



**PROVINCE OF NEWFOUNDLAND**

**THIRTY-SIXTH GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND**

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Volume 3

3rd. Session

Number 41

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**VERBATIM REPORT**

**THURSDAY, APRIL 4, 1974**

**SPEAKER: THE HONOURABLE JAMES M. RUSSELL**

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order please! I would like to welcome to the galleries today fifty-seven pupils from the Smallwood Academy, Gambo, grades IX and X, with their teachers Mr. Winston Brown and Mr. Don Walsh. I would also like to welcome to the gallery Reverend Peddle from Hodges Cove and indeed welcome all our visitors today and trust that your visit here is most interesting.

The honourable member for St. Barbe North.

MR. F. ROWE: Mr. Speaker, I would like to rise on a point of privilege. First of all, Mr. Speaker, I would like to apologize to Your Honour for any embarrassment that I might have caused you, Sir, as a result of a press release that I issued in which I said and I quote, Sir, from a part of the text of the press release; "While I was speaking I asked for a count of members in the House. While the clerk was still counting them the member for Bell Island was asking for an adjournment on the grounds that there was not a quorum. The Speaker recognized Mr. Hickman which meant that I was not allowed to continue with my speech although I was visibly in the House in order to resume my speech."

Now, Mr. Speaker, I would like to go on record as saying that I was obviously referring to the Deputy Speaker since he was in the Chair at that time, Sir, and I always found Your Honour to be fair, judicial and nonpartisan in the conduct of your duties as Speaker and I sincerely hope that I have not caused you any embarrassment since you yourself were not in the Chair at the time of the episode yesterday but instead it was the Deputy Speaker, the honourable the member for Port au Port.

Sir, the second part of my point of privilege arises out of events which occurred during my speech on yesterday afternoon. Sir, in the course of my speech there were as few as seven government members in their seats and on many occasions there were less than one-third of the government

members in this honourable House during my speech. Since, Sir, we feel very strongly on this side of the House that within reason every elected member should be in his seat, I directed the Speaker's attention to the fact that there was not a quorum present, I did this on four or five occasions.

Now, Mr. Speaker, I would like to direct your attention to Standing Order number 4A, in our Standing Orders, and it states: "Any member may direct the Speaker's attention to the fact that there is not a quorum present in this House." Sir, also Standing Order 4B states that a member need not remain in the House after giving notice that a quorum is not present.

Mr. Speaker, any further action that should be taken under these circumstances is not covered in our Standing Orders, adopted on May 8, 1971. However, Sir, if you will refer to Standing Order number 4C this says that the only occasion when the Speaker takes the initiative in this matter is at three o'clock or eight o'clock, after the intermission. If he does not see a quorum he refrains from calling the members to order and asks the clerk to count the House - asks the clerk to count the House.

Now, Mr. Speaker, this has been the procedure adopted in this House when a member directs the Speaker's attention to the fact that there is not a quorum present. The Speaker, Sir, has consistently asked the clerk to count the House and this has been the practice in this House for as long as I can remember. Yesterday, Sir, the clerk was in the process of counting the members in the House of Assembly and the member for Bell Island was asking for an adjournment of the House on the grounds that there was not a quorum and at the same time the Deputy Speaker recognized the honourable the Minister of Justice, which meant that I was not allowed to continue with my speech. Although I was visibly, Sir, in the House, between the door and my seat, in order to resume my speech.

Sir, I would like to draw to the \*

HON. J.C. CROSBIE, Minister of Finance: Mr. Speaker, on a point of order: What is the honourable gentleman addressing the House on now? What is the topic? I mean this apparently all occurred yesterday. Was the Speaker's ruling then appealed or is this an appeal from the Speaker's ruling now or what is the point?

HON. E. ROBERTS, Leader of the Opposition: To that point of order, Mr. Speaker, the honourable gentleman from St. John's West is hardly one to ask that question. The answer to it is the same answer that was given when he stood in this House and occupied twenty minutes for the savage attack upon the Editor of "The Evening Telegram".

The gentleman from St. Barbe North is making a point of privilege. Sir, he is making it as briefly and succinctly as he can and I submit he should be allowed to state his point of privilege. The precedents and practice are quite clear in this House, Sir.

HON. G. DAWE, Minister of Provincial Affairs and Environment: Point of order. I was present yesterday afternoon in the House when this incident occurred. The honourable Leader of the Opposition was not here. He was not present. On several occasions the opposition members called a quorum at which time they all fled out of the House

like a dog at supertime. The House was counted, there was a quorum present as a matter of fact -

AN HON. MEMBER: (Inaudible).

MR. DAWE: I am replying to this point of order, Mr. Speaker, if I may. It was questionable as to whether or not there was actually not a quorum in the House when it was called.

Now then the Deputy Speaker at the time, I distinctly recall, said when the quorum was counted -

SOME HON. MEMBERS: (Inaudible).

MR. SPEAKER: Order please!

MR. DAWE: When the House was counted, the Deputy Speaker said, "Does any member wish to speak?" He said it twice, to my recollection, Mr. Speaker, twice, which was adequate time for anybody on that side of the House to get in and speak, so the Hon. Minister of Justice stood up and he wanted to speak. There was nobody else here to speak, Sir. There was nobody on that side. The Deputy Speaker, Sir, recognized the Minister of Justice.

MR. NEARY: I think the Member for Fogo was here.

MR. ROBERTS: If I may speak to that point of order and be allowed exactly the same latitude as the gentleman, the senior Member for Harbour Main. I was in the House yesterday.

MR. EVANS: (Inaudible).

MR. ROBERTS: Mr. Speaker, I was.

MR. SPEAKER: Order please!

MR. ROBERTS: I say that the honourable gentleman is not stating the truth if he says that I was not here, I was here.

MR. EVANS: The honourable member was not.

MR. ROBERTS: Mr. Speaker, I know when I was and I know when I was not. If the honourable gentleman from Burgeo LaPoile think I was not -

MR. EVANS: The honourable member was not.

MR. SPEAKER: Order please!

MR. ROBERTS: Mr. Speaker, the honourable gentleman is willfully misrepresenting the facts, the gentleman from Burgeo LaPoile. I was in the House.

MR. EVANS: (Inaudible).

MR. ROBERTS: Mr. Speaker, I know where I was. The honourable gentleman from Burgeo LaPoile may not know where he is.

MR. EVANS: (Inaudible).

MR. SPEAKER: Order please!

MR. ROBERTS: Now, Sir, as I was saying, the gentleman from St. Barbe North is attempting to make a point of privilege. The gentlemen on the other side will not even do him the courtesy to allow him to state it. The point of order attempted to be stated by the gentleman from Harbour Main is at best specious, is at worst contemptuous and in all probability is somewhere in between. I realize, Mr. Speaker, that the gentleman from Harbour Main cannot be expected to know any better. If he does not know any better, that is not his fault.

MR. DAWE: I cannot expect any better from the honourable member.

MR. ROBERTS: No, Mr. Speaker, the honourable gentleman can expect from me only what he deserves.

MR. SPEAKER: Order please!

MR. ROBERTS: He can expect what he deserves.

MR. DAWE: (Inaudible).

MR. SPEAKER: Order please!

MR. ROBERTS: Land speculation and all.

Now, Sir, I would ask Your Honour to make a ruling on this matter. The gentleman from St. John's West made a point of order. I thought he had a valid submission to make and in reply I made what I considered to be an equally valid submission. I think the gentleman from St. Barbe North is entitled to make his case and then Your Honour will deal with it in the way in which according to the practices of this House such matters are dealt with.

I submit that the gentleman from Harbour Main, the "teddy bear," had no point of order first nor last and it should not be dealt with. Indeed, Mr. Speaker, I submit that it was an abuse

by him of the privileges of this House even to attempt to make it in the way he did.

MR. NEARY: Mr. Speaker, I would like to -

MR. SPEAKER: Order please!

MR. NEARY: I would like to -

MR. SPEAKER: Order please!

Honourable members seem determined to get into a -

MR. NEARY: Point of order.

MR. SPEAKER: I would ask the Hon. Member for Bell Island not to interrupt when the Speaker is trying to make a ruling.

SOME HON. MEMBERS: Hear! Hear!

MR. NEARY: Sir, I would like to speak to the point of order.

AN HON. MEMBER: Sit down!

MR. SPEAKER: Honourable members seem to persist in carrying on a debate on the incident which occurred here yesterday. The Hon. Member for St. Barbe North rose and made an apology for a statement he made to the media today and then he proceeded to make some remarks concerning the incident which happened yesterday.

So far in his remarks, he has not made clear to me any point of privilege. It is more of a debate on 'the resume' of what happened in the House yesterday when a quorum was called and the incident occurred. I shall permit the Hon. Member for St. Barbe North a few more brief words. If he has not made his point of privilege quite clear by that time, then I suggest it is not a point of privilege.

MR. F. B. ROWE: Thank you, Mr. Speaker.

I would like to suggest that I am raising a point of privilege according to the Standing Order on page nineteen in terms of: "Obstructions during debate are breaches of the privileges of the House." I am honestly and sincerely trying to document the evidence



on which I am raising this particular point of privilege and I have carefully planned it out. I have prepared a script for it, Sir, and I am giving the evidence for the point of privilege, so if I may continue, Sir.

I mentioned the fact -

MR. MARSHALL: What the Member for St. Barbe North is saying, this is not a valid point of privilege. What he is now doing is attempting to raise a point of order which may have arisen yesterday. He did not even raise it at the period of time when it came up. Even though his point of privilege is well taken insofar as it is explanatory to Your Honour with respect to an alleged statement made in the paper, he is not now, under the guise of the point of privilege, allowed to bring up a point of order, I would submit.

MR. ROBERTS: Mr. Speaker, the Hon. the Member for St. John's East



began his point of order by saying: "The honourable Gentleman from St. Barbe North apparently is about to make -" or words to that effect. The Gentleman from St. John's East might be a mind reader, Sir, but that is not the way things proceed in this House. The Gentleman from St. Barbe North, surely, as Your Honour has just ruled, is to be allowed to state his point which is one of privilege, of personal privilege, and then Your Honour will rule. The Gentleman from St. John's East can hardly anticipate what the Gentleman from St. Barbe North is to say.

MR. F.B. ROWE: If I could speak to that point of order, Mr. Speaker, I would like to point out that I realize that you are supposed to raise a point of privilege as quickly as possible, and I had to listen to the tapes of the goings on in the House of Assembly yesterday. I have a transcript of these tapes which I am prepared to table and this is the reason that I raise it at this particular time. I tend to think that probably Your Honour has the same transcript in his possession at the present time.

MR. SPEAKER: I realize that the honourable Member for St. Barbe North wanted to listen to the tapes to see what exactly was recorded in the verbatim report yesterday. It is true that a point of privilege should be raised at the first possible opportunity and perhaps after the incident yesterday the honourable Member for St. Barbe North could indeed have heard the tapes before six o'clock.

However, I think he is still trying to clarify and maybe review what happened yesterday, which is not really a point of privilege. I shall permit him, as I said, a few more brief words and if it be not a point of privilege, I shall interrupt to that effect.

MR. F.B. ROWE: Okay, Mr. Speaker. I obviously have to condense my remarks because I do have a few more words to say. I did point out that it is the practice of this House to have the clerk count the members in the House and then to report to the Speaker or Deputy Speaker. I would like to point out or draw to the attention of the

House that the clerk did not report to the Speaker that there was a quorum in the House before the honourable Minister of Justice was recognized.

MR. NEARY: He was still counting.

MR. F.B. ROWE: He was still counting, Mr. Speaker. Now, Sir, I was going to make several other citations in Beauchesne but it will probably take too long to do this. Mr. Speaker, in view of the fact that the Government House Leader, the Member for St. John's East, had a conversation with the Deputy Speaker shortly before my last request for a count of the members of this House, and in view of the fact that the Deputy Speaker did not follow the Standing Orders nor Beauchesne, as I would have cited them above, and in view of the fact that the clerk had not reported to the Speaker and in fact was still counting the members of the House, and in view of the fact that the Minister of Justice was on his feet before the count was completed, and incidentally, Sir, this is one of the few times that the -

AN HON. MEMBER: Is that so?

MR. SPEAKER: Order please!

MR. F.B. ROWE: Minister has risen to speak during this session of the House of Assembly; and in view of the fact that there was not a quorum in the House when the Minister of Justice was recognized, and in view of the fact that I was visibly resuming my position, Sir, to carry on with my speech, I sincerely felt that I had been dealt a severe injustice in not being allowed to continue with my speech.

Sir, I personally feel that the Deputy Speaker and the honourable the Government House Leader were playing a game and had embarked on a deliberate plot to stop me from continuing my speech -

AN HON. MEMBER: (Inaudible)

MR. SPEAKER: Order please!

MR. F.B. ROWE: Which I feel indicates an -

AN HON. MEMBER: Sit down! Sit down!

MR. J.C. CROSBIE: This is not a claim of a breach of privilege, this is an attempt to appeal a ruling which was made yesterday.

AN HON. MEMBER: Hear! Hear!

MR. CROSBIE: Therefore it should be ruled completely out of order.

MR. NEARY: The member is asking for a - of this House.

MR. ROBERTS: Because the Gentleman for St. John's West is apparently so anxious to give Your Honour directions that he is not even willing to let Your Honour make a ruling. I submit there is a case of privilege. That the honourable Member for St. Barbe North, as he is outlining it, did not receive treatment from the Deputy Speaker according to the rules and precedence of this House. If that be not a matter of the privileges of this House, Sir, I do not know what is.

MR. W.N. ROWE: Nothing is at that rate.

MR. SPEAKER: Whether or not, of course, the Deputy Speaker was wrong in his ruling yesterday or what happened yesterday is not for me to rule on now. I trust the honourable Member for St. Barbe North will soon finish his remarks and I shall rule on the whole thing. I will take it under advisement to rule on it later.

MR. F.B. ROWE: Mr. Speaker, unfortunately, Sir, I made a number of observations there. I did not feel that I was given the time to cite certain quotations from Beauchesne, therefore, I simply ask or make a request that upon the next sitting or Private Members' Day that I be allowed and I be given permission to continue with my speech on the amendment to the motion put by the honourable the Member for St. John's North.

SOME HON. MEMBERS: Hear! Hear!

MR. F.B. ROWE: Sir, because

MR ROWE:

I personally feel that the Deputy Speaker and the Hon. the Government House Leader had embarked on a deliberate plot to stop me from continuing with my speech and, Sir, I feel this indicates an arrogant disrespect for members of the House of Assembly and the House of Assembly itself.

MR MARSHALL: On a point of order, Mr. Chairman: The honourable the member for St Barbe North - I do not see any point in pursuing it farther but he is making allegations with respect to the Speaker of this House, who was in the Chair at the time, as being deliberately in a plot with myself for the purpose of circumventing the rules and therefore he is very much out of order and he should withdraw these remarks.

MR ROWE: On that point of order, Mr. Speaker, I was stating the facts exactly as I observed them in this House of Assembly yesterday, and I will stand by it.

