. Speaker, at that point John Chrétien happened to lean over to the then Prime Minister Trudeau and asked him, "Do you have a bag? I think I need to vomit?" That is how upsetting it was to people who saw themselves as builders of a nation, rather than those who were going to tear down and just have separate component parts.

Mr. Speaker, I want to refer to the preamble of the text that was offered on behalf of Canadians at that time. Here is what it said: "We, the people of Canada, proclaim that we are and shall always be with the help of God free and self-governing people, born of a meeting of the French and English presence on North American soil, which had long been the home of our Native peoples, and enshrined by the contributions of millions of people from the four corners of the earth. We have chosen to create a life together which transcends the differences of blood relationship, language and religion, and willingly accept the experience of sharing our wealth and cultures, while respecting our diversity. We have chosen to life together in one sovereign country, a true federation, conceived as a

constitutional monarchy and founded on democratic principle faithful to our history', and so on.

The gang of eight rejected that preamble, rejected "We, the people of Canada", because it implied Canada was whole, she was complete, she was one.

Mr. Speaker, with respect specifically to the Meech Lake amendment before this Legislative Assembly today, it strikes me as unusual to read a recital that says, "And Whereas the amendment proposed in the schedule hereto, recognizes the principle of equality of all provinces," and it goes on, it strikes me as rather unusual that you can say in a recital that all provinces are equal and then turn to the body of the amendment to find that one ought to be recognized within Canada as distinct or more equal. I will come to that in a minute, Mr. Speaker.

MR. SPEAKER (Parsons):  
Order, please!

I am sorry that I have to intervene, but I would like to announce this because I do not know really how long those students are going to stay. In the gallery today there are thirty-eight Levels 1 and 11 students and their two teachers, Mr. Jim Loder and Mr. Jarvis from the Holy Name of Mary High School in Lawn.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
We would like to welcome them.

The hon. the member for St. Barbe.

MR. FUREY:  
Absolutely, Mr. Speaker, and we thank you for welcoming them.

Mr. Speaker, there are a number of points that I want to touch on in my limited time here today with respect to Meech Lake, immigration, spending power, the Senate, the Supreme Court, the concept of the distinct society, and what our Premier garnered for us from this particular meeting at Longevin Block in the wee hours of the morning for Newfoundland. It all has to be viewed in the context, Mr. Speaker, of two questions: Number one, did we pay too dearly for this constitutional accord and; number two, how is Newfoundland and Labrador affected by Meech Lake? How is she affected directly?

Everything has to be reviewed in the Newfoundland context as a full partner in the federation, Mr. Speaker, and I will come to what Newfoundland gained, if anything, in this accord as I continue my remarks. But first some general observations on Meech Lake.

Mr. Speaker, I am not a lawyer and not being a lawyer or a constitutional expert I researched to find out what constitutional lawyers and constitutional experts in this country generally thought about the Meech Lake accord. Let me cite the results of a poll conducted amongst lawyers across the country after the eleven First Ministers signed this accord.

Here is what they said: "The Meech Lake constitutional accord is bad for Canada." This poll was conducted through **The Canadian Lawyer** which is a legal magazine in his country. Almost 80 per cent of the 500 lawyers across this country who responded to the

poll opposed the agreement which will bring Quebec into the constitution. Here is what one lawyer said: "The poll reflects the lack of confidence in the foresight of the negotiators."

Mr. Speaker, it went on to say 'That Ontario lawyers appeared strongest in their opposition with 90 per cent of them opposed to the accord. It was favoured by 53 per cent of Quebec lawyers, 22 per cent,' which is telling, 'of the Western Canadian lawyers. The results of the poll also suggested that 78 per cent of the legal minds in this country who were polled opposed the constitutional recognition of Quebec as a distinct society. Seventy-five per cent think that the accord creates two Canadas' or deux nations, as the French say it. 'Eighty-five per cent of the polls granting veto power over constitutional changes to all of the provinces and sixty-seven per cent think the provinces should not have the right to submit names of nominees for the Supreme Court of Canada.'

Mr. Speaker, that is what 500 of the best and brightest legal minds across this country had to say about the Meech Lake accord with respect to how it effects the future of Canada.

Secondly, Mr. Speaker, we must remind for this accord to become in fact part of the constitution all provinces must agree. There must be unanimity. Let me review the six conditions, I will not go into all six, but Premier McKenna says that he must see these included before he can accept the accord.

Thank God for Sharon Carstairs out in Manitoba. Thank God for her

comments the other day that "Meech Lake is dead." Another dead lake in Canada, in terms of the constitution

I want to just review what Premier McKenna said, Mr. Speaker. He said, number one, parliament should be required in the Constitution to promote, as well as simply to preserve, bilingualism across the country, and an article should be added allowing each province to opt into an obligation to promote bilingualism. Meech provides that only Quebec would be committed to preserve and promote its distinct identity.

Secondly, he said, the Meech Lake Accord must be rewritten to remove any doubt that womens' rights might be affected.

Thirdly, McKenna buys Tory Alberta Premier Don Ghetty's proposal for a triple E senate, equal, elected, and effective.

MR. K. AYLWARD:  
Hear, hear!

MR. FUREY:  
And on the issue of federal spending power, Premier McKenna wants clearer language to assure that limitations placed by Meech Lake on federal/provincial cost shared programmes would not deprive the have-not provinces of badly needed federal assistance.

Those are three that I highlight of the six requests that Premier McKenna said that he would only accept Meech Lake on the grounds that these are included within this document.

Back to my four points, Mr. Speaker. Number one, immigration. People who come to

Canada now from other lands come here to participate in one Canada, one great nation. Now, because of Meech Lake, any province can receive immigrants. In the case of Quebec, for example, who insisted on this particular amendment, this province by its own statutes recognizes one official language, French, within the confines of its own province, yet our Canadian laws and the Charter recognize two official languages, French and English under Section 16 of the Charter of Rights and Freedoms. Now provincial officials in Quebec can tell immigrants they are living in a province with only one official language in a country where there are in fact two official languages. But Quebec, which now constitutes a distinct society, is different than other parts of Canada, so provincial patriotism is strengthened while Canadian nationalism weakens under this segment of this particular Accord.

Once these amendments are ratified, there is no going back, Mr. Speaker. The sum becomes stronger than the total. Instead of ten speaking as one, instead of ten provinces speaking as one country, Canada, Meech Lake gives us one province as though it were one of ten countries. A community of communities, I think, Joe Clark called it, prior to being Prime Minister, and then after he was Prime Minister.

Mr. Speaker, with respect to my second point, spending power. Imagine a province opting out of a national programme and being compensated to carry out a similar programme that meets national standards. Mr. Speaker, spare us from the pork barrel, please.

We are not even sure now where federal monies which are transferred to provincial coffers end up. We are not sure that they end up where they are targeted. For example, we know that some students and groups in the Province are very concerned, Mr. Speaker, with the whole concept of tied funding. Does the money that originates in Ottawa through tax collection, targeted for Newfoundland education systems, reach the education system?

There has been a lot of questions raised about that, Mr. Speaker. We fear that a lot of education dollars have ended up paving potholes, doing water and sewer systems, and essentially buying districts in general elections, Mr. Speaker. We have very deep concerns about that which is an established programme of financing.

My God, what would happen if they started passing bags of money to the provinces for day care or whatever when we are not sure that the education dollars end up where they are supposed to? Would those dollars end up where they are supposed to be targeted? Who could trust this government with a lump sum payment after opting out of a programme? Mr. Speaker, I certainly could not. I am one member who could not, and that is a sure sign of a weakness within this Accord, to say that a province could opt out of a national programme as long as it abides by national standards. Where are the checks and balances? Who would come and check on it? Who is checking on education dollars?

Mr. Speaker that brings me to my third point. It is probably for me the most important point in

this document, Quebec as a distinct society.

We have to understand something, Mr. Speaker. Distinct means individual, separate, different. What Meech Lake is saying, in other terms, is that, yes, Canada is Canada, she is a strong country, everybody is equal, but some are more equal than others. The recognition of Quebec as a distinct society says that Canada is one, but Quebec is individual, it is separate, it is different, it is special, Mr. Speaker. It gives Quebec special status.

Under this particular clause in this amendment, which in my view fractures Canada in the long run, can we continue to say, Mr. Speaker, that all Canadians are equal where there is constitutional recognition in this document that one piece Canada is different than another piece of Canada? Does it not logically follow that the constitution will have to be interrupted in two ways now Mr. Speaker, thanks to Meech Lake?

