

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
2:00 p.m. - 6:00 p.m.  
TUESDAY, MAY 30, 1978

VOLUME 3

NO. 73

PRELIMINARY  
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TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
8:00 P.M. - 11:00 P.M.  
TUESDAY, 30th. MAY 1978

MR. SIMONS: The fact is it went on for three to four years. So was he doing his job? Were they doing their job? The member, who is now the Minister of Manpower, and the member who is now the Minister of Industrial Development, who between them were the ministers respectively, one after the other, for almost the entire period about which we are talking. Were they doing their job, that this kind of thing could go on. No reference to the Public Tender Act. There is the document I have, Mr. Speaker, if the page would come by, the mechanical contractors which I would like to table.

Now, Mr. Speaker, I raised a question a few minutes ago about where does this leave the small contractor? Where does this leave the fellow who is struggling? In particular now with the economy down, where does it leave the contractor? Perhaps, Mr. Speaker, at this point it might be helpful to have a quorum call.

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MR. SPEAKER (COLLINS):

Order, please!

count the House please?

Would the Clerk of the House

I am informed a quorum is present.

MR. LUNDRIGAN:

Mr. Speaker, a point of order.

MR. SPEAKER:

A point of order has come up.

MR. LUNDRIGAN:

Mr. Speaker, when the hon. member stood in his place and he said that he demanded that there be a quorum call there were twenty-five members present in the House. Now the hon. member of course has already taken up twelve hours of the legislative time on his speech here today.

AN HON. MEMBER:

Twelve hours?

MR. LUNDRIGAN:

And he has put everybody through the embarrassment of having to listen to twelve hours has disrupted the affairs of our Province, he has robbed the opportunity from all the members of the House to carry on the debates of the constituencies in the Province. That is quite bad enough but to stand here and call a quorum, Your Honour, when there were twenty-five members present in the Legislature is not only an abuse of the rules but it is totally disstructive.

MR. S. NEARY:

Sit down boy.

MR. LUNDRIGAN:

Now, Your Honour, first of all there was no lack of quorum the hon. member and the record show and the people of this Province should be aware that the hon. member called a quorum with twenty-five members when fourteen members had presence to make a quorum. There were twenty-five members present and he called a quorum with more than a quorum on their own side, Your Honour, walked out of the House to get a quorum. Now that is a slap in the teeth for the people of this Province.

SOME HON. MEMBERS:

Hear, hear!

MR. LUNDRIGAN:

Mr. Speaker, I do not mind this hon. gentleman standing there for twelve hours and abusing every last one of the members in this Legislature and robbing members of the

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MR. LUNDRIGAN:

opportunity to present their

cases and to get involved in their causes.

MR. SIMMONS:

A point of privilege, Mr. Speaker.

MR. SPEAKER (COLLINS):

A point of privilege has come up.

MR. SIMMONS:

Mr. Speaker, in time I will speak

to the point of order which has been raised but I want now to speak

to a point of privilege which is quite separate from the matter he

has raised. He just said I have abused members of the House. Mr.

Speaker, the member for Grand Falls (Mr. Lundrigan) may not like

what I am saying the way he has weasled on the Grand Falls Hospital

issue I can understand why he would not like - I cannot expect him to

like. Mr. Speaker, he cannot say that I have abused the members of the

House some of the them may not like to hear what I have had to say

I know other members who have been happy to hear what I have had

to say. And, Mr. Speaker, he must withdraw the charge that I have

abused any member of this House.

MR. MORGAN:

You have abused the rules of the House.

MR. SIMMONS:

And, Mr. Speaker, and the Minister

of Tourism must also withdraw any implication that I have abused

the rules of the House as well.

SOME HON. MEMBERS:

Hear, hear!

AN HON. MEMBER:

Withdraw.

MR. NEARY:

Bob Loder is trying to suck

his way back in with the Premier.

AN HON. MEMBER:

Bob Loder cannot deny it.

MR. WHITE:

He was flicked out of the Cabinet.

MR. NEARY:

He is trying to suck his way back

in with the Premier.

MR. SPEAKER(COLLINS):

Order, please!

A point of privilege is before  
the Chair.