AN HONOURABLE MEMBER: Hear! Hear!

MR SPEAKER: Order, please. Order, please.

MR DAWE: From my understanding, Sir, as to proceedings, as to what goes on on the floor of this House, if they are to be recorded by Hansard, Hansard is official, any observer off the floor of this House, in the galleries or out in the corridor cannot officially record what happened in this House. The member was in the corridor yesterday when he claims - he was out in the corridor, Sir, observing or attempting to impress upon us that he was observing what happened on the floor of this House. I suggest, Sir, that these allegations which he has made are invalid because of the fact that he was out of this House and he has no more right to report them to this House than anybody in these galleries.

MR SPEAKER: Order, please. This matter of- Order, please!

The honourable member of St Barbe North has risen on a point of privilege. Considerable debate has gone on on both sides of the House. I am not intending to let any other member speak on it now. I shall take the whole matter of what was said by the honourable member for St Barbe North under advisement and will rule on it later.

MR ROWE: Of my comments, would Your Honour?

MR MORGAN: There is a point of order on the floor which has not been dealt with yet. The point of order is, Mr. Speaker, that the honourable member did make the charge that the Honourable House Leader, the

Government House Leader, did consult with and in fact the charge was made that he indicated to the Speaker of the House that he rule the honourable member from St Barbe North out of order.

MR SPEAKER: Order, please. The alleged charges made by the honourable member of St Barbe North were made in the course of his remarks, which were on a point of privilege. The matter of whether they are correct or not shall be dealt with when I rule on the matter later.

PETITIONS:

MR. SPEAKER: The honourable member for Bonavista North.

MR. P.S. THOMS: Mr. Speaker, I rise to present a petition on behalf of some fifty-four farmers, cattle farmers from the communities of Foxtrap, Long Pond, Upper Gullies and Kelligrews. I would like to read to this honourable House the petition. "We the users of the government pasture land situated at Foxtrap, Conception Bay, in the electoral district of Harbour Main, do hereby register our strong objection to the exorbitant increase in fees for the use of the said pasture land in the year 1974. We were made aware of the new fee of ten cents per head per day on the application forms forwarded to us. This year, 1974, one animal will cost, for a five month period, approximately fifteen dollars, as compared with a flat rate of five dollars per head for the whole of last season. This is, as you are aware, a three hundred per cent increase. Taking into account the escalation in feed and all other costs incidental to livestock raising, there is no way we are in a position to meet this extra cost. We feel that whoever was responsible for drafting the new rate is not fully aware of the problems facing the small farm operator today. In view of the above, we would respectfully solicit your help in having this new rate of ten cents per head per day revoked."

AN HON. MEMBER: That is the prayer of the petition.

MR. THOMS: This is the prayer of the petition.

AN HON. MEMBER: Inaudible.

MR. NEARY: Sit down! Every five minutes -

MR. SPEAKER: Order, please!

MR. CROSBIE: The honourable gentleman, Mr. Speaker, got a petition addressed to this House and signed by fifty -

MR. THOMS: That is correct, Mr. Speaker.

MR. CROSBIE: That is the letter -

MR. THOMS: Inaudible.

MR. SPEAKER: Order, please!

MR. CROSBIE: Is it not a letter addressed to the honourable member?

MR. THOMS: It is not. It is a petition, Mr. Speaker.

MR. SPEAKER: Order, please!

MR. THOMS: No I will not go on -

MR. CROSBIE: The honourable gentleman will vouch for it.

MR. SPEAKER: Order, please!

AN HON. MEMBER: Inaudible.

MR. CROSBIE: I am cawing.

MR. SPEAKER: Order, please! I am sure all honourable members are aware that only one member is permitted to speak at any one given time. The Hon. Minister of Finance rose on a point of order and at the same time the honourable member for Bonavista North was also on his feet attempting to speak. The Chair finds it difficult to follow two conversations at the same time.

MR. THOMS: Thank you, Mr. Speaker.

On behalf of my colleagues on the opposition, we wholeheartedly support the prayer of this petition. Now, Mr. Speaker, with the cost of every commodity, of food going up every day in this province, we feel that it is unfair and unjust for any committee or any department of government or for that matter any government to make unnecessary increases, and in this particular case the increase has gone up three hundred per cent in a twelve month period.



This, Mr. Speaker, I claim will increase considerably the cost of local beef and mutton within our province. Mr. Speaker, after talking to some of the farmers involved, who have signed this petition, they claim that if these rates are imposed this coming season that many of them will not be in the cattle business come the season of 1975.

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. CROSBIE: Mr. Speaker, this so-called petition, if it be a petition, it may or may not be a petition but Standing Order No. 92 says; "Every member offering a petition to the House shall confine himself to the statement of the parties from whom it comes, the number of signatures attached to it and the material allegations it contains." Now, Mr. Speaker,

AN HON. MEMBER: Inaudible.

MR. CROSBIE: the honourable gentleman is not confining himself to the allegations -

MR. THOMS: I am.

MR. CROSBIE: He is talking about what the opposition's position is and all other kinds of extraneous material, it therefore should be ruled out of order.

MR. COLLINS: Table it and have a look at it first.

MR. ROBERTS: To that point of order, Mr. Speaker, what the honourable gentleman for Bonvista North is doing, is exactly what has been done in this House for one hundred years by honourable gentlemen from all parties, from all parts of the province and from every kind of district. He is stating a petition and he is merely stating his support or otherwise of it.

The Standing Order is exactly as read by the honourable gentleman, except in his usual way, he only read half of it. But I shall read the rest if the honourable gentleman should want. It goes on; "In no case shall such a member occupy more than five minutes in so doing, unless by permission of the House upon question put." That second half has been honoured in the breach just as often as has the first half and that is hundreds and thousands of times.



The gentleman for Bonavista North was given a petition by people in Harbour Main District, fifty-four of them I believe originals signatures, signed to that petition. He is presenting it in exactly the same way. The gentleman for St. John's West is deliberately trying to prevent him, in a bullying fashion. He is deliberately trying to prevent him from presenting the petition. I submit he should be allowed to present it, Sir.

MR. SPEAKER: Well a considerable amount of leeway has been given at various times in this House to the presentation of petitions. In most instances I would think that the remarks have been pretty well confined to the content of the petition, the prayer and on behalf of those who submitted the petition.

I too feel that the honourable Member for Bonavista North while he may indeed have a very legitimate petition has expressed considerable opinion of his own and that of his colleagues, maybe a little more so than he has ordinarily done. I would caution him about this in presenting his petition.

MR. THOMS: Thank you, Mr. Speaker. I have presented a number of petitions to this House and I have not elaborated upon this petition any more than any other petition in supporting such prayers.

Now, Mr. Speaker, I throw my support behind this petition and I trust that the department to which it relates will review the rates that are now imposed, for the year 1974, upon the regional pastures of our province. I trust that a revision will be made of these regulations. Mr. Speaker, in supporting this petition, I pray that it be placed upon the table of this House and referred

to the department to which it relates. It takes a long time you know when you have a bully in finance.

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, it gives me great pleasure to support the petition so ably presented by my colleague, the member for Bonavista North, on behalf of fifty-four cattle owners in the great and historic district of Harbour Main.

Now, this government asks, have asked on a number of occasions in this House; "What can we do?" The Premier when faced with a resolution last year, faced with questions about the cost of living this year, the Premier said, "What can we do? It is all Ottawa's fault." Well, Sir, here is one case when this government can do something. They can, Sir, revoke these new increases. They can wipe them out altogether which I think they should do, Mr. Speaker. In so doing, Sir, they will reduce maybe not by very much but by a fraction of a cent maybe they could reduce the cost of beef and the cost of milk and the cost of mutton in this province, Sir.

Mr. Speaker, this is an indirect form of taxation levied by the Minister of Finance and it should be acknowledged as such, Sir.

MR. CROSBIE: On a point of order. The honourable gentleman is deliberately making a misrepresentation to the House. This matter of charges for pasture land has got no more to do with the Minister of Finance than a bulls horn has got to do with the honourable gentleman opposite.

MR. ROBERTS: To that point of order, Mr. Speaker. The honourable gentleman, the Minister of Finance, if he should know anything about a bull, it is not the bull's horn he knows about in his experience.

To that point of order, Sir, the honourable Minister of Finance I submit should be directed to withdraw that. He is not allowed to state that an honourable member is deliberately misrepresenting anything. He may state the member is misrepresenting. That is a matter of opinion -

MR. W. ROWE: Or that it is untrue.

MR. ROBERTS: Or that it is untrue but the honourable gentleman should know the rules well enough. He is the one who is forever leaping up with his

pretended honour, parading it, parading his virtue. Let him, Sir, abide by the same rules of which he claims the protection. I think that is the way this House should be, Sir. The rules apply to all equally. He is not allowed to make such statements and he should be asked to withdraw them, Sir.

AN HONOURABLE MEMBER: Withdraw.

MR. CROSBIE: The honourable gentleman opposite, the honourable Leader of the Opposition, of course, I will not deal with his remarks because they are in his usual vein or spirit.

As far as the honourable gentleman from Bell Island is concerned, I am not worried whether it is deliberateness or deliberate. What was it? What is the honourable member complaining about? What was the wording?

MR. SPEAKER: Order, please!

MR. CROSBIE: Whatever he was complaining about, Mr. Speaker, I certainly do not think it was deliberate because I do not think that he knows whether he is deliberate or not deliberate.

MR. NEARY: Well, Mr. Speaker, I presume the minister has withdrawn his remarks.

AN HONOURABLE MEMBER: Hold on now. He said that he has not withdrawn.

MR. NEARY: He has not? Well, Mr. Speaker, the minister should withdraw it.

MR. ROBERTS: On a point of order please, Sir. The Minister of Finance I submit either has to withdraw them - I agree the Premier takes the name of the deity in vain. I quite agree with that too but the rules, Sir, are the rules. The rules say no member shall accuse another member of deliberately misrepresenting.

MR. SPEAKER: The chair is of the opinion that in the speech made by the honourable Minister of Finance when he was on his feet, that he had withdrawn the remarks that he had made. The Chair did not hear the honourable Minister of Finance say no.

MR. CROSBIE: Mr. Speaker, so that there will be no misunderstanding in

the mind of the honourable Leader of the Opposition who is behaving as though he were a baby -

AN HONOURABLE MEMBER: What mind?

MR. CROSBIE: I unreservedly and wholeheartedly and unequivocally withdraw any reference I made to the member for Bell Island whatsoever.

MR. NEARY: Mr. Speaker, this is an indirect form of taxation, Sir. I think it should be abolished immediately.

Mr. Speaker, in this Silver Anniversary year we hear so much about tinsel and confetti and balloons and song contests, Sir -

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

The honourable member for Bell Island I am sure is well aware as all honourable members are that the right to reply and speak in support of a petition is only a courtesy granted by the Chair. I submit that the honourable member for Bell Island is not being relevant at all to the prayer of the petition as given by the honourable member for Bonavista North. He has consumed a considerable amount of time in speaking in support of this petition. If he wishes to continue, I suggest that he be very strict in his comments to the prayer of the petition.

MR. NEARY: Mr. Speaker, I support the petition and I was merely suggesting to the administration, Sir, where they could get countervailing savings to take some of the money they are spending foolishly on Silver Anniversary Celebrations and give it to the cattle owners of this province.

MR. SPEAKER: Order, please!

The honourable member for Bell Island has again spoken to not really the prayer of this petition but in direct opposition to what I suggested that he do and he is certainly out of order.

Are there any other petitions?

MR. W. ROWE: Yes, Mr. Speaker, this petition I have here, Sir, is going to be a great disappointment to the Minister of Finance because it is offered in a spirit of co-operation between two honourable members of the House, one from the government benches and one from the opposition benches, namely myself and the member for Grand Falls.

I understand the member for Grand Falls who is often visiting Hampden, the area of Hampden in my district of White Bay South, has received

a letter from one Calvin Osmond who though a friend of mine is no political friend of mine, a good fellow but supports the party represented by the member for Grand Falls. He sent a petition to the member for Grand Falls. The burden of the petition is: "We, the people of Hampden are hereby petitioning the government of Newfoundland to upgrade and pave the thirteen miles of road from the Trans Canada to the community of Hampden. Based on the contributions which Hampden has made to the province in the past and the contributions it is still making, we deem it only fair that we should have this section of road upgraded and paved."

Sir, the gentleman from Grand Falls did me the courtesy of coming to see me before the House met, mentioning that he had this petition. He said that he thought that the petition should be presented by the member for the district. I am in agreement with that. I thank him sincerely for his courtesy and the honourable way in which he has done this, not trying to make any cheap political points at anybody's expense, because I know that he is as interested as I am in getting the road from the Trans Canada to Hampden and The Beaches and The Rooms and Bayside, all in that area and on down to Jackson's Arm, Sops Arm, Pollards Point, get that road and those roads upgraded and paved as soon as humanly possible.

I do hope that the present administration, to whom the petition is addressed, does find the finances this year to be able to start that piece of work. I support the petition wholeheartedly, Sir, and I ask that it be received by this honourable House and referred to the department to which it relates, presumably the Department of Transportation and Communication.

MR. SENIOR: Mr. Speaker, I am very pleased to support this petition. I am quite familiar with this particular area. I think one of the reasons why the petition was sent to me is because I know most of the people in the White Bay Area in all the communities around this part of the White Bay district including Sops Arm, Jackson's Arm, Pollards Point, The Beaches, Georges Cove, Hampden, The Rooms and Beachside and so on.



There were certain questions arose in my mind after I received the petition. I had intended at first to present it to the House of Assembly myself but on checking further I had some reservations about this which are not necessary to explain at the moment. It has something to do with the manner in which the petition was circulated. I am not sure if the people at that time knew whom the petition would be directed to.

In support of this petition, Sir, I can say that I am quite familiar with the roads in this area. Having travelled around Newfoundland and many of the smaller communities for two years before I got involved in politics, I am familiar with many out-of-the-way places and the dangerous roads which exist. Nowhere in the province, Sir, do we have more dangerous roads than we have in this area of White Bay.

The road leading from the Trans Canada Highway to Hampden, approximately thirteen miles, is an extremely dangerous road. It is over this road that the residents of all the communities that I mentioned on both sides of the White Bay receive their merchandize, their mail. It is over this road that they travel to and from work, mostly to the woods operations in the area. Much of the wood that is cut in the area is also transported over these roads. There have been many serious accidents.

A relative of mine barely escaped death last fall when their car left the road and ended bottom up in a pond with their children in the car. It is the type of road, Sir, in many areas, that was typical of the first roads built in the province when they were merely pushed through with a bulldozer to connect the highways or to connect the communities to the main highway network.

Sir, I support the petition and I am sure there are many other areas in the province which deserve the same attention. I hope that in line with other priorities in the province that our government will see fit in due course to pay the proper attention to the road in this area.

MR. CROSBIE: Mr. Speaker, a question was asked here yesterday, and I would like to clarify the position for anyone who is not already clear on it.