One way for Quebec, who is different, distinct, separate, and special, and the constitution, which is the fundamental law of the land, will have to be interrupted another way for the other nine provinces who are not individual; who are not separate; who are not different; who are not accorded special status.

Mr. Speaker, fundamentally Canadians no longer are playing on a level field. The distinct society eliminates the principle of equity as distinctiveness negates equality.

Let me give you a sports metaphor, Mr. Speaker. It would be the

equivalent of the Edmonton Oilers playing the Quebec Nordics. They are readying for the game, but before the game even starts the scoreboard flashes: Nordics- 5, Oilers 0. Now, Mr. Speaker would that be fair? Before you even start the first period, they are up five-nothing. It is unequal. I am sure the Oilers would catch up and beat them, but forgive my sports metaphor. That is no way to begin a game. That is what I am saying, Mr. Speaker.

Mr. Speaker, this Accord whether members like to admit it or not, creates two solitudes within Canada, two separate entities, two distinct parts, two separate and distinct pieces of Canada. Meech Lake says forget the oneness, forget the greatness, forget the strength of this great, wonderful and beautiful land Canada, she ain't Canada anymore. She is French Canada and English Canada and that is what Meech Lake has done.

SOME HON. MEMBERS:

Hear, hear!

MR. FUREY:

Mr. Speaker distinct society means, and has to be equated with special status. When you make Quebec more equal than others who do not have special status, how do the other Canadians feel? It gives rise to this question, Mr. Speaker: Is the Meech Lake amendment of the Constitution Act of 1982 a violation of Section 15 of the Charter? Let us look at Section 15 of the Charter. I just happen to have it right here, Mr. Speaker.

It is called the Equality Provision. Listen to it carefully, Mr. Speaker. This is the fundamental law of the land.

All of us have to abide by this. This is the concrete that binds Canada together, called her Constitution. From the Constitution we derive the rights that all of us enjoy.

Section 15, subsection (1) reads, Mr. Speaker: "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law." Now, just remember what I said, Mr. Speaker. Come back to Meech Lake.

Meech Lake recognizes Quebec as a distinct society to be promoted as distinct, different, separate and individual. How can we be equal under this fundamental law that gives us all equality when the Constitution, which supercedes everything, says, some are more equal than others? It is an illogical premise, Mr. Speaker. It does not make sense. It has crippled the concept of all Canadians from St. Anthony to British Columbia enjoying equality. Nothing is equal anymore. There is no longer a level playing field.

Mr. Speaker, it does give rise - the hon. Minister of Justice (Ms Verge) will know this - to the legal interpretation of Section 15 of the Charter which is a fundamental law which gives us all equality. We ain't equal anymore. The equality rights, Mr. Speaker, in the Charter should complement and add to the anti-discrimination provisions found in the federal and provincial human rights legislation. It does not. The equality rights do not. They should complement, but they do not complement.

Mr. Speaker, yet distinct society,

special status, seems to be discriminatory against those who do not have special status, namely, Mr. Speaker, all other Canadians outside Quebec. They no longer enjoy a fundamental law of the land, the Constitution which was patriated in 1982 which says you are all equal. It is not so anymore.

Mr. Speaker, just a quick reference back to the fundamental laws of our land again. Section 16 (1) says, "English and French, Official Languages of Canada." They are the official languages of Canada under this Charter. Yet, distinct society calls for the promotion of French only within Quebec. We recognize the right of preservation of language and culture, but not to the point where the scales of equality are tilted to favour one group in Canadian society over the other. There is a fundamental inequality, Mr. Speaker, and we are saying it is wrong.

Look at Bill 101 which requires signage in French only throughout the Province of Quebec. Is that right in a great country that demands and requires that there be a bilingual function within our own Charter? Mr. Speaker, this particular clause gives rise to and causes me, as a member of this Legislature, one of many Legislatures across the country, to want to amend Meech Lake. I give notice now to the hon. Government House Leader that I am today proposing the following amendment to Meech Lake:

I want to add Section (c) to Section 1, part "2" to read as follows: 1 (c) the recognition that Newfoundland and Labrador constitutes within Canada a distinct society. And to add part

(5) to Section 1, part "2" to read: (5) The role of the Legislature and Government of Newfoundland and Labrador to preserve and promote the distinct identity of Newfoundland and Labrador referred to in 1 (c) is affirmed.

SOME HON. MEMBERS:  
Hear, hear!

MR. FUREY:  
Mr. Speaker, I am glad to be able to move that amendment, seconded by my hon. colleague from Fogo (Mr. Tulk), to say that this particular Premier, Premier Peckford, and this particular government, being a signatory to this particular document, has created an absolutely fundamental unfairness within the Federation. It has lop-sided Canada. Mr. Speaker -

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

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

MR. SIMMS:  
I have not heard your Honour say if the amendment was in order, or anything else. It obviously should be considered, and we would not mind having a look at the copy of the amendment as well.

MR. FUREY:  
Mr. Speaker, the hon. government House leader is absolutely correct and I table it now. I will continue with my remarks until such time as it is ruled on.

SOME HON. MEMBERS:  
No, no!

MR. SIMMS:  
You can continue your remarks on

the motion.

MR. FUREY:  
What I am saying, Mr. Speaker, as I continue my speech on motion, waiting for the ruling on the amendment, is that Canada has now been created into a supermarket of shopping centers where some can opt out, some can opt in, some can have French, some can have English.

What we have created is a checkerboard map across this nation.

MR. SPEAKER:  
Order, please!

I did hear what the hon. member for Port de Grave said and I am going to excuse him this once. I did hear what he said. Please, continue.

The hon. the member for St. Barbe.

MR. FUREY:  
Mr. Speaker, I did not hear, but I will continue with my remarks.

What my amendment, Mr. Speaker, proposes is to correct the injustice that was created when this Premier signed this document. I do not really think the Premier understood what he was signing. He signed a document that said Quebec is more equal than Newfoundland, more distinct than Newfoundland and conversely, Newfoundland is less distinct and less equal than Quebec.

What we are trying to do with this amendment, Mr. Speaker, is to correct, to fix, to straighten out that anomaly, that inequity, that lop-sided balance that was created by signing this silly document.

Mr. Speaker, let me continue by

saying that if this Premier and those thirty-five members are prepared to say, via Premier Peckford's signature to that document, that Quebec is more equal, more distinct than Newfoundland and Labrador -

MR. SPEAKER:  
Order, please!

MR. FUREY:  
- we are this side are not prepared to do that.

MR. SPEAKER:  
Order, please!

MR. FUREY:  
Sorry, Mr. Speaker.

MR. SPEAKER:  
The House will recess for five minutes to get some legal advice and interpretation.

The House stands adjourned.

### Recess

MR. SPEAKER (Parsons):  
Order, please!

The Chair accepts the amendment.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
The hon. member for St. Barbe has a right now to speak to the amendment. He has thirty minutes.

The hon. the member for St. Barbe.

SOME HON. MEMBERS:  
Hear, hear!

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

I want to tell your Honour that I am very grateful for that ruling and to say that now there is an opportunity for all Newfoundlanders and Labradorians, through their elected representatives in this legislature, to vote in support of Newfoundland being a distinct and equal partner in Confederation.

SOME HON. MEMBERS:  
Hear, hear!

MR. FUREY:  
Mr. Speaker, I will get into the body of the amendment briefly, but I want to conclude with the main motion as well as the amendment by stating some other facts with respect to this Constitutional Accord.

For example, Mr. Speaker, when we talk about the Senate, the people who participated, who were the signatories to this document, who are now trotting across Canada saying we believe in triple E, such as Premier Ghetty and others, it gives rise to a very important question. If Premier Ghetty, and I have no doubt that he did, believed so deeply in the concept of triple E, why did he sign that document? Why did he not hold out into the wee hours of the morning in Longevin Block, when the pressure cooker was on and Prime Minister Mulroney was making the ten of them sweat? Why did he not hold out if he had a deep and abiding belief in the concept of the triple E Senate? Equally, Mr. Speaker, if our own Premier believed so deeply and so passionately in the concept of legislative jurisdiction in the fishery, in the wee hours of the morning, Mr. Speaker, in Longevin Block in Ottawa, why did he not hold out? It was posturing, Mr. Speaker, pure and simple political



posturing to help his buddy Brian get through the night. That is what that was all about.