MR. SIMMONS:

I am trying to speak, Mr. Speaker,  
to the point of privilege but the member for Bonavista South (Mr. Morgan)  
has got unparliamentary now and made some remarks that require withdrawal  
as well saying that I have abused the rules but I want to speak first  
to the member for Grand Falls point. In raising his point of order, Mr.  
Speaker, he has said quite clearly that I have abused members of this  
House. Now I know the member for St. John's North (Mr. Carter)  
will get up and say I have abused him but that I take pleasure in, Mr.  
Speaker, that is a different issue altogether. But otherwise except  
as it is entertaining to do so in regard to the member for St. John's  
North I say I have abused no member of this House nor do I intend to.

MR. RIDEOUT:

Nor the right to do.

AN HON. MEMBER:

That is wrong.

MR. SPEAKER(COLLINS):

Hon. minister.

MR. HICKMAN:

Mr. Speaker, I realize that on points  
of privilege debate is not permitted but I do submit that there is not  
a point of privilege raised by the hon. gentleman for Burgeo - Bay d'  
Espoir (Mr. Simmons) there has been no - the most that one could  
say is that there is a rather sharp difference of opinion between  
two hon. members of this House and that most definitely does not  
fall within the point of privilege ruled or a matter which is to be  
raised on a point of privilege and as Your Honour, is aware points  
of privilege as Beauchesne says must be raised very rarely in this  
House and only on occasion when there is some very strong prima facie evidence  
to indicate to it such prima facie member. And, Mr. Speaker, also if you look  
through Beauchesne the list of the things that are unparliamentary  
and constituent breaches of the rules I see all kinds of things here  
but I certainly do not see amongst them the very mild, mild gentlemanly  
parliamentary comments uttered by the hon. member for Grand Falls.

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Tape 3744 (Night Session)

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MR. SPEAKER:

The hon. member for Trinity - Bay de Verde.

MR. F. ROME:

Sorry, Sir, I draw your attention to Beauchesne, Sir, section 155, page 131, sub-section 2 Bourinot, Sir, page 361 gives the following examples of unparliamentary phrases, that his remarks are insulting to the House and to the Country,

Mr. F. Rowe:

Now, Sir, the member for Grand Falls (Mr. Lundrigan) said very clearly, very clearly that the member -

MR. STRACHAN: He lost his cool.

MR. F. ROWE: - my colleague was insulting the members of the House and the Province in the methods that he was using here tonight. Sir, I will draw your attention to that particular citation because I think it is quite operative here, and I think this constitutes a point of privilege raised by my colleague.

MR. SPEAKER (DR. COLLINS): Order, please!

The point of privilege is the one before the Chair and prior to that there was a point of order. In dealing with the point of privilege the question is, the hon. member for Grand Falls is saying that the hon. the member for Burgeo-Bay d'Espoir abused members by his remarks. And secondly the hon. Minister for Tourism by saying that he abused the rules of the House. That this constitutes a breach of privilege. I think that this does fall into the area covered by Sections from 154 and 155 in Beauchesne, and this deals really with points of order, in other words, whether certain things are unparliamentary as opposed to privilege. So I would have to rule that this matter is not one of privilege, but it may be of order and I think it should be dealt with on that basis.

Now in looking at these two sections, very briefly threatening language is unparliamentary. The use of hypothetical words to convey imputations is unparliamentary. The imputation of bad motives is unparliamentary.

MR. HICKMAN: Mr. Speaker, can I draw your attention to number 4?

MR. SPEAKER (DR. COLLINS): And number four which I was coming to because I just finished number three, number four says -

MR. SIMMONS: He did not know that.

MR. SPEAKER (DR. COLLINS): - "It is not out of order to say that a member has obstructed the business of the House, or that a speech is an abuse of the rules of the House."

SOME HON. MEMBERS: Hear, hear!



MR. SPEAKER (DR. COLLINS): Then going on from there, "It is not unparliamentary to say that the statement is untrue, but it is unparliamentary to say that it is untrue to the knowledge of the member addressing the House." Then to say words like, "purchased by legislation", and it is a well-known principle that a statement made in the House cannot be contradicted by a statement made by a person who is not a member of the House."

Then in Section 155, in regard to guidance to members it is unparliamentary for them to impute false motives, to misrepresent the language of others, and to make an accusation of misrepresentation. Charging and uttering a deliberate falsehood. And then abusive and insulting language, and there is a large list there which I will not go into.