MR. NEARY: (Inaudible).

MR. CROSBIE: I will get to that, Mr. Speaker. Can I continue, Mr. Speaker, or should I let the Member for Bell Island answer the question for me?

AN HON. MEMBER: Do not answer it at all.

MR. CROSBIE: I will answer it because I think it will lay his mind at rest. There was a question asked by the Member for Bell Island, Mr. Speaker, as one might expect.

Now, Mr. Speaker, following the snowstorm on Monday, March 11 and Tuesday, March 12, during which the various government offices in St. John's were closed, there was a great deal of confusion as to the salary and leave status of employees of hospitals and institutions which could not be closed. Before a decision was made by government in relation to government operated facilities, the Secretary of the Treasury Board was approached by representatives of the Newfoundland Hospital Association and told that the individual hospital boards affected would be getting together to formulate their policy on the storm. They said that decisions such as these fell within their management prerogatives and did not involve the government.

Mr. Speaker, we agree absolutely. The non-government hospitals make their own decisions in these areas. After that initial meeting, they posted a notice in their own hospitals outlining the position that they arrived at themselves, the Newfoundland Hospital Association. Subsequently, Mr. Speaker, Treasury Board met and established our policy in relation to government operated hospitals and institutions. This is our policy, the government operated ones for which we are responsible:

Firstly, employees who were scheduled to work but were unable to report for duty because of the storm conditions will not



be penalized in any way for failure to report. The leave status and salary payment of these employees will remain as it would have been had they worked their scheduled term of duty in that period. Secondly, employees who worked their normal term of duty during the storm period would receive no additional compensation. If they worked, they were supposed to work. Employees eligible for overtime who were required to work in excess of their normal hours during the storm period will be compensated in accordance with the usual overtime provisions.

Mr. Speaker, we informed the Newfoundland Hospital Association of the government's position. They met again on March 29 and issued a new release about their position. We are not involved in the formulation of their decision. But we have told the Newfoundland Hospital Association, prior to that meeting, that should the hospital boards decide to adopt the government's policy in relation to the storm, the necessary funds would be forthcoming.

Now, Mr. Speaker, I hope I have made the position clear. The government's policy in connection with that storm, for government operated hospitals is as I have just stated it. The non-government operated hospitals were told that they naturally can adopt their own policy. If they adopted the same policy as ours, the funds would be provided for them. That is the position, Mr. Speaker.

ORDERS OF THE DAY:

MR. NEARY: Well, Mr. Speaker, do I understand the minister correctly that he is throwing out an invitation to the hospital association to request funds so that they can pay these people for the day that they were off? Is this the right interpretation to put on that?

MR. CROSBIE: I thought I had just spoken English and made the position crystal clear. We are not inviting the Newfoundland Hospital Association to do anything. I have stated what the government's policy

is and I have stated that it is up to the non-government hospitals, as they have told us, to formulate their own policy. If they should decide to do as we have done in connection with the storm, then we have told them that funds would be made available for them to do that. That is all. We have not invited them to do it. We have said that this is what we are doing and if they want to do the same, we will see that they have funds to do it. Apparently, they do not want to do the same. They have their own views.

MR. NEARY: Obviously, Sir, they are inviting trouble. They would be fools not to accept the minister's invitation.

Sir, I wonder if the same minister, the Minister of Finance (he is in such a touchy mood today) would give us the report on what is happening out there at the Linerboard Mill? It is closed down because of a labour dispute. Would the minister give us a report on that? Perhaps that is why he is so jumpy today.

MR. SPEAKER: Order please!

MR. CROSBIE: Mr. Speaker, I did not know that I was so jumpy today but perhaps I am.

As far as the Labrador Linerboard Mill situation is concerned, Mr. Speaker, my knowledge is four or five hours old now. I have been working on another matter. As I understand the situation, there is a dispute between the two unions involved in the operation of the Labrador Linerboard Limited; one is the United Paper Workers' Union, which is certified for the mill at Stephenville; the other is the Union of Carpenters and Joiners of America, anyway it is the Loggers' Union. The company has just opened its own garage in the Stephenville Area or Harnum, which garage is to be operated for the purpose of repairing and maintaining Woodland's equipment. When the mill was originally established at Stephenville, there was not contemplated, of course, that there would be any work at Stephenville or Harnum in connection with Woodland's equipment because all of the wood operations were to be in Labrador. That, as all honourable gentlemen know, now has changed.

The company has just established its own maintenance facilities for Woodland's equipment in Stephenville. There is a dispute between the two unions as to which one has jurisdiction in the garage or maintenance facilities. United Paper Workers say that they do and the Loggers' Union say that they do. As a result, as I understand it, the mill is completely shut down.

Mr. Speaker, this is a very serious situation because for the past five weeks the mill has been unable to ship products because of the ice. The ice has been tightly packed in on the shore on the West Coast and Stephenville. I think a vessel got out yesterday. There are four vessels now in there loading, now the ice has moved out. The loading has been stopped now. Just at the time the ice goes out and we are able to get moving on the shipping out of the products again, the mill is completely shut down. This is expensive and it is a great pity, Mr. Speaker, because it is damaging to the operation financially and otherwise.

Mr. Speaker, I can only express the hope that the unions involved, who are both under collective agreements and who both have agreements which contain provisions for settlement of disputes, will agree with the company and have this thing resolved as quickly as possible. That is really all I can say at the moment.

MR. NEARY: Mr. Speaker, the minister stated the situation as he knew it a few hours ago. Could I ask the minister what is being done about it? Is there any provision in either one of the working agreements for arbitration? What happens in the case of jurisdictional disputes? Has the Minister of Manpower been called in? Is there anything being done about it or are they just ignoring it hoping that it will go away on its own?

MR. SPEAKER: Order please!

MR. CROSBIE: Mr. Speaker, I do not run the day-to-day operations of the Labrador Linerboard Limited. We have a president and a management

out there who operate and run the mill. This is their job and it is within their competence. They are working on the problem. I do not doubt that they have been in touch with the Minister of Manpower. He may have some other information which he may want to give.

MR. ROUSSEAU: The problem is a jurisdictional dispute. I will not go beyond what the Minister of Finance has said. The company had been in contact with me yesterday and again today and in a wildcat situation sometimes a company is in contact with you, sometimes it is the union and sometimes it is neither, you have to get your information but the company has kept me abreast of the situation as far as they are concerned. There are two unions involved.

Mr. Speaker, I have attempted today to contact both unions . I have left messages for both international representatives. I have heard back from one and I am hoping to hear back from the other sometime this afternoon. I have made a suggestion to the company and to the union I have talked with and they are quite in agreement with it. I would hope that the other union would contact me this afternoon at which time I would make the same suggestion to them and hopefully they would accept the suggestion and the strike would come to a conclusion and the process would be followed that I suggested to the other two parties.

MR. NEARY: Fine, Mr. Speaker.

I wonder now, Sir, if I could direct a couple of questions to the Minister of Fisheries concerning the revelation yesterday that the Spanish Armada was going to be brought into Newfoundland. I wonder if the Minister of Fisheries could tell us what wages will be paid to the crew of those two draggers that will be supplying fish to the Newfoundland-based fish plants? What would be the wages? Could the minister tell us?

MR. COLLINS: Mr. Speaker, we have no idea at all in the world. It is an agreement which was entered into between Fishery Products, which is a private corporation, and the federal government.

MR. NEARY: Well, Mr. Speaker, could the minister tell us how many Newfoundlanders will be aboard these draggers? I understand that it is a training programme. We had the College of Fisheries

over here; they are supposed to be training our fishermen. How many Newfoundlanders will be on these draggers? Does the minister know or does he know anything at all?

MR. H. COLLINS: Ask Mr. Jameison or Mr. Davis, come on, or Bill Rompkey. Do not be so .... (Inaudible).

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Mr. Speaker, let me ask a supplementary question, Sir. Could the minister tell us if there were any consultation at all with the Province before these two draggers were brought in?

MR. H. COLLINS: Mr. Speaker, I answered all the questions I am going to answer on that particular deal yesterday. I gave the House all the information which I have, all the information which is necessary, all the information which is useful and all the information which the people of Newfoundland would want to hear.

MR. NEARY: Mr. Speaker, I wonder if the minister would table any correspondence that he might have with the Federal Minister of Fisheries on this matter or the federal -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Pardon! It is in Spanish. Perhaps we might get the Minister of Finance to interpret it for us. He is the expert on everything in this House. Would the minister be prepared to table any correspondence that he might have on this matter?

MR. COLLINS: Sit down boy and do not be so crazy!

MR. NEARY: Mr. Speaker, this is a very serious matter.

MR. SPEAKER: Order, please!

MR. NEARY: Obviously, we are not going to get any information, so I will turn my attention to the Hon. the Premier. He seems to be in a better mood today than he was yesterday.

Would the Hon. the Premier inform the House if there has been any deal made yet with Trizec to rent office space from their new skyscraper they are going to put up down near City Hall?

HON. F.D. MOORES: There has been no official deal between the government and anybody, to my knowledge, Mr. Speaker, regarding additional space. As



the honourable member well knows, it is the intention of the government some time in the not too distant future or actually as quickly as possible to try to get the government departments that are presently scattered all around the city under one roof. Now, whether that is going to be through Trizec or through a second building of government offices or whatever, that decision has not been finalized, Sir.

MR. NEARY: Mr. Speaker, I note that the Premier said there has been no official deal. Are there any negotiations under way with Trizec? Have there been any unofficial deals made, orally or in writing or any other way?

MR. MOORES: Mr. Speaker, we never have unofficial deals but we are always in negotiation with everyone who is being constructive in developing the Province. That is why probably the member from Bell Island has not heard about it.

MR. NEARY: Mr. Speaker, perhaps the Premier does not want the people of Newfoundland to hear about it either. On another matter, Sir, if the Premier would tell me what happened to the telegram I asked him about three days ago that he told me he had sent me in reply to a telegram that I sent him last week.

MR. MOORES: Mr. Speaker, gladly. I replied to the effect that if the honourable member has not got that, I will certainly, if not myself and I hope to be but if not I will have representation from my office at such a meeting when it is called.

MR. NEARY: Sir, I thank the honourable the Premier for that. I wonder now, Sir, if the acting Minister of Social Services could give us a little bit of information. There seems to be a complaint coming out of Grand Falls, Sir, out of Central Newfoundland, that \$7,000 made available by the Native Peoples Association to repair houses out there cannot be used because the houses have not been inspected by the minister's officials. Could the minister clarify this situation and indicate to the House if and when these inspections will be carried out?

MR. G. OTTENHEIMER: Mr. Speaker, I would be pleased to answer that question and I think I will give it some background because it is



somewhat confusing. I have not heard reports on radio but I believe they have been somewhat conflicting.

Actually the Native Peoples Association of Newfoundland and Labrador applied for and received a LIP grant of approximately \$11,000, a bit less. So the Native Peoples Association of Newfoundland and Labrador got a LIP grant of close to \$11,000 and the general purpose for it was to repair homes of native people in Central Newfoundland area. Now I understand -

AN HONOURABLE MEMBER: Inaudible.

MR. OTTENHEIMER: Pardon!

AN HONOURABLE MEMBER: Inaudible.

MR. OTTENHEIMER: The total amount they got was \$11,000. Now, they employed seven people and have affected repairs to about eight, to eight homes as I understand it, to eight homes in the Bishop's Falls area. Through an arrangement with CMHC certain building supplies were made available. Now, there is remaining, approximately, between \$6,500 and \$7,000, remaining from the LIP grant that the Native Association have. They requested, the first time it came to the department's attention was yesterday afternoon and came to my attention this morning, they requested the Department of Social Services to, let us say jointly or to co-operate with them so that the balance could be used up for affecting repairs to homes in general, not necessarily native people, without reference to origin.

The Department of Social Services checked with LIP because we had to in a sense have their concurrence because of the terms of that LIP agreement. I am very please to announce that now, in co-operation with the native people, it will be a joint programme whereby building materials through the Social Services Department will be available so that this programme can be continued. So, it will be continuing and there will be therefore additional work done in repairing of homes of people in need.

MR. NEARY: Mr. Speaker, the minister stated that the inspections will be done almost immediately. I mean making material available, that could be six months from now.

MR. OTTENHEIMER: No, no, this is going on. I understand that between this afternoon and tomorrow the official of the department and his staff who are in charge of that area will be going over the material, the data they have, not the material in the building material sense, the data they have to identify the most needy cases so that it will be done on that basis.

MR. NEARY: Mr. Speaker, I would like to direct a question to the Minister of Tourism who I believe is responsible for the Arts and Culture Centre over there. Mr. Speaker, the maintenance men and the watchmen, utility men and janitors at the Arts and Culture Centre received a notice making the liquor outlets at the Arts and Culture off limits.

Now, Sir, they were told that they were not to accept any cocktails or beer or anything else while they were in uniform. What they are worried about, Mr. Speaker, is; can they take their families there after hours? Can they enjoy the facilities of the Arts and Culture Centre after hours? Because they were told by the maintenance supervisor that they could not, not even when they are out of uniform, after hours. I think this is an invasion of human rights. Could the minister clarify this situation for us?

HON. T. DOYLE: Mr. Speaker, as far as I am concerned anybody off duty can go where he wants to go including the Act III Restaurant or anywhere else, and that was not the intent of the directive whatsoever.

ORDERS OF THE DAY:

On motion of the honourable Minister of Mines and Energy, A bill, "An Act To Ratify, Confirm And Adopt An Agreement Made Between The Government And B P Minerals Limited," read a first time, ordered read a second time on tomorrow.

On motion of the honourable Minister of Finance, A bill, "An Act To Repeal The Property Loss Reserve Fund Act," read a first time, ordered read a second time on tomorrow.

On motion of the honourable Minister of Municipal Affairs and Housing, A bill, "An Act To Amend The Assessment Act," read a first

time, ordered read a second time on tomorrow.

On motion of the honourable Minister of Municipal Affairs and Housing, A bill, "An Act To Amend The Community Councils Act, 1972," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Municipal Affairs and Housing, a Bill, "An Act To Amend The Department Of Municipal Affairs and Housing Act, 1973," read a first time, ordered read a second time on tomorrow.

MR. SPEAKER: Motion (7) moved by the honourable member for St. John's East.

MR. MARSHALL: Mr. Speaker, this is the proposed amendment to, the further amendment to the House rules with respect to the making of time for speeches forty-five minutes and the time for estimates and committee seventy-five hours. I should indicate that today I am suffering somewhat from the flu and have a temperature so that if I swoon over and faint anywhere through the debate I would like the members of the opposition to know I am not swooning or fainting from or out of fear of the opposition or all the opposition, either one of them.

In any event, Mr. Speaker, I am not expecting this debate to be very long because even though I could be in a better place than here right now, in my present condition, I could not resist the temptation of coming out and beholding the countenances of the honourable members on the other side as they support this particular motion, as all sensible men really must.