Mr. Speaker, with respect to Senate reform in the Meech Lake Accord, what has happened through Meech Lake? Let me tell you what has happened, Mr. Speaker. It has been simply and straightforwardly a transfer of patronage; the Prime Minister has passed part of the trough to the Premiers; the Premiers can now fill the Senate with their choices; the Upper Chamber will be filled with their own men and women who will be owing to the capitals in Canada. They will be owing. Canada will be reduced, Mr. Speaker, to a central government by provincial remote control. The heart of the nation, the concept of Canada, the central government, the House of Commons will be reduced to a eunuch, Mr. Speaker. That is what has happened here. Anybody who understands how our federal system works knows that the centre has to be strong, that the centre has to appoint the Upper Chamber, and if the Upper Chamber is controlled by the provincial capitals, it becomes Confederation by remote control; the Premiers push the button and up jump their choices of Senators to overrule legislation emanating from the House of Commons.

Mr. Speaker, what was gained by this mere transfer of patronage, this passing of the Prime Minister's nose in the trough to the Premiers noses in the trough? What has really happened? What have we gained? The Senate is still unelected, therefore it is unaccountable. The Senate is still unequal, therefore it has no power. The little provinces like Newfoundland and Prince Edward Island will continue to be stomped

upon. Mr. Speaker, it is still ineffective, therefore, it is a rubber stamp, a place to merely approve, through second sober thought, anything that comes from the body of the House of Commons. Mr. Speaker, we gained absolutely nothing on Senate reform through Meech Lake; we got a transfer of patronage.

The Premiers, if they believed deeply in what they are saying, Mr. Speaker, could have held out for triple E. They could have insisted to the Prime Minister, no deal, unless you elect the Senate, cause it to be effective and maintain that it shall be equal. Because that Upper Chamber then could speak with the equal voice, Newfoundland could then speak with the equal voice in that Upper Chamber that strong central Canada now speaks with in both Chambers.

There is a fundamental flaw and inequality, Mr. Speaker, because they did not hold out for Senate reform and chose to transfer the patronage trough from one to the other. That is unacceptable.

Mr. Speaker, it was tough enough to get Senate reform in the past, requiring seven of the ten provinces with 50 percent of the population in this nation to affect an amending formula under the 1982 patriation, now in order to effect Senate reform, thanks to Meech Lake, it will require unanimity, all eleven ministers. We saw how long it took for unanimity on Meech Lake, through the wee hours of the morning sipping water, hopefully, being put in the pressure cooker, and we saw provinces walk away with basically nothing.

So, Mr. Speaker, I, as one member of this Chamber, am deeply

disappointed that this Premier, this government caved in to Prime Minister Mulroney on a plethora of issues and all they got was that they could put their fingers in the cookie jar, just like the Prime Minister.

Mr. Speaker, a quick word about the Supreme Court. It is a fact that various law societies throughout this Province, and all provinces, should and must have input into the nominees being put forward to sit on the highest court of the land. Right now all we can see, once again, is that the responsibility for that power has been transferred from Prime Minister Mulroney, and future Prime Ministers should this amendment be ratified, to the ten premiers, who are huddled in their own little capitals not worried about the nation as a whole but concerned about their little separate part.

MR. TULK:

They have divided Canada like the thousand dollar (inaudible).

MR. FUREY:

Mr. Speaker, as the hon. member for Fogo says, Canada was chopped in half and divided amongst them like pirates hoarding over the spoils after a war.

Mr. Speaker, on the Supreme Court matter, appointments to this highest body of judiciary in the land, this is a must, that nominees not just come from the floors and offices of provincial premiers, but that they come having the input of law societies, and law scholars throughout the country. It is a must to safeguard, Mr. Speaker, in the total politicization of the judiciary. We must guard against politicizing the judiciary. Mr.

Speaker, if there was input from these law societies and others, it would ensure that the best minds, the brightest minds, the best available would be available and ready and willing to serve, according to their own peers, on the highest court in the land.

Mr. Speaker, a final remark on the Supreme Court. Just last week, His Honour, Supreme Court Justice Willard Estey, retired from the Bench, as we all know, which left a vacancy. What will happen under Meech Lake now? How will that vacancy be filled? Again, it will be the provinces conducting the affairs of the country by remote control, from their capitals.

This hon. gentleman who sat on the Bench for thirteen years, I think, as a Supreme Court Justice, and many years in the Ontario High Courts, what did he say about Meech Lake? Now, let us listen to him in his nonpartisan view, with nothing to lose and nothing to gain. In retiring from the Bench, what did he say? He said, Mr. Speaker, and I quote: "The increased role given the provinces by the Meech Lake Accord in appointing judges could thrust such appointments into turmoil and even destroy Confederation" Judge Estey said that in an interview last week. He also said, and I quote, "My instinct is that the Accord is decentralizing and therefore should be viewed by Canadians with some suspicion." He went on to say, "You could ruin Confederation. There is no doubt about it. That is why it is now being nibbled at and attacked. I think we would be better off to stay where we are, to maintain the status quo, to hold fast to the patriation of 1982." Now, Mr. Speaker, those are not my words, those are the words of the learned

hon. gentleman, His Honour, William Estey, former Supreme Court Judge in the highest court in the land, who said Meech Lake threatens the very heart and soul of Confederation.

Mr. Speaker, what else was gained by this particular amendment, this Constitutional Accord, this Meech ado about nothing? Mr. Speaker, here is what is gained. Twice a year now the premiers can grandstand for the folks back home. It will be known as the eleven ring circus. Twice a year they can get together and shout and bawl at each other, but, and here is the death blow, they must talk about the economy - Wonderful! - and they must talk about Senate reform and the fishery. But the telling word, Mr. Speaker, is 'talk'. They must 'talk'. Talk is cheap, and we saw just how cheap it has been in the last ten years of this leader's administration. Talk is cheap.

Mr. Speaker, why would they want to meet to discuss Senate reform when it would mean surrendering a patronage lever they now have? Who wants to talk about Senate reform when they appoint the Senators, something they have gained? If they talk about Senate reform, one of two things will occur: a) they will give the patronage lever back to the Prime Minister; or b) they will give it directly to the people via an elected Senate. But there are no guarantees that this particular group of First Ministers who attended that first ring circus in Ottawa, in Longevin Block, are going to give the power to the people to elect the Senate. They could have done that in the wee hours of the morning when they were hammering out Meech Lake. They did not want to do that,

because they know that by controlling the Senate you control the Nation from the provinces. It is a sad day for Canada, Mr. Speaker, when premiers like ours control the fate and future of this great Nation.

Mr. Speaker, I suspect they will tire quickly speaking about the two set subjects, the Senate reform and the fishery, and that much of these meetings will center around the other clause which says, 'Such other matters as agreed upon.' Even if Senate reform is agreed upon and it is perfect by all Canadian standards, even if the fisheries question is settled and settled to the absolute, total happiness of every single Newfoundlander, Mr. Speaker, Meech Lake would still require all provinces to deal with these subjects, even if there was nothing to talk about. Now, how ludicrous! Meech Lake puts these subjects there forever and ever and ever, which could turn these meetings, Mr. Speaker, into a mere rerun of **The Emperor's New Clothes**.

Mr. Speaker, you, yourself, when you did not occupy the Chair, sat in your seat on the backbench as the member for St. John's East Extern and you asked us to discuss fisheries jurisdiction. I am prepared to do that right now. Mr. Speaker, do you know what you said? You said, 'The patriation of the Constitution in 1982' - I am quoting you - 'was the greatest event in our constitutional history.' Hurray, Pierre Trudeau and company! What a job you did.

You said, Mr. Speaker, and I quote, "Newfoundland is a distinct society." Your words, Mr. Chairman, not mine. You said The Constitutional Act was flawed

without Quebec signing it. Mr. Speaker, how could you ask a government of the day that operated and was elected on the premise that they wanted to withdraw from Confederation to sign the fundamental law of our land? They wanted out. We wanted them in. You could not ask a government that operated as the separatist party of the Quebec Province to opt into something when in total they wanted to opt out, ludicrous! Absurd! Foolishness, and a crippling of all logic by any standards, Mr. Speaker. We could not accept, nor could the government of the day, Quebec at any cost.

Mr. Speaker, fisheries jurisdiction, what has this Premier being yapping about since 1979? What has he made a career over since 1979? He said, 'We need legislative jurisdiction over the fishery.' His words. He said, 'We need, require, want, must, have' - now, Mr. Speaker, I hope your ears are perked - 'legislative jurisdiction,' not shared, not participating, not half, not a quarter. 'We want legislative jurisdiction.'

MR. TULK:  
Got that?

MR. FUREY:

Mr. Speaker, let me say this to you: If fishery jurisdiction was so important so many times to this Premier who made a career out of it, if jurisdiction was so important, if controlling our destiny was so necessary, the only question that has to be asked by member on all sides is this: Why did Premier Peckford sign Meech Lake? Why did he not hold out for legislative jurisdiction, that which he made a career out of and believed so deeply in? What

caused him in the wee hours of the morning in Longevin Block to sign a document that gave him zero? He got a commitment to talk and talk is all he will do.

Mr. Speaker, let me just put into perspective for this hon. House and the Minister of Fisheries (Mr. Rideout) leaving now, what his Federal Tory counterpart said in response to a question in Ottawa put by that great and honourable member from Humber - Port au Port - St. Barbe, Brian Tobin. Here is what Mr. Tobin asked, and I quote.

He said, "Premier Peckford stated yesterday in the Newfoundland Legislature that a clause in the Meech Lake accord will lead to greater provincial jurisdiction, specifically Newfoundland and Labrador jurisdiction over the fishery." He went on to ask the hon. Mr. Siddon, the current Tory Minister of Fisheries, what would that mean? Is Premier Peckford right that Meech Lake will give Newfoundland and Labrador more legislative jurisdiction over the fishery?

Here is what Mr. Siddon said, and I quote: "It is clearly understood by all provincial governments that the Constitution of Canada recognizes the responsibility of the federal government under The Fisheries Act for the management of the fisheries. However, it is not my intention to suggest any ceding of ultimate responsibility by the federal government for the fishery in this context." Can it be any clearer, Mr. Speaker?

This Premier says, 'We got fishery jurisdiction on the table. We are going to get it.' His Tory counterpart in Ottawa says, 'We are not going to cede one bit of

ultimate responsibility for the fishery in the context of jurisdiction.' Forget it is what he was saying.

Mr. Speaker, this Premier has to answer for that. You cannot have it both ways.

You cannot say 'we got this in Meech Lake' when they are up there, those who supposedly gave, saying, 'You have nothing.'

Mr. Speaker, let the record show the deep commitment to the fishery of the Liberal Party of Newfoundland and Labrador. There is no mistake about it. It is in black and white. Hansard has recorded it. It was tabled in this House, Mr. Speaker, on June 17, 1987 when the hon. member for Fogo stood in his place and presented to this House an absolutely wonderful resolution which spoke to the issue of the fishery.

Let me just read the bottom part of the resolution in itself. It said, 'BE IT RESOLVED that the Government of Newfoundland and Labrador assert its faith in the inshore fishery by continuing to pursue a comprehensive programme of revitalization and development such as the Inshore Fisheries Agreement Debt Restructuring, and an appropriate provision for provincial involvement in the management of the fishery.'

Mr. Speaker, this resolution was presented by the hon. member for Fogo, June 17, 1987, almost a year ago. Everybody in this Assembly, all of those assembled here, voted unanimously for the Liberal Party position.

Mr. Speaker, let me read it personally for you again because

you preceded me in this speech on Meech Lake. Let me say personally, for you again, that the last sentence says, 'An appropriate provision for provincial involvement in the management of the fishery.' Mr. Speaker, nod your head if you heard me properly. Did you hear me. Good! I am glad to hear that you heard me.

MR. SIMMS:

Tell us what 'Leo' said now, read some of his material.

MR. FUREY:

Mr. Speaker, let me carry on and talk for a minute about legislative jurisdiction. We are a Province, Mr. Speaker, with a current account deficit of nearly some \$50 million. In other words, we cannot afford our light bill; we cannot pay for the day to day lights that we use in our buildings, the heat, the oil, the lights, the pencils, the paper, or the clips. We are running a deficit in just the administrative side of running this Province.

How, then, could we, Mr. Speaker, even think we could share legislative jurisdiction in the fishery when we all know that with legislative jurisdiction also comes fiscal responsibility? You cannot separate them. They are inseparable. To say that you have legislative jurisdiction is to say you also have the fiscal capacity to deal with that competently. I just showed you, Mr. Speaker, in a sentence that this government cannot even deal with it's own bills. It cannot straighten its own books out.

Mr. Speaker, who will pay for the wharves and the harbours and the dredging and the slipways and the gear storage sheds and the

multi-millions of dollars? The hon. member for Fortune - Hermitage knows all too well from his days in Ottawa when the feds were doling out the cash. Who will pay for that infrastructure, the multi-millions of dollars if we have shared legislative jurisdiction, when I have established that we must also share the fiscal responsibility, and we further established this government cannot even deal with its own bills?

That would not be bad enough, but after sharing the capital costs, Mr. Speaker, of building new small craft harbours, etc., how could we possibly pay for the upkeep given this government's record and current account deficit? How could we possibly pay for it?

Let me explain to you, in summary, what I am talking about. According to the acting Chief of Financial Management of Fisheries and Oceans Canada, the federal government spent the following on fisheries in the Newfoundland region in 1987. In salaries alone, \$30 million. If we had 50 per cent of the say, we would have to cough up \$15 million. On operations and maintenance, \$27.2 million. We would have to split that. On capital costs, another \$5.3 million. We would have to split that. Grants and contracts, \$1.6 million, for a total, Mr. Speaker, in 1987 of \$64 million that we would have to share in the fiscal responsibility for.

Mr. Speaker, back to my amendment briefly, my hon. House Leader tells me I have a few minutes. Is that correct?

MR. TULK:

You have seven minutes.

MR. FUREY:

Mr. Speaker, back to this amendment, it is a valuable amendment. We recommend this amendment to every single legislature in Canada today. It is not a taking away from Quebec, Mr. Speaker, we recognize the sociological and historical fact that makes it unique and part of Canada. That is a given.

What we are saying is that this Premier signing this document created an absolute, almost irresponsible anomaly. By signing it, he has said Quebec is more special than Newfoundland. We say, no, Mr. Speaker. We are not really seeking special status in the amendment. We are seeking equal status.

SOME HON. MEMBERS:

Hear, hear!

MR. FUREY:

And so, Mr. Speaker, when we say that we want Newfoundland added to 1 (c) of the first part of this amendment, that the recognition Newfoundland and Labrador constitutes within Canada, a distinct society, all we are saying is, 'Let us make this Meech Lake Accord a level playing field where all partners and all participants on an equal footing.' I have demonstrated, Mr. Speaker, using the Charter on three occasions in this talk, that the fundamental law of the land could be interpreted in two ways. That is a sure way to fracture this great nation and we will have no part of it on this side.

Mr. Speaker, Newfoundland is a distinct society. It has been said by most members on that side, and I do not think the hon. member for Placentia (Mr. Patterson), in that great historic district that

he represents, can stand in his place and vote against Newfoundland, vote against her being distinct within this federation. I do not believe it for a minute.

I do not think the hon. member for Carbonear (Mr. Peach) will rise in his place, in that great and historic district that he represents so brimming full of history, could he stand in his place and vote against Newfoundland and Labrador and say we are less than Quebec, we are not as equal as Quebec, we are not as distinct as Quebec, that Confederation makes us an unequal partner? I do not think he could.

Could the hon. member for Port au Port (Mr. Hodder), in that great French district of Port au Port, rise in his place and say to his people, 'You are less equal than your Quebec cousin?' Could he do that? I do not think he could. Mr. Speaker, none of us could.

When John Cabot came here, Mr. Speaker, before there ever was a Quebec, in 1497, when he came here on behalf of Henry VII, I believe it was, who gave him ten pounds for his services, when he came here, he found the greatest fishing banks, called the Grand Banks, anywhere in the world. What happened was our history grew from 1497 with little fishing stations. They became winterized, colonialized; we became the oldest colony Britain had. Newfoundland was discovered and was part of the North American continent when the rest of her was bare.

Mr. Speaker, we are distinct. We are different. We are unique. We are steeped in history, Mr. Speaker, L'anse au Meadows,

steeped in history, Port au Choix, burial site of the Archaic Indians, if you want to go that far back, but let us come up to 1497, Mr. Speaker, where the cod fishing grounds were brimming, where J. M. S. Careless tells us that just prior to the sixteenth century on a Summer's day, John Cabot on the ship, Matthew, made an all important discovery.

It was not Japan which Cabot was seeking in sailing West in imitation of Columbus. It was not the Newfoundland which he did discover for Henry VII, it was a sea so thickly swarming with fish that it seemed almost solid and the baskets let down on ropes in the deck of the ship could be taken up, cram filled. Cabot had come upon the greatest fishing banks off North America. He had come upon, Mr. Speaker, Newfoundland, that great and distinct piece of Canada, her youngest partner, which makes this federation so special.