Mr. Speaker, first of all let me refer to the first part of the resolution, the amendment to Standing Order (49) which provide that no member, except the Premier and Leader of the Opposition or minister moving a government order or the member speaking in reply immediately after such minister or a member making a vote of no-confidence in the government and a minister replying thereto, shall speak for more than forty-five minutes at a time. So that therefore, Mr. Speaker, the proposal is that in ordinary debate a member may speak for forty-five minutes whereas before he was able to speak for ninety minutes. This does not apply, of course, and I emphasize, to a minister

moving a government motion, to a member speaking in reply who will be on the opposition side, of course, to a member moving a vote of no-confidence in the government or to a member speaking in reply. They may go for unlimited time.

It was also decided, Mr. Speaker, when reviewing the rules with careful consideration, that the Premier and Leader of the Opposition who before had been given unlimited time at any given time, while their positions ought to be recognized in this House that surely the former ninety minutes on an ordinary motion will be quite satisfactory for them. So that then is the first proposal.

You know if any member in this House needs, I think the principle of law that we call *res ipsa loquitur*, the thing speaks for itself, and I think the way in which debate has gone in the House of Assembly over the past two years and perhaps for longer than that, yes for longer than that, there is nothing more indicative of the necessity to change the time limits.

Before we were first elected two years ago, I sat on the opposition side of the House and there were many things that I am not going to refer to today because you know those are days passed and better forgotten except we cannot forget the money that it cost us, but in any event those days I felt that the rules of the House were not the proper type of rules for a modern legislature. I think, and I mean no disrespect for the House when I say it, that in the public mind in Newfoundland, and I think in all of our minds if we examine it honestly, that this chamber is becoming more and more less relevant to the needs of the public because to a large extent there are many factors, some I will go into today others I will not, but certainly if one of the reasons is because of laxity in rules and rules being archaic, we shall certainly fail in our duty if we do not as a government take speedy steps to remedy them.

Now I said speedy steps and somebody on the other side might say, "Well you have been in two years and why did you not do it before? Well, the answer is obvious. We were elected as a new assembly

with a new group of men, pretty well a new group of men on the other side, and certainly the influences of those who have gone now, some of them into the history books, some of them who are popping out of history books perhaps, the influence of these men was gone and we sat back with the old rules and we looked at them and we saw them in operation as we ought to, just to test their validity and how good they were, because it has to be recognized that these are rules that have been engrafted from experience through the centuries and handed down to us by practice for many hundreds of years.

Now, Mr. Speaker, the first thing that we have to do and I think it is quite evident that if any member in this House in most ordinary debates cannot organize his thoughts in forty-five minutes to speak to a matter, than either he perhaps ought to review his existence in the House or perhaps ought to even look for another speech writer or what have you. Because, Mr. Speaker, the way it is going now with the one-and-a-half time limit and I know what it is, people do not think they are doing their job unless they speak for an hour-and-a-half and there is a great emphasis on the quantity of the spoken word rather than the quality. Certainly men who present themselves for election to the House of Assembly should be able, and I can justify it even farther in a moment, but should be able to organize their thoughts, in ordinary debate to express them within a forty-five minute period.

Now when we were considering limitations of time there were two ways in which one could do it, you could limit your speeches or you could limit the time for the overall debate. After we had considered it thoroughly we thought that it is better to limit, if you are going to limit anything at all, it is much better to limit the time of speaking of members. Because if we limited the time for debate, the predictable thing would happen and those who are perhaps a little bit more used to being on their feet would tend to monopolize the debate. This is the experience which has been found in other legislatures such as Saskatchewan, Alberta -



MR. WM. ROWE: There is no quorum in the House, Mr. Speaker.

MR. SPEAKER (MR. STAGG): We have a quorum.

MR. MARSHALL: As I was saying, Mr. Speaker, when I resumed my seat before the call of quorum, Alberta and other jurisdictions provide for limitation of time for debate. We do not feel this is good because those who are a little bit more used to being on their feet would tend to monopolize the debate. I said that the debate in this House becomes an endurance test, I think this is quite evident. The members feel they are not doing their job unless they speak for an hour-and-a-half. All this legislation or this proposal for the rules will do is that members will have to organize their thoughts a little bit better. I would submit, forty-five minutes is ample time and I think it would contribute to making the House of Assembly more relevant than it has been in the past.

Now let us look at some of the other jurisdictions, I am not one of these who feel that we must look slavishly at other jurisdictions to see what they do, because Newfoundland should really adopt something because it feels it is good for itself rather than just copy what is there, but there are those who like to look at other examples and to some extent of course they are valuable.

In Nova Scotia it is provided that no member at all may speak for more than one hour. As I read the rules, this includes the Leader of the Opposition and the Premier and includes members introducing various bills. So



to a large extent we are broader than them in some respects, with the forty-five minutes.

New Brunswick is similar, with one hour. In Quebec, under Rule 94 of the Quebec House, a member is given twenty minutes and the Prime Minister, as they call the Premier there, and the Leader of the Opposition one hour.

In Saskatchewan the limitations as I say is on the speeches. They limit the Throne Speech, they limit it to six days, the Budget Speech to five days, and the Appropriations Bill, which is passed after their Committee of Finance or their estimates, is one day.

In Alberta, it is less than those forty minutes. The House of Commons I believe is forty minutes.

But I think one of the greatest arguments of comparison and the reason why we adopted the forty-five minutes was in the interest of impartiality. It was during the rules committee. The members of the staff here in the House were there in attendance at all times and contributed greatly to the deliberations of the committee. Mr. Harry Cummings, Q.C., a man who is respected by both sides of the House, was there at the time. He is now Registrar at the Supreme Court. When he submitted his paper, his recommendation was that, and he had been here mind you as an impartial observer for a number of years. His recommendation was forty-five minutes, which is what we have.

Now the estimates are a different thing altogether, Mr. Speaker, estimates are entirely different. In order, if one is to limit the time for estimates we will get to the rationale for limiting them in a moment if obviously by the nature or the consideration of the estimates, when a person is entitled to get up again and again, as he should when examining the various item of estimates, you obviously have to limit the total time for debate.

Now what has happened in this House, and we will not look back years ago but we will look just back over the last two year period, which is something which has concerned the government greatly,

in the last two years, in our attempts to pass the estimates we had to sit overnight on two occasions. This is making nothing but a charade, a farce of the House of Assembly and the Democratic Institutions.

AN HON. MEMBER: Inaudible.

MR. MARSHALL: Any government is left with the consideration, Mr. Speaker, in estimates as it happened with the previous administration, when they chose the instrument of closure. We do not like closure. We have had to adopt it any time we had to, of course, if it were absolutely necessary, but we do not like it. So we elected to sit overnight and either one of them really, either one of the procedures is really unpalatable and the House is really not doing its job in considering the estimates.

So in the opinion of the government, Mr. Speaker, we have to do something about this. Again, this becomes an endurance test, the estimates become an endurance test. I know being in the opposition that it does become an endurance test to keep on going and see if we can force the government into bringing in closure or to keep on going and perhaps members from the other side keep on going for the purpose of seeing if we could sit all night, overnight. This is not the way to consider and bring forth \$45 millions.

We are guided, Mr. Speaker, by experience, by the experience that we have seen in bringing in this forty-five hours, because here again we caused the research to be done of the times consumed in the past ten years, by the Committee of Supply, the Committee on the Main Estimates, to determine the amount of time that was consumed in consideration. Now only once, only at one time, that was in the days of 1970, was there more than seventy-five hours.

I will just go through them now: In 1963, there were sixteen sittings. Even if you allowed a maximum of three hours per sitting which, of course, is not what one gets into because today an hour was gone for instance before we had an opportunity to get into the main order of business of the House. That is forty-eight hours in 1963. Eighteen sittings in 1964, even here allowing -

AN HON. MEMBER: Morning, afternoon and night.

MR. MARSHALL: And even here. No, not morning, afternoon and night, this is broken down. The days of sitting were nine and the number of sitting were eighteen, Mr. Speaker, I got these from the records of the minutes of the House of Assembly. Eighteen times three is what? Fifty-four hours. Twenty-three in 1965, the very maximum of sixty-nine. It is much nearer fifty-five.

AN HON. MEMBER: Inaudible.

MR. MARSHALL: Twenty hours - the honourable member will have his time. I mean I look forward to the honourable member, as always, getting up on his feet but you know he can in the meantime sit down. If he should want an all-day sucker or a bottle or something, I shall send it over to him.

Twenty sittings in 1966, for a maximum of sixty hours. Twelve sittings in 1967, a low which will be thirty-six. Eighteen in 1968, again which we are talking about, fifty-four. Twenty-one in 1969. We are talking about sixty-three hours at the very maximum. Thirty-seven, this is the year, in 1970, that is one hundred and eleven, is it? If you multiply by three?

AN HON. MEMBER: Inaudible.

MR. MARSHALL: Thirty-seven times three are one hundred and eleven. But, Mr. Speaker, those were stormy days in 1970. I would suggest that during that period of time, the time of the sittings, because there were sixteen days so there were sixteen Orders of the Day called, so that should be reduced really, I would presume by close to sixteen or seventeen hours, because while the debate was stormy in estimates, it was also stormy when Orders of Day, with points of privilege and what the heck have you.

Twenty-six sittings in 1971, Again allowing for three hours, one would get seventy-eight but the actual time has to be much less than that. Twenty-three in 1972, again less than seventy-five. In 1973, last year, twenty-six again, again less than seventy-five when averaging it out.

What do other jurisdictions do? Again I think the most valuable thing we can look to is what this House of Assembly did prior to this year. I will demonstrate it how long they took. What do other Houses do, comparable Houses? Well in Quebec, for instance, they refer all of the estimates to committees. They put a time limit when the committees must report back and they put a time limit on the debate so that consequently they have it contracted, the Province of Quebec, to less than seventy-five hours most of the time.

In places like Saskatchewan and Alberta, they have limitation of debates themselves. As I say the Budget Debate is limited to five days, the other debates limited to six days. Pretty well all throughout the jurisdictions now they either have or they are considering the limitation of time on the estimates.

I think, as I say, this may be valuable and people love to talk about what goes on in the rest of Canada, as if this is what we must follow slavishly, but this is not the thing that motivates us. The two factors that motivate us mainly are the fact that in previous years seventy-hours was more than ample, even in stormier days than we have now. It was more than ample to consider the estimates. Also the fact that this House of Assembly, unless it gets control of its rules with respect to limitation of debates and other areas, it cannot expect to receive the same respect from the populace as it perhaps has in years gone by.

The Leader of the Opposition, I know, when he speaks will agree that there should be limitation of debates. He has already said this, of course, when he was speaking in the Throne Speech. He also indicated in committee. I would rather suspect that the Leader of the Opposition will perhaps draw issue, I do not know, with the time limit and the mode and manner it is done.

But I feel that most people; I presume that the Leader of the Opposition was speaking for the official opposition when he was speaking, although the honourable the Member for Bell Island seem to have a different view yesterday. But I just presumed that a Leader of a party speaks for that particular party. The Leader of the Opposition

as I say, indicates that there should be some agreement with respect to time. As to what that is he will probably differ with us but I think the principle he must agree with.

Now the draft

before us on the estimates, I will go over that again because it is on the Order Paper, it was put on yesterday, just to explain it and make sure that members of the House are aware of it and what is in it.

In 116(a) it is provided that the Committee of Supply shall be limited to not more than seventy-five hours. (b) states that when the motion is made to resolve the House into Committee of the Whole on Ways and Means, in other words when the Budget Speech ends and the Minister of Finance makes that motion, there may be established committees on Estimates to consist of not less than seven or more than fifteen of which fifty per cent shall form a complement or the complement shall form a quorum.

The estimates for ten of the departments may be referred to committee and the balance must, that is the maximum that can be referred, must be considered in Committee of the Whole in this House. When they are referred to the committee they must be referred within ten sessional days from the bringing down of the budget and these committees have fifteen days in which to report back to this House their observations with respect to their examination.

Each committee when appointed - now of course, the manner of appointment of this committee will be in the normal manner of appointment of committees of the House. In other words, there will be proportionate representation in accordance with the strength of the House. From each referral as each department is referred, three hours shall be deducted from the seventy-five. For instance, if two committees are constituted and estimates are referred to two committees, that is six hours, the Committee of the Whole will sit here for seventy-one hours and six hours will be credited from what is referred in committee.

The report of the committee comes back into this House and each report can be considered for a three hour period. The total time consumed by committee and the House will be seventy-five hours. At the expiration of seventy-five hours the Chairman of Committee shall put all questions necessary to carry every vote in the estimates. That is the end of the time.

Mr. Speaker, I think that this is much more sensible. It follows; I might say, during the committee reports that we had, the



committee on the rules, the Leader of the Opposition prepared a very good paper, as all members did, and his particular area was limitation of times of debate and limitation of committee. He referred to the Standing Orders of Ontario which I think had ninety sittings or something like that. The comparison is not very good because they have a much greater and bigger budget, of course, in Ontario. It followed the general format of the Ontario kindred provision in their Standing Orders and was something that captured the imagination, at the time anyway, of the Leader of the Opposition.

As I say; what is the effect of this again? All it is going to do is that it is going to require the members of the House, all members of the House, to limit. It will not limit debate but it will just purely and simply require organization of thoughts. I cannot think anything that contributes more to the ill-temper, of course there are many things that contribute to the ill-temper of this House, but one of the things that certainly contributes to it is the present long period for the consideration of estimates. The ministers do not know whether it is going to go on from now until next year and they get tired and the opposition get tired because they feel they are not doing their job unless they go over and over and over them again and make it last until next year. That is the way it is now and certainly that was the way it was in times gone by.

It is to be pointed out that we are giving in this House ample opportunity and time for the consideration of financial matters. There is no limitation on the Budget Speech other than the forty-five minutes per member. There are no limitations at present with respect to the confidence motions, motions that may be made. The question period which we have established, contrary to what the opposition say; which we really have established in this House, has now been engrafted by the other motion into the Standing Orders of this House to protect it forever-and-a-day from the abuse of a heavy-handed government. During that period of time questions may

be asked. I know that the members in the opposition said yesterday, for instance, that we did not do anything with the question period and the honourable Member for White Bay South has indicated on radio and television that this government have not really done anything with respect to the question period, we do not give answers.

MR. NEARY: That is right.

MR. MARSHALL: Well, I think if the honourable member would consult his Hansard of yesterday he will find that twenty questions were asked and twenty-one were answered - one from a previous day. Today I noticed no hesitation on the part of any of the members in the front benches to answering questions. Every single one that was posed was answered and answered satisfactorily.

AN HON. MEMBER: What about the...

MR. MARSHALL: That is the - I will not even reply. I am too sick today to reply to the Member for Bell Island.

What can the opposition say with respect to this other than support this, Mr. Speaker? I look forward to their enthusiastic support of these rules.

MR. NEARY: The honourable member should not be speaking from the door he should be in his seat. He cannot speak from the door when he is speaking to this honourable House.