SOME HON. MEMBERS:

Hear, hear!

DR. COLLINS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Health.

SOME HON. MEMBERS:

Hear, hear!

DR. COLLINS:

Mr. Speaker, we do not too often in this House get the opportunity to debate national issues. That is not to apologize for the House. We have to run this Province. We often have large issues to debate that pertain to the Province. We also have small issues that we have to debate pertaining to the Province. That

is our job. We have to do the day-by-day things and we have to do the big things for the Province. So we do not often get an opportunity to discuss issues of very wide importance. This is one of those days. I think it is an important item for our proceedings.

Mr. Speaker, there is a bit of a problem with it, nevertheless, because when you are debating seriously and when you are debating a very important issue, you would like to have two credibilities clashing together, because that is what debate is all about.

In debate you put forward a point of view, you put it forward credibly, you put it forward sincerely, and you put it forward having thought about it a lot. Then the other side, with the same credibility and the same drive and the same intelligence, puts forward their point of view. Probably out of the process comes something better than when you started. So you would like to have very credible components in the issue. Now, unfortunately we do not have it.

We have, and I think everyone recognizes this, an extremely credible position on this side of the House. We have been through this issue. Our Premier has been through this issue. He has been through it in a provincial forum. He has been through it in a national forum. He has been through it with his fellow First Ministers. Mr. Speaker, I do not, therefore, have to lay out any further the credibility of our arguments.

Unfortunately, the Liberal Party - there is more than the Liberal

Party in Opposition in this House, but I am going to particularly refer to the Liberal Party, and perhaps peripherally, to the NDP - the Liberal Party has not credibility in this issue. That really undermines the value of the debate here and that is a great shame.

I have said it in this House before, that I think that the Liberal Party are on hard times, very hard times. They are a great institution. They have had a long history in this Province, as a partisan and party group. They have contributed to this Province. I think they have made some terrible mistakes too, although I do not want to give that impression. They have made the most ghastly mistakes. But, nevertheless, they have been a force in this Province. These days the Liberal Party is a pale shadow of itself. It has very little credibility.

Why do I say that? I could go into that to a great degree, but I am going to just mention two particular reasons why we have to agree that the Liberal Party has very little credibility on this issue.

Who really sets the tone for Liberalism in Canada? In our type of system, surely it is the national leader. He sets the tone. If you are not a Liberal, you can ignore him, and I certainly ignore everything that the National Liberal Leader says, Mr. Turner. I would not give two cents for his opinions. But, nevertheless, if you are a Liberal, you must pay some attention to him, and especially when he is speaking on very important, national issues.



Mr. Turner is in favour of Meech Lake. He says he supports the Meech Lake Accord. There are large parts of his party that does not support him on it but, nevertheless, the national leader of the Liberal Party supports Meech Lake. Our Provincial Liberal Party is against it.

MR. SIMMS:

Well, they supported it last year.

DR. COLLINS:

Yes, but I am not going to go into the history of the attitudes of our local Liberal Party. They are so convoluted and so changeable and so much like the wind that only a historian can do that. I can only deal with what they think currently. They might think entirely different of me tomorrow or in an hour, but I can only deal in a sensible fashion with their current thinking.

So that is a lack of credibility. The voice in Canada of the Liberal Party says one thing and our local Liberal Party says another thing. Credibility down the tube.

Now, it is worse than that. I am going to read, Mr. Speaker, a small excerpt from the March 18, Hansard, which has put in written form the remark of the Leader of the Opposition (Mr. Wells).

MR. SIMMS:

The member for Windsor - Buchans.

DR. COLLINS:

I am just going to read a little small part of this. It is on Page L260 of that particular edition, March 18. He says, "All the members on this side of the House will vote against Meech Lake. We will not go through the sham, we will not go through the charade of proposing amendments to have them

knocked down knowing that they are not going to be approved any way and that Meech Lake is a take it or leave it proposition. What we are doing is saying to this House"

SOME HON. MEMBERS:

Hear, hear!

DR. COLLINS:

- "put the interest of Newfoundland first and vote against the amendment. That is exactly what we are doing."

Mr. Speaker, that was only March 18. That is not very long ago, about five weeks ago. The leader of the Party says, here is our strategy, here is what we are going to do. What do we hear this morning? They are coming in with an amendment now, a total different strategy in a five week period. That again, in anyone's mind, says that the Liberal Party has no credibility in its strategy because it does not even support the national leader and it has no credibility in the tactics, because it does one thing on March 18 and it is doing another thing here on April 22.

That is most unfortunate, and I wish it was not so because we wanted to debate this very serious issue and we want to make a contribution to the debate in Canada, but we have no opponents.

It is like trying to fight against a bowl of jelly. You cannot put forward your whole strength if you punch at something and it just disappears like a cloud of fog. That is most unfortunate because we have a lot to contribute to this debate. However, Mr. Speaker, we must try to do the best we can.

MR. SIMMS:

A very good opening point.

DR. COLLINS:

Mr. Speaker, I have another problem and it relates specifically to the Leader of the Opposition (Mr. Wells) because, again, if there is a shred of credibility left, we do have to look to the Leader of the Opposition over there to supply it. In the Leader of the Opposition's attitude I really fail to see where he is coming from on this issue.

Just let me quote another little bit here from page 249: The leader says here, "What we have done with Meech Lake, to achieve a little bit of political gratification in the next year or two or three, is we have destroyed the opportunity to do anything beneficial to this country in the long-term future."

So the Leader of the Opposition is looking upon the Meech Lake Accord as a little bit of political gratification in the next year or two or three. Elsewhere in his remarks again he suggests that this was all just a little game played by Mr. Mulroney.

Mr. Speaker, for the Leader of the Opposition to say that a constitutional change of the magnitude and importance of the Meech Lake Accord is merely a little political game, just to have an affect for a year or two, that, to me, says the Leader of the Opposition is really out of touch with the country.

In another remark he said that this was like a collective bargaining approach, it was done in the middle of night, you know, like getting an extra two cents on

a wage scale. Again, for the Leader of the Opposition to say that the Meech Lake Accord was just like collective bargaining is almost unbelievable. He just does not seem to have his finger on what Canada is going through and what it has gone through.

This is not a political game. This is not a little bit of negotiating for collective bargaining. This is a fundamental change to our constitution. It is a change to our constitution that is trying to right an issue that has been present in this country for the last 120 years or however long we have been a country. For the Leader of the Opposition to take that attitude suggests to me he cannot be looked upon as an alternative to the leader of the government, that is for sure. If he has got that shallow a perception of the big issues in this country, he cannot aspire to be the leader of the government. It is incredibly shallow!

What is the Meech Lake Accord all about? This country whether we look upon it this way or not came out of a great warfare confrontation. In that war confrontation, there was a winner and there was a loser. The winners were what we like to think of as the British forces. I suggest there were Indians, Irish and whoever in those forces but, nevertheless, we lump them under the British forces. They were the winners. And the losers were the French forces or the French side.

There are many other aspects to our history, but that is a fundamental thread in our history, and out of that loosing there was a resentment. It is not anything to be wondered about. Any side that loses has an built-in

resentment.

The only exception to that rule, and I think it is remarkable, is the Japanese. They seem to be able to loose and then they take over.

Anyway, most parts of nations, when they lose, they have a sense of frustration, a sense of resentment, and particularly if there is not a great sensitivity towards them. Unfortunately, Canadian history is replete with examples whereby the Anglo side showed little understanding and almost no sensitivity towards the inner feelings arising out of their defeat on the Plains of Abraham of the French and out of their aspirations, coming from a somewhat different culture than most of the people on the Anglo side, and also their desires to make a mark in the New World, having cut themselves off from the Old World; all these feelings were present in the Quebecois, in the French-Canadian part of our nation. There was no or very little sensitivity shown during the first hundred years of our history to those facts. So there was a leering on, there was an underlining, shall we say, of the frustration and the disappointment and all the other feelings that arose out of the battles in front of Quebec City.

Mr. Speaker, in recent times we have said, if we are ever to play our part in the world, we must heal up these wounds. Not only are the wounds a problem and a trouble to us and a running sore, but, in addition, they are a waste of time. Peoples' energies are not being directed towards the future of our country if they are fighting internal battles the whole time.

In the last number of years, the last twenty-five years or some time frame like that, we have said we have got to bind up our wounds to give justice to the essential elements of our Nation and, also, we have to work more co-operatively and in a better direction together.