MR. SPEAKER: (Stagg): Order please! It is rather unusual for one member, in an unparliamentary manner, to bring to the Speaker's attention that another member is acting in an unparliamentary manner as well. The honourable member does not have the floor.

MR. NEARY: (Inaudible)

MR. MARSHALL: It seems, Mr. Speaker, somebody spoke from their mouth and not from their seat. In any event, Mr. Speaker, what can the opposition say really, other than approve this? What can they do other than approve it? The honourable Member for White Bay South, who I know, deep down inside him, really believes that these rules are beneficial, has to get on radio and television and oppose the government because he looks at the "oppose" in opposition. He got on

last night and he said that this government had to meet all night for the seventy-five hours, and there would be one night or two nights and it will be all over. He should know that twenty-four and twenty-four are forty-eight anyway, so we would have to sit three days and three nights. He says that we stifled the question period. There was not a question period in this House. Look at yesterday! Look! Just listen! Yesterday, the honourable Minister of Fisheries was here and he was asked very important questions, urgent questions relating to the affairs of this province. He got up and he answered them. He did not look over at the honourable the Premier who was then sitting in his seat and ask could

he get up and speak, and get a nod one way or the other. He got up and he gave the information to this House. Then again today the Minister of Finance, the Minister of Fisheries, the Minister of Education, the Minister of Tourism, the honourable the Premier, all around the line, all answered questions. So, who really is fooling whom?

There is a question period, Mr. Speaker.

AN HONOURABLE MEMBER: The first time they were not allowed to ask the question.

MR. MARSHALL: The first time they were not allowed to answer or ask or answer, they were too busy saying, yes, Sir and no, Sir, three bags full, Sir. Are you cold in the back of your neck today, Sir? That was their problem. So, we have a question period now engrafted in the rules. We will not have to meet all night. That is the very reason why we are bringing in this measure, to make it sensible.

AN HONOURABLE MEMBER: A quorum.

MR. SPEAKER: We have a quorum.

MR. MARSHALL: Thank you, Mr. Speaker.

Now, I know one of the objections that will probably emit from the opposition, Mr. Speaker. I am expecting this because it was brought up by the honourable the Leader of the Opposition and the honourable the member for White Bay South, the Opposition House Leader, when we were in committee; that in view of the limitations - they are going to say this - the opposition should be given the opportunity to call the orders.

Mr. Speaker, no government worth its salt is going to give up. I mean, this is what we are elected to do, to govern the country. The unfortunate part about some members of the opposition is that they were defeated and they have never accepted the fact. The members of the opposition want to call the order of business. We have given seventy-five hours, and seventy-five hours there is ample time to go through everything in the estimates. If they have not planned their

time properly and there are other things that arise, they have the opportunity of the budget speech, they have the opportunity every day to come in here and ask questions to a democratic government from which they will receive an answer.

There is one thing, Mr. Speaker, in my desire to draft these rules along the lines not adopted but suggested, just the format not the content necessarily but the format suggested by the opposition in the committee, I omitted one little point that ought to go in there.

I cannot move the amendment of my own motion but I will ask for the sake of discussion now too, I would like to ask and I have the approval of the honourable Minister of Education and it is seconded by the honourable Minister of Health, to move a further just short amendment to the thing just to make it clear because "Supply" of course, included "Interim Supply" with respect to the main estimates; that the Motion No. 7, standing in the name of the honourable the House Leader, be amended by adding a new paragraph (h) to proposed Standing Order 116 which shall read as follows:

"In this Standing Order Committee of Supply shall be deemed to mean both Committee of Supply on the main estimates and the Committee of Supply on any Interim Supply forming a portion of the said main estimates." That is moved by the honourable the Minister of Education and seconded by the honourable the -

MR. W. ROWE: What is going on? I mean, what is going on, Mr. Speaker?

MR. MARSHALL: Well, that is -

MR. W. ROWE: On a point of order, Sir, on a point of order. What is going on now, Sir? I mean this seems to be a remarkable departure from normal procedures. Who is moving? Is somebody moving an amendment? In which case, is the government House Leader finished speaking? Is he speaking to the amendment? What is he doing?

MR. MARSHALL: No, I am going to ask for the amendment to be moved very shortly. I am putting it up for the purpose of discussion. If they want to go by the rules, all-right we shall wait.

AN HONOURABLE MEMBER: Oh, I see, we are now going to go by the rules.

MR. MARSHALL: Oh, yes we are going to go by the rules but we will formally move it and very nicely in due course but in the mean time I am putting it up to give the opposition notice of it so that it can be an addendum, it will be an addendum to the rules when ultimately passed.

Now, Mr. Speaker, I have nothing really more to say about this. I have already outlined the reasons. I think they are good reasons. There will probably be a hue and cry which you would expect from the opposition about limiting debate and what have you but, it must not be forgotten that this is the government which has returned the borrowing power to the legislature. It must not be forgotten that this is the government that has established a question period in the House of Assembly. It must not be forgotten that this is the government that has given more latitude than has been enjoyed in this House of Assembly since the days when the House met during Responsible Government days.

So, if the statements are made by the opposition with respect to this, my only comment is that the credibility, the only way that you can describe the credibility of the opposition now by their statements with respect to reasonable matters such as this is that they are incredible.

So, Mr. Speaker, I have much pleasure then in moving and proposing the amendment to Standing Order 49 which appears on motion 7, the amendment of the Standing Order by the inclusion of new Standing Order no. 116 with (h) added. If they want leave, if they want it formally done, we will do it after.

MR. ROBERTS: Has the honourable gentleman concluded his remarks?

Well, thank you, Mr. Speaker, and I hope I shall not be long on this. Indeed, perhaps the House Leader could indicate to me, are many members on his side intending to enter the debate?

AN HONOURABLE MEMBER: Two or three.

MR. ROBERTS: Two or three. Well, one or two of my colleagues might have a word to say. Some of them, as Your Honour knows, can sometimes be persuaded to say a word or two.



Let me begin by saying I am grateful to the government that in their wisdom, with their majority, that they have not brought in a motion to remove completely the rights of the opposition. I am grateful for that. I am very deeply moved and somewhat impressed by the magnanimity of a government with a majority, a handsome majority in the House, that they are not going to bring in a motion that says that a member shall not speak for say no more than five minutes because it is at least as appropriate as the motion they have got before the Chair now, Sir.

Mr. Speaker, less there be any doubt, let me say at the outset that we do not support this motion, the nine of us or the eight of us, because the gentleman from Labrador North is ill with the flu. It may be the same flu to which the gentleman from St. John's East refers and indeed it may well have been that the gentleman from St. John's East purposely infected the gentleman from Labrador North so that our ranks would be reduced by twelve and one half per cent this day. In any event, there are eight of us here today and I say that my colleagues and I shall vote against this motion.

Now, Sir, I shall not take very long on it. If the motion should carry it may be the last opportunity I have to speak with unlimited time as Leader of the Opposition. I do not think I need very long to state our position.

First of all, Sir, let me say quite clearly that I reject without any reservation the attempt by the government House Leader to pretend that somehow these amendments to the Standing Orders, the amendments to the rules that he has now moved, in any way are related to the report which I submitted to the Select Committee on Rules and Procedure. I have here a copy of my report which was submitted to the eight members of that committee, seven others besides myself, on December 7, 1972.

I do not propose to read it all although I am prepared to if anybody would like to have my dulcet tones for that length of time. The report I submitted, Sir, bears no relationship to the measure now before the House. The measure before the House, Sir, is an attempt by the majority to cut down and to stifle the rights of the minority. Let there be no doubt, that is all it is. It is not an attempt to come to grips with the problems of the time of this House or with the allocation of time to make sure the peoples' business is done. It is simply and wholly and completely an attempt by the government, using their majority to change the rules, to cut down on the opportunity of the opposition to speak and to be heard.

That is all it is, Sir. It is nothing more and it is nothing less. We shall be having a recorded vote on this, not that I expect to win it, Sir. I should imagine the eight of us, (I do not know about the gentleman from Labrador South, He has indicated to me privately he may go along with this motion, in support of it, but that is privately. He will state publicly whatever he feels and he will vote as he wishes) the eight of us will probably be outnumbered. There will be more than eight on the other side and so the motion will be carried by a majority and that is it.

We shall have a recorded vote, Sir, so that it stands in the records, the Journals of the House, who was for it and who was against it. I think that is a good thing. Parliament, Sir, has no secret votes, a very old and a very wise tradition. We are sent here by our constituents to act as we believe best and we shall act publicly and openly. That is why we will be requesting a recorded vote so that honourable gentlemen opposite can record publicly and for all time the fact that they were in favour of this motion or against this motion.

Now, Sir, the recommendations which I made to the Standing Orders Committee, the select committee on rules and procedure, were completely different than the amendments which are now standing before us. The amendments which I suggested, Sir, would in my view have dealt in a proper and a meaningful way with the problem which I for one

readily admit we face in this House and I think any honourable member would agree that in this House we are not sufficiently expeditious in the dispatch of the public business.

Sir, the government majority on that committee did not wish to consider my report. It was never dealt with by the committee, Sir, in any substantial way. It was not, and I went through the minutes again this morning and unless I missed a reference or two, I do not think I did, there was no minute showing the report was dealt with in any substantial way at all. At that stage the government did not want to deal with the problem of limiting the time of the debate, not the time of members, the time of debate, so that we could get ahead with the public business. They just did not want to deal with it. Now we know why, Sir.

The Minister of Finance nearly let the cat out of bag one day on CJON Television, at just about the time this session began, when he said, "But we will get the opposition; we got the way to do it!"

Shortly thereafter, the member for St. John's East moved his motion and there was no reference in it to any limits on time, his motion, the first motion. I think it is motion (2) or something on the Order Paper today, motion (1), Sir, on the Order Paper, stands essentially the report of the committee one small part of which we dissented from but that is another story. That is another motion.

The motion now before the committee was hatched by the gentleman from St. John's East and if I may mix the metaphor somewhat the gentleman from St. John's West was a willing midwife. I do not know if chickens have midwives, Mr. Speaker, but I venture to suggest that if they do the allegory is apt.

It was hatched in the dark of night and it was hatched as a plan. It was part of the same piece as the "Get Neary Movement" we saw fought out in this House the past two or three weeks. It is the same piece as the refusal by the government time and time again to answer questions. We saw again the Minister of Fisheries today stand

and say, "I have answered all the questions I am going to answer." I think I am quoting him both accurately and fully. I am certainly conveying the jist of what he had to say accurately and fully.

It is all of a piece, Sir. It is all of a piece. This is a government that has no desire to give information publicly. The Minister without Portfolio has once again told us in his pious way that we have now got allegedly control of the public borrowing. Some control! Mr. Speaker, they have committed us to \$160,000,000 to buy the shares of CFLco, and there has been no bill before the House. There is a motion on the Order Paper which may or may not be the bill in question, the motion to bring in a bill on the Industrial Development Corporation being allowed to borrow some money to purchase some shares. I am not sure if the bill will do that or not. We do not know. We have not seen the bill but this government has committed us to \$160,000,000 to buy the BRINCO holding, fifty-seven per cent in Churchill Falls, Labrador Corporation, the so-called CFLco, and to purchase also BRINCO's water rights on the Labrador.

That \$160,000,000, it is about ten per cent of the provincial debt. The provincial debt now stands at roughly \$1.4 billion, direct and indirect of which not more than \$200,000,000 is in Your Honour's constituency of Port au Port, the mill which is closed this day.

So here we are. With one stroke they committed us to a ten per cent increase in the public debt because that money will have to be borrowed on the credit of this Province; the NIDC is the credit of this Province, Sir, the \$1.4 billion debt included the NIDC debt.

In one fell swoop, Sir, they have extended the debt by ten per cent, no reference to this House. Whether the House is for or against it, we do not know, Sir. We have never been given the opportunity to speak or to vote. I do not mind the Leader of the Government side, the House Leader, making these little speeches. He has to have something to say and since they will not give him a portfolio to handle, I mean that is the sort of thing he has to say. I believe he genuinely believes what he is saying but the facts just do not

support him, Mr. Speaker. The facts just do not support him. The facts are that this government have not returned any rights to this House. The Minister of Forestry, I am glad to see he has resumed his chair and I welcome him back from wherever he has been,

but the Minister of Forestry told this House, Mr. Speaker, that he was going to table the Forestry Report and he told us that at the end of February month. Well, March month has come and gone and here we are, this is the fourth day of April and still no sign of the report and he will shortly, no doubt, drag himself to his feet and once again tell us it will be made available when he is ready. He has had the report for over a year. I have no quarrel with the -

MR. SPEAKER (Mr. Stagg): The honourable member is dealing with something that appears to be irrelevant to the matter under discussion. Even drawing comparisons or whatever, the matter still appears to be irrelevant.

MR. ROBERTS: Well, I mean, you know, I bit my tongue again. Earlier in the session I delivered myself of a few accurate observations on the ruling of the gentleman from Port au Port. It is not parliamentary to repeat them, so I do not but I certainly have not withdrawn them, I certainly have not buried them in any way.

MR. SPEAKER (Mr. Stagg): The honourable member is again irrelevant.

MR. ROBERTS: I thank Your Honour for drawing my attention to it.



I am always happy when Your Honour -

MR. WM. ROWE: It is funny how he pops up uninvited.

MR. ROBERTS: Well it is not strange and it is anything but funny.

Anyway we will deal with him later. But the motion before the House, Sir, the House Leader was saying how fulsome they are in providing information and how happy they are. I am merely pointing out that they do not provide information, that their words do not get support from their actions. That is all it is. The people of Newfoundland know it. I know in this House, Sir, we are not going to win any votes. We are not going to win the vote on this motion, more of them will vote for it than those of us who will vote against it. But, Sir, this is not the body who will decide in the long run. The body who will decide in the long run will be the people who sent us here. Sir, you will see a different vote there than you will in this House, a different vote because the people of Newfoundland are beginning to realize that this government is arrogant, that they are determined not to protect the rights of the House but to trample on the rights of the House, and this motion gives us further proof of that.

Now, Sir, we oppose it. We oppose first of all part one, which puts a limit of forty-five minutes, at any time, in any debate, forty-five minutes except, and there are a number of exceptions. There is some very bad grammar in the second part of it but we have come to expect that. It certainly was not drafted by any draftsman but if Your Honour wish to gaze Your Honour's learned eye upon part (b), the last sentence in part (b) of that, I invite Your Honour to tell me what it means. I submit that the language is not clear. I think it says, it now says, "Or makes a motion of 'No Confidence' in the government." That should say, "Or the Leader of the Opposition makes a motion of "No Confidence" in the government." It could be the Leader of the Opposition or it could be the minister, the way the motion now reads.

But leaving that aside, we do not support it. The suggestion which I made to the committee was that we follow the practice adopted in other provinces and in Ottawa of putting sufficient limits. I might add



the committee as a whole, Sir, as I recall it on this point of a limit, because it was suggested by Mr. Harry Cummings, Q.C. - he is the present Registrar of the Court, a former Clerk of this House who was invited to give his comments to the committee and he did give his comments and he made the point that he thought it should be forty-five minutes or less per member. The committee when we consider this, did not accept it. The eight of us did not accept it.