Mr. Speaker, that is the big issue in the Meech Lake Accord. This is yet another step. It is not something that started last week. It started twenty-five years ago. It certainly started at the time of the Quiet Revolution in Quebec politics in Premier Lesage's days. I forget exactly when he was in power there. But anyway, it certainly goes back something in the order of twenty or twenty-five years. So it is not a new phenomenon. It is a progressive phenomenon, and it is a very important issue that we have to settle in this country.

For the Leader of the Opposition to suggest that what we are dealing with here is merely a political game, it is merely a collective bargaining point done in the middle of the night, shows to me a total misunderstanding of what we are all about here today.

Mr. Speaker, there are other issues in this Meech Lake Accord, quite apart from that large point that the Leader of the Opposition disagrees with also. I might, if I have enough time, touch on the more specific ones. But just let me deal, in particular, with two that stand out in my mind.

Firstly, the Leader of the Opposition spent a lot of time during his remarks on Senate reform. He made some good points there. I have heard them made in Western Canada, in particular, or

somewhat the same points. I would suggest that most of his thoughts on this matter do come from the things that have been said by the four Western provinces. So they are not original in that term. But he is suggesting that there is only one way for our Confederation to function. He is suggesting we must have a U.S. type of Senate.

As we all know, in the U.S. they have the House of Representatives where there are a large number of people voted in by the popular vote. Then they have the Senate where there is a smaller number of people and each state has an equal number of Senators, whereas in the House of Representatives you can have different numbers of Congressmen. The Leader of the Opposition suggested that is the only model that will suit our Confederation.

I think it is a model that could suit our Confederation, but he argues that almost anything else that is done, if it does not fit into that model, is doing a disservice to the country. He attacks, therefore, the Meech Lake Accord, because it is not very directly and very immediately bringing in the U.S. Senate model for the second chamber in our country.

Of course that is not the case. There are many other models. We have not in Canada yet decided what is the best model for us. We may decide on that one.

That is something that the consensus in Canada has not yet reached upon and, therefore, to say we must not have a Meech Lake Accord and bind up the wound that I just mentioned until we settle that, we may be two, three, five or ten years down the road. We

cannot, I suggest, wait for that. We have to see the problem in front of us and do something about it. And if five or ten years down the road we decide we want to become like the American model, well, we can do it, but I do have to point out that there are other models.

For instance, the hon. Leader of the Opposition mentioned Switzerland as being in the American model. Well, I would take issue with him there. Switzerland, in their confederation, they depend on referenda, to a very large degree, to settle large issues there. Referenda are not common, certainly on the national scene anyway, in the United States, and, of course, referenda in Canada are a rarity. We had a referendum a little while ago in Quebec, but they are a rarity in Canada and they are not a way we normally settle our big issues on the national scene, whereas they do it all the time in Switzerland. They have referenda coming out of their ears. So to mention, therefore, Switzerland as being in the US model, which was suggested in the hon. Leader's speech, is totally incorrect. Similarly, in the UK they have a second House, The House of Lords, but it is quite a different model than the US Senate, and is closer to us in many respects. Because we are the British parliamentary system, we are not the American system.

The other point that the hon. Leader of the Opposition brought out and tended to pour scorn on was the placing in our Constitution of annual First Ministers' Meetings. Now, Mr. Speaker, that is one of the ways we had evolved in Canada. We have evolved towards more and more

formalization, and giving more and more credence and more and more authority to First Ministers' Conferences. This has been a definite thread in the way we see ourselves governing ourselves, and the Meech Lake Accord is one step further in that direction. So I think it is quite a consistent stage of events to put this in the Meech Lake Accord, and why the hon. Leader of the Opposition just wants to disregard it and tear it up without any other consideration, I cannot imagine. I wonder if, again, he has not had his finger on the pulse of Canadian affairs. He really does not know the evolving pattern of events of how we govern ourselves at the national level.

The formalization of the First Ministers' Conferences, which is a way of getting large issues before people who have the ability and the power to do something about them, and that is what First Ministers' Conferences are all about, that is the Canadian way of doing things. We are now putting it in the Constitution, not as the final way of doing things. As I say, it is an evolving thing. We might even change that particular aspect of the Meech Lake Accord down the road, the way the First Ministers' Conferences are dealt with, but that, again, will be the Canadian way. There would not be anything unusual about that. To be against formalizing and giving particular mandates to the First Ministers' Conferences, I think is almost to be against how we deal with Canada.

Mr. Speaker, just very briefly let me get away from the Leader of the Opposition and make a remark or two about what the member for Mount Scio - Bell Island (Mr. Barry) said on the Meech Lake

accord. This, again, is one of the problems the Liberal Party has. The member for Mount Scio - Bell Island, who is himself a former leader of the Provincial Liberal Party, when he spoke he took a very different approach and a very different view from the present Leader of the Liberal Party. So again we have this fractuary of the Liberal Party, and you do not know where they are coming from or what they are saying.

I thought the member for Mount Scio - Bell Island took in more reasoned and a more well-thought-out approach than did the Leader of the Opposition. However, I certainly did not agree with all he said. The member for Mount Scio - Bell Island, for instance, referred to the offshore and he suggested - this was not directly towards the Meech Lake issue, but he brought this in and I want to counter it - that this government, this Peckford Administration, using his words, 'lost the boat over the offshore because of how the Newfoundland Government handled the issue.'

Now, Mr. Speaker, one cannot let that stand on the record. We have to look back and see what happened on the offshore to see who was mishandling it. We, in this House, very well remember that we made a claim early on that we brought the Grand Banks and the offshore area into Canada with us. There was never anything in the Terms of Union that said we would lose jurisdiction over the mineral rights on the Grand Banks, and we made a case that they should remain with us because they are an extension of our landmass, and that they were an important asset to the people in this Province.

Many other areas have many other assets; they have fertile soil, or they have particular onshore mineral assets, or they are positioned in such a way that they can have easy access to large markets, and so on and so forth. Unfortunately, we in this Province are not in that mode; we are far from markets, we have a rugged soil, and we have a harsh climate - it is difficult to make a living here, in other words. So it was very important to us that we not lose any assets we have, i.e., the mineral resources in our offshore. And, you know, I think that reasonable-minded people would say, Newfoundland, you got a good logical, rational case there.

However, the Liberal Party in power in Ottawa at the time did not say that. They said, No, Sir, we are not paying too much attention to your legitimate claim to a piece of the Canadian good life, we are taking over these resources to ourselves. Now, we may well give you some funding in exchange for that of an undefined amount. What they are saying is, these will become - and they use this term 'Canada lands'. I do not know who dreamed that up. That must have been dreamed up in the PMO office or something. Because I think if you go back in history, there is no such thing as 'Canada lands', that expression. Certainly, there are lands that are looked upon as being temporarily under federal control. For instance, the Northern part of Quebec, the Ungava Peninsula, at one time was under the control of the federal government and they handed it over to Quebec. In the Western provinces a large part of Saskatchewan and Alberta was at one time in the control and under the jurisdiction of the federal

government and they voluntarily handed it over to those Western provinces as they matured enough to be able to govern it. So, I mean, if you want to talk about Canada lands, surely you must talk of them in terms of temporary management until the provincial jurisdictions can take over. But that was not the concept that the Liberal Government under our friend Pierre Trudeau pushed. They said, we are going to make the Grand Banks 'Canada lands' and forever and a day they will be cut away from Newfoundland and they will be part of the possessions of the federal government, with full jurisdiction to do what we will. We will try to be kind to Newfoundland, but we will have to wait and see how that turns out.

Mr. Speaker, we did not accept that as a provincial government, and any provincial government that would accept that position, I would say its name would go down in infamy in the history of this Province. Our position was we had a good case to make, a legitimate case, a case that was there in Justice, and we made it hard. We did not win. We did not win. We were finally turned down. Now, in turning that down, I believe that was one of the nails in the coffin of the Trudeau Government. Not the only one by any means, but I believe that the Canadian people looked upon that approach by the Federal government and the ultimate resolution of it in the Federal government's favour, as being unkind, unnecessary, unjust and un-Canadian. I think that was one of the nails in the coffin of the Liberal Party in Ottawa.

Now, what happened after that? There was a new administration put in by the PCs and the PCs said, and I can understand this, 'We

will try to live with the Supreme Court decision as it is written, but we will not live with it in effect; we will give to Newfoundland as though the Supreme Court decision had never been brought down. Newfoundland resources on the offshore will be treated as though they were on land.'

MR. SIMMS:

The hon. Leader of the Opposition knows that very well.

SOME HON. MEMBERS:

Hear, hear!