My recommendation was that we put a limit on the number of days. Now it may be said well that means - I suggested, by the way, twelve sitting days. Now a sitting day is not a defined period of time. Your Honour, it can be three hours or it can be six. Indeed we have had sitting days in this House, in this present General Assembly, of twenty-six or twenty-seven hours in all. But I suggested twelve sitting days. That would enable, at ninety minutes each that would enable twenty-four members to speak. Many members do not choose to take ninety minutes. We would certainly have more than twenty-four, even if we met only three hours a day. But if we met six hours a day every member would be able to participate in the Throne Speech debate within the ninety-minute limit unless the Premier or the Leader of the Opposition went on for four or five or six days. I suggest that is not likely, Sir. I suggest that it is highly unlikely.

I am as loquacious as any Leader of the Opposition has been. the Premier is not as loquacious as any Premier has been but that is only one of his problems. I suggest that -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Did somebody bring the Deity into it again? Well I thank God for the Premier, I do. Quite humbly and quite sincerely I do. You will find the references in the Bible, Sir, of the seven plagues of Israel and I suggest that you will find the Premier right there. One of the others, Sir, the first born who was not slain, is the gentleman from Burgeo LaPoile.

Now as I was saying, Mr. Speaker, before the gentleman so rudely decided to interrupt me, the suggestion which I made was not to limit individual time but to limit the time the House devoted to a subject, namely the Address in Reply. I still think we should do that rather than this. I feel that we should come to grips with the time limit problem. I think I was the one first to raise it. But to do it in the way now before the committee and before the House, Sir, in my view is the wrong way to do it. We could still bring in the twelve days and let every member have adequate chance to speak. If many members should want to speak, we could meet from 8:00 p.m. to 11:00 p.m. or from 8:00 p.m. until 11:00 p.m. or 12:00 p.m. or 1:00 a.m. or 2:00 a.m. or less reason than that. Anyway that takes care of motion one or part one of this motion.

Part two is aimed squarely and fairly at emasculating the oldest function of this House and I am somewhat surprised that the gentleman from St. John's East who used to be such a champion of the rights of the House and still pretends to be such a champion of the rights of the House that the gentleman from St. John's East should sponsor this motion.

Now, Sir, we have in the last four or five sessions of the House spent an average of 120 hours to 130 hours on the debate on the estimates. It is about that. The gentleman from St. Mary's looks up but it is about that. The House Leader may have the figures. It is thirty-one or thirty-two days.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Well that is, three twenty-six's = ninety-eight; one hundred hours. But one of those sittings was all night. Seventy-eight, and they are adding an all-night sitting of -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Well the honourable gentleman's figures and mine do not coincide. Well getting them from the Clerk I would submit is only proof that one has them from the Clerk. It does not say they are correct.

MR. MARSHALL: Inaudible.

MR. ROBERTS: It is. I had somebody go through the Hansards and the figure I was given the last four or five years, the three years which we have been in opposition and the two years before it when the gentleman from St. John's East and Mr. Wells from Humber East were over here, it has been about 100 hours to 120 hours.

Not too much, Sir, for a province whose expenditures are growing. We will spend this year, I do not know what the budget will be, my guess is at least \$800 million on current and capital account, seventy-five hours is \$10 million an hour. We are going to be wacking it through \$10 million an hour; sixty minutes in an hour, that is about \$166,000 a minute.

In other words, Sir, if Your Honour were to go out for a ten minute cigarette-break or whatever vice Your Honour may choose to indulge in outside the Chamber for ten minutes, Your Honour would have missed \$1.6 million worth of expenditure whizzing through the House.

I do not think that it is right. I have no argument with limiting the time of debate in committee, indeed I suggested it. I suggested ninety sittings, that is the Ontario one, I thought we might look at sixty sittings, that would be the outside limit. There are other constraints. There are other rules of relevancy. Apparently we are going to have a rule of giving the Deputy Speaker, the Chairman of Committees, the power to decide what is needless repetition. Apparently we are going to have that. That would be a very effective weapon in the hands of a ruthless chairman. If he were the least bit non-objective, if he were the least bit partisan, that could be a devastating weapon. If we are to have adequate and ample sanctions to make sure that the estimates get through expeditiously. But Sir, this will not do that. This will force them through tyrannically. There is nothing to prevent gentlemen on the other side getting up and talking for seventy-

three of the seventy-five hours. If this rule should come in, we shall see the House of Assembly forced to rush things through, forced to decide questions without adequate debate. We will

see the House of Assembly deprived of the most powerful weapon, deprived of that function for which a king lost his head in England, for which governments have fallen; the principle that this House alone, the elected members alone control supply. They will no longer be given that power, Sir. They have got seventy-five hours to control supply. If they are not satisfied at the end of seventy-five hours, they can go whistle "Dixie" or whistle whatever they want but they have no further right of control.

So the principle for which a civil war was fought in The England from whom we take our practices, fought three hundred years ago, the principle for which a king lost his head, the principle of responsible government, a truly responsible government, a government responsible, the executive responsible to the legislature, that principle, Sir, will now die. It will, at the hands of the gentleman for St. John's East, and emerge with a new principle: "Say what you want but for seventy-five hours only, and we will keep her going for seventy-five hours." There is nothing in here, nothing in here to prevent the House Leader keeping the House going for seventy-five hours.

An endurance contest. We already had twenty-six, twenty-seven, twenty-eight, thirty hours sessions. If he were genuine in his concern for the House, Sir, I venture to suggest we should see this, if he should stick by his seventy-five hours, we shall see quite clearly a firm commitment that there be so many sessions, twenty or twenty-five sessions or sitting days to deal with it. No, Sir, that is not their intent. Their intent is to ram these through, I can see it now, on a Tuesday the Minister of Finance will bring down his speech, but on a Wednesday they will cut off Private Members' Day and then Thursday we will go into the estimates and we will sit Thursday and Friday and Saturday and about midnight Saturday we will have clued up all of the estimates. Great!

The next step, the next amendment the gentleman opposite will make to the rules on that principle is that the House of Assembly does not need to meet at all, that they have a majority. I can see it now, a bill, "An Act To Confer Upon The Government The Power We Think We Should Have."

AN HON. MEMBER: Inaudible.

MR. ROBERTS: That follows, Sir, this is a dastardly motion. We oppose it.

Now, Mr. Speaker, let me say a word or two on the referral of estimates to committee. That is a procedure which is in effect elsewhere. It is a good procedure in my view. But the procedure laid down in this motion is not a good procedure. There is nothing to say, Sir, there is nothing to say that the committees on estimates shall meet. Nothing at all. There is nothing to say how long - I suppose it could be necessarily inferred they shall meet but there is no commitment in here. There is nothing to say whether they shall meet for one hour or one hundred hours. It is quite possible, I can see it now, the government have a majority on the committee - the gentleman for Labrador South might listen carefully to this because he will get the shaft on it as well as we - the majority on the committee, well they are entitled to that, they are a majority in the House. The committee will reflect the composition of the House. That is fair enough.

I can see it now on the first day one of them leaps to his feet and says, "Mr. Chairman, I move that this committee now reports," and that is put and carried. Indeed it can be carried with closure because the rules of the House apply to the rules of a committee. So I can see that. I can see the estimates of ten departments shot through like the proverbial something through the goose.

Ah! The House Leader may say I am being an alarmist. Sir, it is the function of the opposition to fight for the rules. The rules of this House have grown up over generations, hundreds of years, going back through Beauchesne, back through Sir Erskine May's work, all the other great works on parliamentary government. The rules of this House have grown up to protect the rights of all the members of this House. We should be wary of changing them.

There is no provision here for who shall call meetings of these committees. Presumably it is the chairman but suppose the majority do not want to meet, suppose they do not. The government have a majority and unless they have a majority turn up, there is no quorum present. At



the end of the twenty-fifth day (Is it?) the estimates must be reported to the House. It is quite possible under this rule as it is drafted, it is quite possible, Mr. Speaker, that ten departments' estimates can never be considered. The Education Department can be sent to a committee. It is quite possible under these rules that that committee will never meet.

AN HON. MEMBER: Remember the last public accounts committee?

MR. ROBERTS: The public accounts committee, the government members boycotted it after the first meeting or so, it never could meet.

It says, "Fifty per cent of the complement of such committee shall form a quorum." That is in "116 (b). As suggested, there may never be a quorum, Sir, the government have that in their control. At the end of the twenty-fifth day, whether it met or not, whether any minimum number of hours have been decided or not, we could have Education sent to a committee, we could have Health sent to a committee, we could have Finance sent to a committee, Rural Development, all sent to a committee and the committee never meets.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: It is possible. They may say, "Unlikely" but, Sir, these rules allow it. It is not possible now, Sir, as every estimate must come before this House, every estimate. There is no way around it, but they found a way around it. Dastardly, Sir! Dastardly! A deliberate attempt to stifle the House!

Well they may get away with it. They have a majority and if our eloquent and their common sense cannot prevail upon a number of members on that side to vote against this motion, then they have the majority and they will carry it. There are only eight of us and maybe the gentleman for Labrador South.

AN HON. MEMBER: There are only nine of them.

MR. ROBERTS: There are only nine of them, are there? Let us have a quorum call, please, Mr. Speaker.

AN HON. MEMBER: There are only nine.

MR. SPEAKER: would the Clerk count the House, please?

MR. SPEAKER: Order, please! There is a quorum. Order, please!

I would like to remind honourable members even when they are entitled to speak, they should speak from their proper places in this honourable House.

MR. ROBERTS: Thank you, Mr. Speaker. It is good to see so many familiar faces. I am happy they are back.

Now, Sir, as I was saying - and that shows their concern, it shows their concern for this. They are not even interested enough to stay in their seats most of them, Sir. But any way, I have made the point. I do not intend go on making it again and again. But the point is there and I submit it particularly for the consideration of the gentleman for Labrador South. Under these rules there is nothing at all to prevent this government or any government, and let it be remembered, Mr. Speaker, that this government may or may not have honourable intentions but there will be another government and it may or may not have honourable intentions but the power is there. The ten departmental estimates could be put through without any debate at all, simply because a quorum never is called to meet, a quorum never comes to the meeting and at the twenty-fifth day the committee must report to the House.

Now if I ever heard of an infringement of the rights of the opposition, Sir, this is it. It is shameful! I am outraged! I have sat in this House for eight years, I have sat on both sides of the House, I have been involved in all sorts of debates and I have been involved in somethings which

I perhaps would not want to do again, honest mistakes. But, Sir, this is not a mistake. This is a deliberate attempt to muzzle this House. That is all it is, Mr. Speaker. I say again that if these rules should go through, Sir, this House will not be able to function as effectively as it should. It will not be able to do the job. Members will not have the opportunity to question. We had \$800 million of expenditure this year. Up to ten of them, and maybe \$700 million, can be flung out to committees. Consider it. Oh, we will keep the legislative head in here, it is \$400,000 or \$500,000. We will keep three, four, five or six of the lesser heads in here. It is quite possible that \$600 million or \$700 million could be put out to committees, government majority committees, never meet for lack of a quorum. It is incredible that a man who in the past so sanctimoniously used to talk about the rights of the House would sponsor such a motion. It is incredible that gentlemen opposite apparently are prepared to support it. I implore them. I do not mind the gentleman from Burgeo, Sir, because most of the time he does not know what he is doing anyway.

MR. EVANS: (Inaudible).

MR. ROBERTS: Mr. Speaker, how can I cut out the bull when I am looking at the product of a bull across the House.

Now, Mr. Speaker, I implore the government to withdraw this motion, to set up a standing committee, to set one up and to get to work on it. I am quite willing to say, as I have said before, that we for our part are willing to come to grips with the problem of limiting the time of debates. I have submitted recommendations as an individual, an individual member of the committee, and I am prepared to stand by them and to submit them again to a committee and to have them discussed.

The gentleman from Labrador West is a fair-minded gentleman; let him support such a motion to have a committee set up. What is the rush? I will say what the rush is. They are going to bring in the budget within the next week or so and they are scared. They

know that they are getting roasted in the House this year, Mr. Speaker, and they are scared to have the estimates go through the procedure that has been used for 130 years in this Chamber. They are scared of it, they are afraid. Their great, big majority of thirty-two - the nine, of us and the gentleman from Labrador South, the ten of us on this side have scared them. They are scared. They cannot stand the examination. They know that they have things to hide and they are trying desperately to find a way to prevent us from bringing them out. That is what is bringing this in.

Mr. Speaker, I implore honourable gentlemen opposite not to vote for this. We will agree to have it withdrawn, to let it drop. Set up a committee this day, give it a week or two or three to bring back its report on this one point and then we will see what can be done. We can do better than this, Sir. If they want to adopt what other jurisdictions do, what about doing what Ontario and Ottawa do and allow the opposition a given number of days for a non-confidence motion. I suggested three, the debate to be from three to six days, or possibly from three to eleven. It is done in Ontario, it is done in Ottawa. The opposition select the topic. In Ottawa it is normally a two day debate. At the end of the second day of the debate, the vote is taken. Everybody does not have to speak. Both sides put up their speakers and the opposition suggest the topic. I think the most recent one that Mr. Stanfield brought in was on housing. Then they had one earlier. Mr. Jack Marshall; the Member for Humber, St. George's, St. Barbe, moved one on the Veterans' Land Act.

Mr. Speaker, this is the sort of thing we should be doing. Let the opposition bring up their topics. Our present Private Members' Day is a farce. It is a farce! There are eight, nine or ten motions there now, Sir, most of which will never be called. We have already met seven or eight weeks and we are still on the first motion. The gentleman from St. John's South has a good motion on the Order Paper and one which should be debated. It may never see the light of

day. Apparently the motion of the honourable gentleman from St. John's North is going to keep us here for the next six or eight weeks. I believe the motion put down by the gentleman from St. John's South should be debated. I think it is the sort of thing which private members should bring into this House.

Mr. Speaker, our procedures are antiquated. Let us improve them but this is not the way to do it. It is not right, Sir. Anybody who has a true concern for this House, for the traditions which we represent, for the functions we are supposed to carry out, for the people we are serving, will not vote for this, Sir. They will vote against it. It is a bad motion and I oppose it.

SOME HON. MEMBERS: Hear! Hear!

MR. MARTIN: Mr. Speaker, I must plead ignorance of certain rules at this point and I would just like to have one brief ruling before I speak on this. The amendment is in two parts. Are we to vote on the whole amendment or are we to vote twice, one on part one and one on part two?

MR. ROBERTS: (Inaudible).

MR. MARTIN: So the vote deals with the whole amendment. Very good!

MR. ROBERTS: Mr. Speaker, there is only one motion on the Order Paper and so the question before the House essentially is Motion 7. The honourable gentleman has the same right as does any honourable gentleman to move that that motion be amended and the amendment would presumably be that Clause (b) be dropped or something, if he only

wants to vote on part of it. He could do it that way. One of us would second his motion gladly if he wants that.

MR. MARTIN: Fine. That is fine, Mr. Speaker. That is all I wanted cleared up. It seems to me that there are two separate matters here to be discussed, first being whether or not we are wasting too much time in debate with needless repetition or whatever. Secondly, whether we should bring in this new system to deal with the Committee of Supply.

Now, in the first instance, I most certainly agree with limiting the time for members speaking to forty-five minutes. I think that is plenty of time for anybody. With the exception of the Premier and the Leader of the Opposition who should have more time, I think that is enough time for any member to make his point. If a member cannot make his point in forty-five minutes, if he has an issue, an argument before the House that requires more than forty-five minutes, I think he will be making enough sense to then go before the House and ask leave to have his time extended. I think in a case like that nobody would deny him that right but ordinarily on any issue that comes before this floor as a matter of routine, I think forty-five minutes is plenty of time to make a point.

On the second part of the amendment - you know, I have been listening to the honourable the Leader of the Opposition for the little bit of time that I have had in this House and in listening to his part of the debate, I have tried to decide whether or not he is making good, legitimate sense or whether he is trying to score a political point. I would like to say that in this particular case I think that he has a good case. I do not think that in this particular instance he is trying to score a political point. I think the case he makes is a valid one and I think we should take a very, very close look at it. It certainly will not hurt us to have it referred and to take a second look. It never hurt anybody to take a second look at things.

I do not know if it is in order or not if I may amend an amendment but I am just going to make a suggestion and perhaps the speaker who follows can make an amendment to the amendment or move an amendment to the amendment.



I would like to see section 2 dropped altogether.

MR. ROBERTS: There is no amendment. There is a motion before the House.

MR. MARTIN: The motion. Okay! As it stands I cannot support the motion as long as there is this second part with regard to the Committee of Supply, I cannot support the motion as long as that stands on it.

MR. ROBERTS: The honourable gentleman could then move that part (2) be deleted.

MR. MARTIN: I so move that part (2) be deleted from the motion as it stands. I believe the honourable the Leader of the Opposition said that he would second that motion.

MR. ROBERTS: Inaudible.

MR. SPEAKER: The amendment to the motion is that part (2) be deleted. I find the amendment acceptable in structural form. Does any honourable member wish to speak to the amendment or shall I put it?

MR. MARSHALL: I would like to say a few words about the amendment, Mr. Speaker, because I think it arises as a result of

certain statements that were made by the honourable Leader of the Opposition which are in truth really erroneous.

First of all, may I just point out again that seventy-five hours is more, despite what the Leader of the Opposition says about the time, is more than what was consumed in the past ten years with the exception of one year in 1970 when more than seventy-five hours were consumed. So, this is more by far than the other nine years or pretty well by far. In some cases it is somewhat near.

Now with respect to his observations on the committees, that if it be put to committees; in the first instance let me say that we will strive to have the committee system in effect as soon as possible. There is a lot of logistics that have to go along with it with respect to staffing and what have you. We are going to try this year but whether it is possible that remains to be seen.

However, to the point, Mr. Speaker, to the point made by the Leader of the Opposition that this thing as drafted will enable referral of estimates to committees, the committees not meet and then they be passed in a three hour debate. This is nonsensical really because in the present rules of this House are provisions. In the present rules of this House, for instance, if when the honourable Minister of Finance brought in his budget speech and began the estimates, if we wanted to any government could, we are not going to, but if we wanted to there is a provision in these rules right now that we could stand up and invoke closure and have it put through the next day, completely all the way through.

We would not do that because no sensible government would really do it. Neither would any sensible government be able to last for long if they refer matters to the committee and do not see that the committees are being given an opportunity to function. It is not a case of the ordinary committee where it is just put somewhere and forgotten. There is provision in there that they must report within fifteen days and the report must be made to the House, and the public of Newfoundland would know if the committee did not meet. So that really is a lot of nonsense.

The fact of the matter is that in Ontario, where they have the committee system, and in other areas this wording with respect to committees is exactly similar to the one in Ontario where they have the right to refer estimates to committees. The general rules of the actual time of days of meetings and all the rest of it, the rules of the House of Assembly will apply to the committees.

You cannot sit down and stipulate every single little thing that might possibly come out in committee itself. So the point raised by the Leader of the Opposition is really fallacious because the answer is any government that wish to, the rules are there now, if any government wish to bring in closure they can just cancel the whole thing out. Any government that does that is going to have to answer to an electorate and if there is any way or form at all, as the people of Newfoundland are, it would not last.

MR. M. MARTIN: Would the honourable member permit a question please? Is there not a subtle difference in evoking closure and in limiting debate as this would do?

MR. MARSHALL: Oh, there is. There is a most definite distinction because the evoking of closure is really more vicious than the limiting of debate because the opposition then does not know when they begin the debate how long they have. If a government wish to be, wish to operate in a tyrannic fashion they could come, as I say, under these Standing Orders, and bring it in right away and there would be one day considering the estimates and through they go. But no government would and certainly not this government nor would any government really. The members on the other side of the House, if they were, when the day comes when they form the government or any party that forms the government would not dare refer estimates to committees without allowing the committees adequate time to be able to consider. I point out committee system is a new innovation, it is really an innovation here. There are procedures here as the honourable members know for the appointment of committees but they have been completely and absolutely ineffective.

So, we have to proceed into it slowly. We can only look at

the example of other jurisdictions such as the Legislative Assembly of Ontario. We are doing exactly the same thing with respect to committees as the Legislative Assembly of Ontario does. It is not the intention of this government to, as I say, tyrannize the opposition. If it wish to right now, I mean even under these rules we could still do the same, bring in closure. This is the point I am trying to make is

that you have got to have when you set up committees like that, you have to have a beginning point when they are referred and a time when they are referred back. Otherwise, as the honourable members know, there would be nothing done. You cannot turn around and you know, do that which the Leader of the Opposition suggests. I mean, it is just completely ludicrous, no government would. There would be rioting if a government so referred things to committee.

They are going to be public committees, by the way. They are not going to be, we are not going to go off in a corner, like they did in the cabinet room when they were in, and borrow money right, left and center. What we are going to do is we are going to have public committee hearings. All hearings of the committees of the House of this nature would be public and the public will see what is going on. It is not an attempt to camouflage and keep things under cover. Then after the report is in, after the committee has considered it, we will then come back to the House and a report will be made and the members can get up for three hours and point out any deficiencies, that they did not have enough time for this, that they felt that the chairman said, you know, that this was not really the slant of the thing and it was utterly disgraceful that an expenditure was made in this area or proposed for this area when there was nothing for roads in Comfort Cove or what have you.

So, I just say to the honourable member for Labrador South that this is a sincere attempt, regardless of what the Leader of the Opposition says, to limit the debate in a sensible fashion. We could not do it. He wanted it, as he indicated -

AN HONOURABLE MEMBER: Inaudible.

MR. MARSHALL: No, the honourable Leader of the Opposition wanted to limit, as he indicated, the Throne Speech to a certain number of days. He wanted to do the limitations of the speeches. I think that that is really more an infringement on the rights of members because you would get those, I say, who are more perhaps forceful or articulate monopolizing the time of the House. So, we have done it on forty-five

minutes, which the honourable member agrees with, but we could not do that in supply. It would be kind of nice if you could do it really in supply but that would not be fair because the question lead from an answer, and that is not the nature of supply.

So, we had to put some limitation on the Committee of Supply. We have taken the average sittings, looked at the average sittings in the past ten years, 21.36 sittings. Even if you multiply that by three, which you cannot for reasons I indicated in the main debate, there you are talking; the average was sixty-three hours each year for the ten years. So, we had to limit the time in estimates. We want to get the committee system going effectively because here again that is something else too.

That will involve, I would suggest if we get committees going, it will tend to involve private members in the House much more than they are right here in Committee of the Whole because in Committee of the Whole here again there is a tendency for perhaps there to be monopolization by some people of the time of the committee.

So, I feel that the objection that the Leader of the Opposition made is one that when he looks at the wording - he interprets it literally but if he looked at the wording on the Standing Orders, the present Standing Order, I suggest that they have a much worse situation.

MR. W. ROWE: I just mean to speak for about thirty seconds or a minute on the amendment which we are going to support. The honourable the House Leader has again tried to drag a bunch of persiflage across the main issue, tried to equate a government cutting off debate by closure with a government having things referred to committees and committees not meeting and both having equal political consequences in the eyes of the public which is of course ridiculous.

What the honourable member for Labrador South said was true. There is a difference. He said a subtle difference. I say it is a drastic difference in the two things altogether. If the government wish to invoke closure in this House, they give notice that they are going to do



so, give some time for public opinion to come to the fore, for people to hear that here is a government that is cutting off debate on the important matter of estimates going through the House, the House giving approval, detailed scrutiny and approval to estimates and money being voted for in the House. That is one thing and it also gives backbenchers on the government side an opportunity to look at the question of public opinion, look at the rightness or wrongness of what the government intend to do and then to go to the ministry and say, "Look, we are not going to support this" or in caucus "We urge you not to proceed with the closure provisions."

Now, that is one situation, a highly volatile political situation which any government would bring into the House at its own peril.

What the House Leader is trying to do is something entirely different, something much more insidious. What he is trying to do is bring in this committee system and then have things referred to it, very controversial things referred to it. As the Leader of the Opposition said, these committees may never meet, Mr. Speaker, or if they do meet the majority of the government members on them in a particular case may say; "I move" as he said; "I move that the committee report to the House" and that is the end of it. It is quite possible that in committee which is not so public as this House of Assembly, it is quite possible for the committee not to give the detailed scrutiny to say ten departments that these departments would be given in this House.

Where does the committee meet? Some room? The labour board room or something? Nobody can even find the thing even if it is public. If it meets while this House of Assembly is in session, most of the press are going to be here in the House of Assembly. They are not going to be down in the labour board room or some place like that. It is a very dangerous and insidious thing that the House Leader is trying to do. What he is doing is detracting from the rights and privileges of this House of Assembly, a public forum where the press is always, is always in attendance, the members of the public are always in attendance, and trying to shove it down into a committee meeting in a quasi-private fashion. It might be open to the public but it is private, for all intents and purposes, as very few people will ever come to it. The members of the press will not feel the same urgency to go to it probably and the same scrutiny will not be given to it.

There is not the same opportunity in that situation, and here is the important point, there is not the same opportunity for there to be a public outcry against the government which do that. It does not have the same political effect at all as members of the opposition going on the airways and saying; "This government are trying to cut off debate by invoking closure." For us to go on

the airways and say; "This government have referred the Department of Education Estimates to a committee and the committee has not met for five or ten days," So what! Members of the public are not going to be moved politically in the same way as they would be if it came to their knowledge that the government by force of its majority had in fact cut off debate on the estimates and supply going through this House.

The House Leader cannot equate the two things. What he is trying to do is very dangerous and we in the opposition and the official opposition, and I am glad to see the Member for Bell Island, feel it our bounden duty to protect the public interest in this regard. To protect the public interest, and if the honourable minister is trying to say that they do it in Ontario, they might do it in Great Britain and all those places, Mr. Speaker, we are talking about -

AN HON. MEMBER: (Inaudible)

MR. W.N. ROWE: Oh! Yes. In any event, the Member for St. John's East, I meant.

We are a House here, Sir, of forty-two members, most of whom are in the government or nearly half of whom are in the government itself. To compare this House which meets for about three months during the year, and we are paid to meet all of the time, for that matter, which meets three months throughout the year, to compare this House to the House in Great Britain with six or seven hundred members or the House in Ottawa with three hundred members, where they have enough talent and numbers to choose from to set up committees and this that and the other thing, where they are not niggardly or laggard in providing staff for all these committees, having high-class, highly paid officials, a staff of those committees, to compare this situation with what the House Leader is trying to do here, Mr. Speaker, is to compare chalk with cheese. There is no comparison.

We are not meeting too long. If this House were to meet

for five months out of the year instead of the usual three it would not be too long. It is not too much to ask that a House sit for three or four months and scrutinize in detail, before the press, before whatever public want to come here, before all the Members of the House who might be swayed one way or another by the arguments, and to hear all

kinds of debate, to ask that that be done, Sir, is not asking too much. It is what we were elected to do, it is what we are being paid to do. This is what the House Leader is trying to do now and that is to fritter away at that principle, Sir, that has served this province well I would submit as well as any other method for the last 140 years or however long the House has been in existence. Therefore, Sir, we have great pleasure in supporting the amendment proposed by the Member for Labrador South.

MR. NEARY: Mr. Speaker, I support the amendment proposed by my colleague to my right here, the Hon. Member for Labrador South. I do so, Sir, gladly.

Mr. Speaker, if we followed to the letter the recommendations made by the Minister without Portfolio, the House Leader on the government side of the House, Sir, we may as well put a sign outside the Chamber here, hang a sign outside the door, saying, "Out of business. This House is out of business." What they are trying to do, Sir, is shift the activities of this honourable House down on one of the other floors of this building. It is a deliberate attempt, Sir, to conceal from the press, from the media, who in turn report to the people of this province. Mr. Speaker, the only way the people of this province know what is going on in this honourable House, Sir, is through the media, whether it be good, bad or indifferent. There are very few people who write in and ask for the Verbatim Report of the proceedings of the House of Assembly. There are not very many. Maybe the odd ex-politician might be interested in what goes on here.

AN HON. MEMBER: (Inaudible).

MR. NEARY: I was glad to see Major Cashin on television last night, Sir, I was very interested in what he had to say.

Sir, in my opinion, this is the type of thing that was done in Italy during Mussolini's time and in Germany leading up to Hitler's regime. They want to set up a dictatorship, Sir. They are going about it in a kind of a sly, cute way. They are sneaking it in.

Every time the Minister without Portfolio's facade appears on the television, he loses his party about 10,000 votes, Mr. Speaker. The people of this province know what he is up to. I do not know whether it is parliamentary to say that they do not trust him but I certainly do not trust him. I was in this honourable House, Sir, when this honourable gentleman was on this side, the great freedom fighter, standing up for democracy. Now he is trying to invoke a dictatorship on the people of this province. I can tell the honourable minister that he is not going to get away with it, he is not going to. We are going to dig in and fight it. Then he tries to shift some of the blame, if that is the proper way to put it, over on the Leader of the Opposition. I can tell the minister right now that he is not going to get away with this. This is not going to become law, that his recommendations are not going to become a part of the Standing Orders of this honourable House. They are not going to. I can tell the minister that right now.

Sir, I support the amendment. I will have more to say, Sir, when we get back to the main motion again.

MR. SPEAKER: Those in favour of the amendment, "aye." Those against the amendment, "nay." The amendment is defeated.

MR. ROBERTS: Noted on division.

MR. SPEAKER: The Table notes on division. There is somebody else to speak on the motion itself now. Nobody else wishes to speak?