DR. COLLINS:

As my hon. friend points out, the Leader of the Opposition knows that very well because he argued against that case. He was a lawyer at the time, and lawyers often take different positions on things. That is their personal feeling. Now, mind you, many lawyers will not take cases if they really do not feel comfortable with them, but, again, that is up to the lawyers.

One problem I have with the Leader of the Opposition over that, though, is in another speech in this House he did not lay out that his position at that time merely related to his role as a lawyer. I do not have the quote in front of me and he can argue on this, but if he does, I will certainly go get the quote, but he argued that that, nevertheless, was a logical, sensible position to defend. He said that as a politician, and I take exception to that. I do not take exception to him as a lawyer doing whatever he wants. If I were a lawyer, I would never have taken the case against Newfoundland, but that is open to anyone who wants to do it. But I do take exception to

him taking that same position as a politician. As a politician it is his role to stand up for Newfoundland, not to justify doing something that even the people of Canada could not stomach when the national federal Liberal Party did it.

In any case, the end result was we got the Atlantic Accord and we would never have gotten the Atlantic Accord if this government had not fought hard battles right from 1979 onward. So, I do have to take exception to the member for Mount Scio - Bell Island if he suggests in any way that the delay - and there was a delay, we cannot deny that - in the offshore was wrong because we stood up for our rights. If there was a delay, it is unfortunate, but I would have that delay any day of the week if we resolved that issue in our favour, the way it ultimately was resolved over the dead body of the national Liberal Party.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. minister has about two minutes left.

DR. COLLINS:

Mr. Speaker, I think, therefore, that this amendment is illogical. It is a change in tactics. You do not know where they are coming from half the time. They are flying by the seat of their pants. So, from that point of view it is a foolish, tactical move.

Secondly, the strategy of the Liberal Party is so discreditable they cannot get their act together provincially or nationally. Thirdly, Mr. Speaker, there is a clear lack of understanding of the

importance of the Meech Lake Accord, what it is trying to achieve over an historic time, and also a clear misunderstanding that we are an evolving country, the way we govern ourselves is an evolving thing.

The Meech Lake Accord is not the end of the road. We will have amendments to the Meech Lake Accord when there is a Canadian consensus that we should have them, but you do not want to destroy something that you have begun right at the beginning, just because you feel you cannot go along with this, that, or the other part of it, and play politics at the same time. The Meech Lake Accord is a good advance in the Canadian Constitutional way of governing ourselves. It should be supported wholeheartedly. There is an element of justice in it for the people in Quebec. We have no right to be terribly friendly towards the people in Quebec but, nevertheless, we can see that they have a case in trying to become more and more part of the Canadian mosaic, and we say we will support you in that.

So there is that element of justice in it, and for the Leader on the Opposition and his party to be so out of step with what is trying to be achieved by the Meech Lake Accord really is disheartening. As I said at the beginning, it is a reflection of the decline of the Liberal party in this Province which, somehow or other, has to gather itself together, has to rethink its elemental truths and begin to play a more adversarial role, because that will only make us better on this side of the House. Thank you very much.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
The hon. member for Menehik.

MR. FENWICK:  
Mr. Speaker, I have a series of comments to make. One is the general support that I feel for the process that occurred, which we would like to put back on the record again, but also, Mr. Speaker, a number of concerns that we have that have risen since the time that the Meech Lake agreement was initially initialled. We would like to at least raise those concerns and make sure that people know about them, and, at the same time, we wish to comment on a few of the new developments that have occurred, primarily in New Brunswick and in Manitoba, that I think impact very seriously on the nation-wide process of the Meech Lake Accord.

Before I do that, Mr. Speaker, I would like to suggest that the major problem we have is the process with which the Meech Lake agreement has come to the point that it is before us right now. It came out of meetings of the First Ministers, approximately a year ago, or a little over a year ago, and those discussions, those deliberations were made in secret, some of them made in extremeness, in the sense that it was done overnight, in cases where it looked like the Prime Minister refused to unlock the door if no agreement was reached, both at Meech Lake and at the Longevin Block later on.

Mr. Speaker, because of that, we feel that it is important that there be input by everybody. This is not the Constitution of eleven people here, it is the Constitution



of all the people of this country, it is the constitution of the people of this Province, and I think that it is appropriate, then, that the people of this Province and the people of this country should have their chance to say something about the process and the substantive nature of the amendments themselves.

With that in mind, Mr. Speaker, I intend to move, seconded by the member for St. John's East, that the motion on the Meech Lake Accord be referred to a Select Committee of the House, said committee to be given the responsibility of holding public hearings and making recommendations back to the House on whether the Meech Lake Accord should be adopted as it is, or whether it should be amended.

Mr. Speaker, I have a copy of that motion for you, if one of the Pages will come and pick it up.

SOME HON. MEMBERS:  
Hear, hear!

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

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

MR. SIMMS:  
Mr. Speaker, I think your Honour will want to look very closely at this particular amendment which asks that the motion on the Meech Lake Accord be referred to a Select Committee of the House, and I offer for your Honour's consideration in determining whether or not this motion is, in fact, in order, the reference from Beauchesne, Fifth Edition, page 154, paragraph 435, subsection 1 where it says and quite clearly

says, "It is not an amendment to a motion to move that the question go to a committee."

Mr. Speaker, I could add a bit more, but really that is the clearest reference I can find for your Honour to use in considering this particular question. I know Your Honour might want to take a few minutes to consider it, but certainly that is a very clear example of a parliamentary reference which deals with this particular proposed amendment, and it is clearly not in order as a result of that particular reference.

Also, Mr. Speaker, if you read on, it is clear that 'a Member cannot move another motion while standing to participate in debate on an existing motion unless it is to amend the motion itself,' such as the member for St. Barbe did, which was in order. So it is not in order at all to move another motion while you are standing in debate speaking to a motion, unless it is an amendment to amend the actual motion itself. That is clearly referenced in Beauchesne and I am sure Your Honour would find that too. So on those two counts, not speaking to the amendment - whether or not we agree with it is irrelevant - is clearly out of order.

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

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

MR. FENWICK:  
I would refer the Government House Leader and the Speaker to Page 151 of Beauchesne where we look at the type of motions. If you look in it you will see that there are two

sections for it, Substantive motions and Privileged motions, and then there are, in the Privileged motions section, superseding motions. What the Government House Leader was looking at was the amendments as referred to, in 2 (a). It says, 'Amendments are discussed in detail later in this chapter.' They were talking later on, Mr. Speaker, about the substantive part of motions.

What we are proposing here is a superceding motion, and is of the dilatory type. If you look at (b) (ii) you will see, "Dilatory motions are designed to dispose of the original question either for the time being or permanently. They are usually of the following type:" - and they give a list of them - "That consideration of the question to be postponed to.....(date)."

My argument, Mr. Speaker, is that a motion to refer until we bring it back later is a dilatory motion in the sense that it asks that it be delayed to a later time and it gives instructions as to how the particular motion itself could be handled in that time period, before it is brought back. So it is not a substantive motion, I agree with the Government House Leader there, what it is is a method of getting more input into this process from the people of this Province, and I would suggest to you that it is in order.

MR. SIMMS:  
Just a further comment, Mr. Speaker, if I may.

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

MR. SIMMS:

With respect to the understanding the hon. member has of a definition of the dilatory motion, the ones that I recall clearly as a dilatory motion would be, for example, the six month hoist, that kind of motion, which is made when you are debating a bill. That is the clear difference here, Mr. Speaker. We are not debating a bill, we are debating a motion. The clear reference is the one I have already quoted, Your Honour, and I will not bore the House again by repeating it. But it is very clear. You cannot move an amendment to a motion which moves that the question go to a committee. It is right there, as clear as anything, paragraph 435.

Anyway, Your Honour, since it is nearly five minutes to one and I have some announcements to make about next week's business and so on, maybe the member would be prepared to adjourn the debate, and Your Honour might wish to consider it over the weekend and then give us a ruling.

MR. FENWICK:  
Mr. Speaker.

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

MR. FENWICK:  
Mr. Speaker, I agree with the Government House Leader. Given the time, I would be willing to adjourn the debate and give Your Honour an opportunity to look at all the arguments and to make a ruling on it.

MR. SPEAKER:  
That is quite satisfactory. I will study the matter over the weekend.

The debate has been adjourned by the hon. the member for Menihek.

The hon. the President of the Council.

MR. SIMMS:

Thank you, Mr. Speaker.