MR. OTTENHEIMER: Mr. Speaker, seconded by the Minister of Health, this is the amendment referred to by the House Leader in his opening remarks. It is



to the effect that motion number (7), standing in the name of the House Leader be amended by adding a new paragraph (h) to propose Standing Order (116) which will read as follows, "In this Standing Order Committee of Supply shall be deemed to mean both Committee of Supply and the main estimates and the Committee of Supply on any interim supply forming a portion of the said main estimates."

I should point out what is obvious actually or should be obvious and that is that this would be for future years. This would not indicate that time involved in debate of interim supply a week ago counts as the time for the overall estimates this year. That would be operative in future.

MR. SPEAKER: The amendment appears to be in order from a structural viewpoint. Does any honourable member wish to speak to the amendment?

The honourable Leader of the Opposition.

MR. ROBERTS: Thank you, Mr. Speaker. I will just say simply that we oppose it for the same reasons as I gave previously, my friend and colleague from White Bay South and my friend and colleague from Bell Island gave previously. We oppose the amendment. I do not really see any point in stating our objections again and so I will content myself with saying we do oppose it.

MR. SPEAKER: Those in favour of the amendment "aye", those against the amendment "nay". The amendment is carried.

Are there other honourable members who wish to speak to this same motion?

Should the honourable minister speak now, he closes the debate.

MR. MARSHALL: Mr. Speaker, there is not really much to state in closing the debate because of the fact that there really was not much of substance said against this particular motion. It is not, I repeat again, an attempt to cut out debate of any kind. It is merely an attempt to have the members of this House from all sides organize their thoughts efficiently and effectively so that the business of this House can be carried on.

The amendments are, I do not need to go into the forty-five

minutes - I have gone into that at great length, that they are similar to what appears in other jurisdictions and they are what was recommended by Mr. Henry Cummings while he was there, which was forty-five minutes. Certainly that would appear to be a logical time.

There are plenty of safeguards build around this: That a member introducing a motion or a vote of non-confidence can speak for such unlimited time as the subjects will require.

Now, the honourable Leader of the Opposition and the Opposition have readily admitted that there is not, the House is not sufficiently expeditious to discharge its duty in an efficient manner. Where we draw issue with the honourable Leader of the Opposition is; we agree with him, we agree with him that the debate in this House is such that insofar as the rules can change it, it has to be changed in order to try to establish the climate anyway for a new regime in the House, but where we will differ with him is his modus operandi of doing it. The way in which the honourable the Leader of the Opposition wishes to do it is simply to limit the time for debate, for the debates themselves. He looks at the Throne Speech and he has suggested twelve days. He looks at the Budget Speech and he suggested in the committee report a certain period of time, I do not now remember which.

He looks at the estimates and also suggests a certain period of time.

Now, Mr. Speaker, we do not feel that the best way to do it is to limit the time for the total debate, for reasons given. Those who are

perhaps a little bit more forceful, as I say, will be speaking for a much longer period of time, will be monopolizing the time of the House or the committee, and it is better to limit the time of speeches, so that is what we have done.

He said that his report was not dealt with: These are the reports, Mr. Speaker, that were given by all members of the committee. When the Committee on Rules met, two years ago, the very first thing that we did was to assign to each member a certain area of research, to research the rules.

The Leader of the Opposition, for a very good reason, it was suggested and he readily accepted and did a good paper on the matter of limitation of time in debates and the estimates.

The Opposition House Leader did a very good paper with respect to the question periods and so on.

These papers took a lot of time to do and they were very valuable and they were all considered.

As I remember, at the particular time we had made a great deal of progress in the committee; and I still feel that the results, Motion (1) on the Order Paper, indicate a great deal of progress, because they show where there was agreement between the parties, between all the members, unanimous agreement.

We brought in that motion as Motion No. 1, because we did not think it fair to bring in another motion on which there would not be unanimity in the committee.

Now when we came to time limits: Time limits we realize are an awfully touchy thing, people are going to have varying ideas on it and the matter ought best to be brought up before the House as a whole so that all members could have an opportunity to express their opinions.

It was a duty of government, of course, as it is always a duty of governments to lead the way, come to grips with the problem. The Hon. Leader of the Opposition suggested we had not but we had come to grips with it earlier in this particular session, we did, we had done so then, we intended to and this is the result.

We have no desite, Mr. Speaker, to curtail the debate in this honourable House. I repeat again that this government have done more to put the Legislative Assembly of this Province back in the place of importance in public affairs that it deserves but it had not had, up for a period of about forty years. We have returned all sorts of powers to the House itself. We came in here in a new assembly, with new people. As I indicated, we had great hopes, and even maybe the older rules might suffice for a while.

Obviously it has been two years since we got in, and it has been two years since we brought the recommendations in, and we make no apologies whatsoever for it because we had to first of all observe the operation of new people under the old rules, to see just how defective the old rules were.

We have certainly seen that, Mr. Speaker- as to how defective the previous rules were. We make no attempts at claiming that these rules are all-embracing that we propose both in Motion No (1) and this Motion No. (7). Undoubtedly there will have to be other changes made from time to time.

The honourable Member for Labrador South has expressed certain reservations of great concern to him and which I respect. I want to assure him that, as in all rules, we are going to try these on for size. We feel that they are quite workable. There is absolutely no intention whatsoever of muzzling public debate nor public information nor what have you. If they do not work, well we will look at them again. Certainly one has to begin somewhere.

Now the Hon. Leader of the Opposition went on at great length about us emasculating the ancient rights of this House of Assembly. I have dealt partially with that. I want to re-emphasize again that the figures which I got with respect to the estimates differ much, vary quite a bit from what he had

when we were in the opposition, by the way, we had nothing that we could do this particular type of research. I would like to mention this also, the point of how we have improved the Legislative Assembly. Look, it gets me sick really and I should not get going on this track I suppose. When we were over there three, four, five or however many we were, we did not have a nickel to call our own to operate by. We hardly had a nickel to operate. The Hon. Minister of Fisheries will indicate, will agree with me. We had an office over there, we had one stenographer, we had one assistant and we were lucky to get him. We had none of the largess of money that the opposition have over there now that this government have so generously given them.

So this government should, I am not complaining that they have money over there to operate properly but I look with a certain degree, I can tell you right now, I look with a certain degree of distaste at somebody on the other side of this House, the Leader of the Opposition getting up and saying, "When we are bringing in this type of thing we are emasculating the rules of the House, the procedures of the House,"

and while we have done more than any government ever have and I dare say any government ever will again to improve the rights of the Opposition. If we talk about estimates, if the members of the press want to see the proof of the pudding, I suggest they compare the legislative votes for the Opposition office in the ten years prior to our advent to power and the two years since we have come in here.

So, Mr. Speaker, this is a sincere attempt to grapple with the problems in this House, which everybody in this House recognize exist, certainly everybody outside of the House recognize exist. We do not anticipate or feel that this is going to be the be all, end all, there will obviously have to be other changes made in the future, as there ought to be when you have any rules of this nature.

Now with respect to the number of sitting: I want to point this out again as to the authenticity, I got off on a little track there with the Leader of the Opposition and the opposition money. But when this was proposed in January of this year; bear in mind, before the Leader



of the Opposition indicated that we should come to grips with this problem, I requested the Clerk of the House to get information as to the number of sittings over the past ten years, on the estimates, which were consumed in estimates. Because we had no desire on this side of the government to bring in estimates in one day, such as the Leader of the Opposition says, to have committees and not give them any work to do and all this type of thing. We want to be fair about it. We want to be able to bring in something that can stand up to reason and debate.

Again, Mr. H. Coady, the Clerk of the House, January 18, 1974,

"Attached list covers sitting days and numbers of sittings of Committee of Supply covering the period from 1963 through 1973 inclusive, as requested on January 17, 1974.

Yours respectfully,

Katherine M. Murphy,  
Editor of Debates."

Miss Murphy and Mr. Coady supplied this information. It was checked and it is very, very accurate information I can assure this honourable House, because I have the greatest confidence in both of the individuals concerned, as all members have.

In 1963, I repeat again, because there is too much said by the Opposition, even though they have their researchers galore over there, they are pulling figures out of the air all of the time without - and they do not seem to be questioned.

But anyway, in 1963 there were nine days of sittings, nine sitting days - the number of sittings, sixteen. In 1964, nine days, eighteen sittings; 1965, seventeen days, twenty-three sittings; 1966, eighteen days, twenty sittings; 1967, seven days, twelve sittings; 1968, ten days, eighteen sittings; 1969, eight days, twenty-one sittings; 1970, sixteen days, thirty-seven sittings; 1971, sixteen days, twenty-six sittings; 1972, sixteen days, twenty-three sittings; last year, eleven days and twenty-one sittings but an equivalent of twenty-six sittings because of the all-night session.



The average sitting days from 1963 to 1973, 12.45, the average sittings 21.36.

AN HON. MEMBER: Inaudible.

MR. MARSHALL: A sitting is an afternoon or an evening. When you take your evening you take your three hours because you might go on until one o'clock or two o'clock in the morning. Okay?

So we know when we have an average of 21.36 sittings that at least half of the sittings concerned were in the afternoon.

By the time the routine order of business gets through, as it is now, it is a bit longer, of course, because we have a question period. We did not then. We had many points of orders and petitions and what have you.

So, you are inflating your figure very much when you say you multiply the average day sitting by 21.36 times three. So you are going to get 64 or 65 hours. We have allowed 75 hours. It could not be fairer as far as we are concerned. So while his figures differ from the figures which are before the committee, before the House right now, that I have just given, I would suggest quoting the authorities from whom I got these, I am quite sure that these are very accurate figures. He says, "We are deprived by bringing in debate of a most important function of the House".

Now it is an important function, estimates. We have not deprived and I emphasize that again. What about the House of Commons? What about the House of Commons in Ottawa which has a much larger budget and where the Liberal Government, which the members opposite all but one subscribed to, brought in resolutions very much guillotining debate and their measures in the House of Commons in Ottawa.

So when you talk about the most important function, I did not notice a statement coming from the Leader of the Opposition against the measures taken I think it was by Mr. MacEachen, the Liberal House Leader in the House of Commons.

Now he says; "There is nothing" (this is silly, this is really silly) "Nothing to prevent sitting all three nights, nothing to prevent, if the government want to, sitting all three nights in a row, sitting all the way through." That is a statement, Mr. Speaker, of great depth. I think it is utterly ridiculous. Certainly there is nothing to prevent the government but is the government going to do it? The government, Mr. Speaker, is less likely to sit overnight and will not sit overnight when you have - this is the whole purpose of this amendment. We do not want this House of Assembly made into a laughing stock which is really what it is.

It is when the government is forced to bring in closure, when it is forced to sit overnight. What the estimates become then is a contest whether we are here or we are over there. The Liberals love closure, They love it. Oh, they just wallow in it!

If we were over there, our aim would be to force them to bring in closure on estimates and they certainly would not have the patience that we had with them.

Our style, because we do not like closure and it is not really effective, is to sit overnight and that also is in it. So this is what we are trying. So we could sit, yes, we could sit, we could sit all night, could sit every night in the estimates. We could sit all night any night on any measure we wanted to. We could perhaps get the House of Assembly over completely, if we wanted to, in about a week - if we wanted to do it. But no government is going to do it. That is a silly, specious argument.

AN HONOURABLE MEMBER: Inaudible.

MR. MARSHALL: He says, "The referral of the estimates is good but the procedure is bad."

Now, Mr. Speaker, look, I would point out - I did not do my main speech, say. Pretend that I adopted in substance what the Leader of the Opposition had recommended to the committee that I did indicate that insofar as possible I followed the form adopted by him, which was the form that he thought was best, from the Standing Orders in Ontario. In that the references with respect to committees are almost exactly, completely the same.

So when he talks about the fact that the referral of estimates is good, but the procedure is bad, it is really a procedure which in essence in that case - I am talking about substance - in essence in his report to the committee, the honourable the Leader of the Opposition recommended. Now, true, if you want to get on with the specious argument again about committees needing meat and all this type of thing, but that is not the intent and it could not occur. It is ridiculous.

I do not think there are too many other points to bring up, Mr. Speaker. I think I have covered it all. I consider, quite frankly, that the rules as recommended under this motion, what I call the government motion, and the first one, which I called a committee motion, which was brought in and adopted, of course, by the government are good rules. I do not pretend, government does not pretend that they are all-embracing and good forever and a day but it is a good start.

Now, on an issue such as this, Mr. Speaker

I feel that we must take a very close look at various areas. I want to be sure that all of the points are covered. I will conclude by reiterating again that in addition to the time of seventy-five hours granted here, there is ample time afforded for members of this House to get up in the House and debate the budget speech. There is ample time to bring in motions of confidence, if they should wish to raise questions. We have not done as was suggested by some persons, as I say, to limit the budget debate. I suppose we have limited it from the point of view that we are limiting to forty-five minutes.

AN HON. MEMBER: (Inaudible).

MR. MARSHALL: Well the rule of repetition is not either.

Anyway, Mr. Speaker, if I may say, I am not prepared to clue up right now because I do wish that as full a complement of people on this side of the House and on the other side express their opinions freely and openly on this very essential question.

I now move, Mr. Speaker, the adjournment of the debate.

MR. SPEAKER: It has been noted that the honourable member has adjourned the debate.

Earlier today the Member for St. Barbe North rose on what he called a point of privilege. I took the whole matter under advisement and said that I would rule on it later. I have since obtained a transcript of the proceedings of earlier today. I feel that the point made by the Hon. Member for St. Barbe North, his point of privilege, is not really a point of privilege if it is not accompanied by a motion. I feel that particularly with regard to the second part of his so-called point of privilege that he could have obtained a transcript and heard the tapes yesterday before six o'clock and maybe would have had an opportunity to raise it then. I cannot accept it as being a valid point of privilege.

Also in the debate which went on back and forth on opposite sides of this House today, near the end of the whole thing a point of order was raised with reference to a statement made by the Hon. Member for St. Barbe North in his comments. I feel that the comment was made perhaps in the heat of debate. The comment was basically that the honourable member felt that there had been a deliberate plot by the Deputy Speaker and the Hon. Member for St. John's East to stifle his debate and to bring an end to the debate.

Now I am sure the honourable member is aware that while he may feel this way, which is still perhaps from a procedural viewpoint, this does not give him the right to actually accuse two honourable members of a deliberate plot to stifle his debate. I think perhaps he should consider those comments of this deliberate plot to stifle the debate.

MR. F. B. ROWE: Mr. Speaker, I had a prepared text and I did not feel that I had said anything in the heat of debate. If I used the words, "deliberate plot," Sir, I withdraw the word, "deliberate."

MR. MARSHALL: Mr. Speaker, I am not quite sure whether that is a - I am not quite sure that that is a sufficient withdrawal but we will let it go. I mean, you know, small minds, small things.

I move that the House at its rising do adjourn until tomorrow Friday at 3:00 P.M. and that this House do now adjourn.

MR. SPEAKER: This House stands adjourned until tomorrow Friday, at 3:00 P.M., April 5, 1974.