Perhaps, if hon. members would have some patience with me, I will try to, first of all, give the order of business for the Estimates Committees next week, which will be the final week, of course, for the Estimates Committees to complete their work. I must say, Mr. Speaker, while I am on my feet, that they have done an excellent job, and thank all members for their co-operation and participation.

Incidentally, in the past we had a couple of problems. We had one night where there was a meeting postponed, deferred because of a power-outage, you will recall, that was the Resource Policy Committee; there was also a meeting of the Social Policy Estimates Committee deferred because of the holiday last week. Those two meetings will be picked up now as I read the schedule for hon. members. We did agree, at the request of the Opposition House Leader, to extend by a day the date for the reports of the Committees, which originally was Wednesday the fifth or whatever it is, and so we are quite prepared, and we already indicated that we would be prepared, that the reports must now be in by Thursday, May 6, 1988. So we have extended the extra day.

We have a meeting Monday morning, with the Social Services Committee considering the Estimates of the Department of Culture, Recreation and Youth.

Tuesday morning the Resource Committee will deal with the

Estimates of the Department of Energy and Hydro, which would be the Premier and the Minister of Finance.

Tuesday evening the Government Services Committee will deal with the Estimates of the Department of Transportation.

Wednesday morning, and this is by agreement, it is one of the additional meetings, the Estimates of the Department of Education will continue to be scrutinized by the Social Services Committee.

Wednesday evening the Social Services Committee, a very hardworking committee - they have had an extra meeting, in any event. I believe they have had one more meeting than the other committees, but on Wednesday evening they will deal with the Estimates of the Department of Social Services, our friend here from Burin - Placentia West.

Then, finally, on Thursday morning there is a meeting of the Resource Committee scheduled to deal with the Estimates of the Department of Rural, Agriculture and Northern Development, which will involve the Minister of Rural Development and the Minister of Northern Development.

So, that is the Estimates agenda.

MR. SIMMONS:

(Inaudible).

MR. SIMMS:

Sorry? The hon. member has a problem?

MR. SIMMONS:

Indeed I do.

MR. SPEAKER:

The hon. the member for Fortune -

Hermitage.

MR. SIMMONS:

The Chairman of the Committee and I -- I am Vice-Chairman of that Resource Committee -- spoke this morning and it was my full understanding that we were calling back the Fisheries Estimates. There is no mention of that here in this report.

MR. EFFORD:

Fisheries is not passed.

MR. SIMMS:

Mr. Speaker, perhaps we can proceed with the agenda for Tuesday morning for the Resource Committee, which will be Energy and Hydro, and perhaps the Committee, itself, could deal with that matter; they might wish to find a time when they want to file Fisheries in. I mean, there is no problem there. The Committee itself can work on that detail. Is that acceptable?

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

I understand from my friend for Fortune -- Hermitage that the vote has not been put on Fisheries.

MR. SIMMONS:

No.

MR. TULK:

And the vote, I say to the Chairman, and he should keep this in mind, -- I understand it is the member for Port au Port --

MR. HODDER:

You can always put it again.

MR. TULK:

Well, it has to be brought back before it can be put.

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council.

MR. SIMMS:

That is what I said.

MR. HODDER:

No, no that is not so.

MR. SIMMS:

The vote can be put at the end of all the estimates, we understand that. But, at the same time, what we have done and what has worked very well thus far, the Committees, themselves, have ironed out these problems. We have not had any difficulties. I am sure the member for Fortune -- Hermitage, cooperative individual that he is, and the member for Port au Port, very cooperative individual that he is, will work out a solution to this problem either before or certainly at their meeting Tuesday morning.

That is the estimates agenda.

With respect to the business of the House next week, members would like --

MR. SIMMONS:

May I, Mr. Speaker?

MR. SPEAKER:

The hon. the member for Fortune -- Hermitage.

MR. SIMMONS:

I do not believe, Mr. Speaker, the problem is being understood. The Chairman, the member for Port au Port, and I spoke on the telephone this morning and we spoke in

respect to the need for a meeting because of the one that had been wiped out because of the power-outage, and in the process I understood that we were coming back on Fisheries. In any event, Mr. Speaker, we have not concluded Fisheries and it is the understanding of the Opposition members on that Committee that Fisheries would be called back the next sitting of the Committee. That is our wish, and we would ask the Chairman to take that under advisement.

MR. SIMMS:

Mr. Speaker, he said exactly what I said, and let the Committee work it out. You can find another hour somewhere. You have had four and a half hours on Fisheries anyway, as I understand it, which is a reasonably good amount. So I will let the Committee work out that difficulty.

So, with those few interjections, the final item of interest for members would be the business of the House for next week that members would be interested in. We will not be dealing with the budget debate on Monday, we will be carrying on with Meech Lake. We want to proceed now to try and get the decision on Meech Lake determined as soon as possible so we can get on with other matters. Tuesday we will have in the House itself, in Committee of Supply, the estimates of Executive Council, Legislative, Consolidated Revenue, those that were not referred out. Wednesday, of course, Private Members'. Thursday we will continue on with Meech Lake, unless it has been disposed of on Monday. If it has been, we will then carry on with legislation. We will stay with Meech Lake if it is not concluded on Monday. IF it is concluded

Monday, we will then move back into legislation and carry on where we left off the other day.

On Friday we will begin the Concurrence Debates. Because the reports will be in by Thursday, we will start with the Concurrence Debate of one of those committees, and before that we will determine which one.

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

On motion, the House at its rising adjourned until tomorrow, Monday, May 2, 1988 at 3:00 p.m.

HOUSE OF ASSEMBLY  
FOURTH SESSION, FORTIETH GENERAL ASSEMBLY  
PROVINCE OF NEWFOUNDLAND:

Hon. P.J. McNicholas.....Speaker  
 Mr. Glenn Greening.....Deputy Speaker  
 Chairman of Committees  
 Mr. Kevin Parsons.....Deputy Chairman of Committees

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Mr. K. Alyward.....	Lib.....	Stephenville
Mr. R. Alyward.....	PC.....	Kilbride
Mr. Baird.....	PC.....	Humber West
Mr. Baker.....	Lib.....	Gander
Mr. Barrett.....	PC.....	St. John's West
Mr. Barry.....	Lib.....	Mount Scio-Bell Island
Mr. Blanchard.....	PC.....	Bay of Islands
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Mr. Butt.....	PC.....	Conception Bay South
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Dr. McNicholas.....	PC.....	St. John's Centre
Mr. Mitchell.....	PC.....	LaPoile
Mr. Morgan.....	PC.....	Bonavista South
Mr. Parsons.....	PC.....	St. John's East Extern
Mr. Patterson.....	PC.....	Placentia
Mr. Peach.....	PC.....	Carbonear

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Premier Peckford.....	PC.....	Green Bay
Mr. Power.....	PC.....	Ferryland
Mr. Reid.....	PC.....	Trinity-Bay de Verde
Mr. Rideout.....	PC.....	Baie Verte-White Bay
Mr. Russell.....	PC.....	Lewisporte
Hon. Mr. Simmons.....	Lib.....	Fortune-Hermitage
Mr. Simms.....	PC.....	Grand Falls
Mr. Tobin.....	PC.....	Burin-Placentia West
Mr. Tulk.....	Lib.....	Fogo
Dr. Twomey.....	PC.....	Exploits
Ms. Verge.....	PC.....	Humber East
Mr. Warren.....	PC.....	Torngat Mountains
Mr. Wells.....	Lib.....	Windsor-Buchans
Mr. Windsor.....	PC.....	Mount Pearl
Mr. Woodford.....	PC.....	Humber Valley
Mr. Young.....	PC.....	Harbour Grace

THE MINISTRY:

Premier A. Brian Peckford.....	Energy
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Mr. Barrett.....	Development and Tourism
Mr. Blanchard.....	Labour
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Dr. Collins.....	Health and Deputy Premier
Mr. Dawe.....	Intergovernmental Affairs
Mr. Dinn.....	Mines
Mr. Doyle.....	Transportation
Mr. Matthews.....	Career Development and Advanced Studies
Mr. Peach.....	Minister Responsible for Housing
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Mr. Rideout.....	Fisheries
Mr. Russell.....	Environment and Lands
Mr. Simms.....	President of the Executive Council President of Treasury Board Government House Leader
Mr. Tobin.....	Social Services
Dr. Twomey.....	Public Works and Services
Ms. Verge.....	Justice
Mr. Warren.....	Minister Responsible for Northern Development
Mr. Windsor.....	Finance Minister Responsible for Newfoundland and Labrador Hydro
Mr. Young.....	Consumer Affairs and Communications

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