And then coming to the Section brought up by the hon. the member for Trinity-Bay de Verde (Mr. F. Rowe) gives the following examples of unparliamentary phrases, "No member may be permitted to say of another: that he can expect no candour from him, that he only affected to deplore the distresses of the country, that his remarks are insulting to the House and to the country, that he is in the habit of uttering libels in the House, that he is guilty of gross misrepresentations, that he has acted basely from base motives, that he is smiling observed indulging in a smile unworthy of a man." and so on.

And in Subsection (3) to question and honour of an honourable member to say that an honourable member is going about the country telling lies, and similar in that vein."

Now in considering all of these I do not see where an hon. member saying that another hon. member is abusing hon. members by his remarks. I cannot see that that phrase fits into this very precisely, because it seems to me that this is a subjective interpretation, that one hon. member may feel that remarks made by an hon. member are all right, and another hon. member may take exception to them and feel abused by them. So I would feel that if an hon. member states another hon. member abuses him by his remarks that this is not an unparliamentary thing to say, it is merely

Mr. Speaker (Dr. Collins); his interpretation of the hon. member's remarks.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Insulting, Your Honour.

MR. LUNDRIGAN: On a point of order.

Mr. Speaker, there is a fairly serious point of order here. The hon. the member for Burgeo-Bay d'Espoir (Mr. Simmons) stands in his place having spoken for twelve hours -

MR. SPEAKER (DR. COLLINS: Order, please! Just for clarification.

The hon. member for Grand Falls (Mr. Lundrigan) is on a point of order which had been temporarily interrupted by the point of privilege.

SOME HON. MEMBERS: Exactly. Hear, hear!

MR. SPEAKER (DR. COLLINS) So the hon. member is on a point of order.

MR. LUNDRIGAN: Mr. Speaker, he stands in his place having been here, keeping the House and the public business engaged by himself for twelve hours, and he turns around to members, twenty-five whom are present and said, I think, it is time to call a quorum.

MR. SIMMONS: There is no point of order.

MR. LUNDRIGAN: I think it is time to call a quorum,

MR. LUNDRIGAN: as if the hon. member has the dominance to be able to make his own rules. He walks out through the door, Your Honour -

MR. SIMMONS: A point of privilege, Mr. Speaker.

MR. SPEAKER(Collins): A point of privilege.

MR. SIMMONS: My matter of privilege is that the member for Grand Falls (Mr. Lundrigan) has lied to the House, Mr. Speaker. He has lied to the House. There were five members sitting on that side of the House, Mr. Speaker. We have a total of twenty in this caucus. The member for Port de Grave (Mr. Dawe) was not here. Even if all were here, there would then be twenty-five. The fact is that I can account for at least three of our members who are outside the building on other assignments right now. There were not, physically, twenty-five people in the House, Mr. Speaker. The member for Grans Falls is now lying to the House. At most, Mr. Speaker -

MR. SPEAKER(Collins): Order, please! Order!

MR. SIMMONS: - there were fifteen or sixteen -

MR. SPEAKER(Collins): Order, please! Order, please!

I do have to interrupt here and I do have to point out that it is quite clear - and this point has been stated quite a number of times, certainly in this session, that the accusation of lying, and I would reiterate because I have stated this once before not too long ago, that what a member feels is not germane, it does not matter whether a member feels a certain thing it is what he states that is the issue to be judged by the Chair - it is quite clear in Beauchesne and in other authorities that it is unparliamentary for a member to state that another hon. member is lying. It is immaterial what he feels, what he thinks, what he can prove, but it is the statement that is the unparliamentary act. In view of that, and I am sure the

MR. SPEAKER(Collins): hon. member for Burgeo -  
Bay d'Espoir (Mr. Simmons) on reflection, would want to  
withdraw that remark.

MR. SIMMONS: Mr. Speaker, if that is the  
requirement I shall be happy to do it, but if Mr. Speaker  
would just allow me one sentence first as to why I said it.  
I understood that in making a point of privilege you can  
make an allegation and then if it is not substantiated the  
case -

AN HON. MEMBER: Sit down, boy! Sit down!

MR. SIMMONS: The clear case, Mr. Speaker,  
is the one about which we had the all night debate where the  
allegation was made about 'deliberately misleading' and then  
once disposed of the members concerned were required to  
withdraw the allegation - after the matter had been disposed  
of. I submit, Mr. Speaker, that the only way I can bring  
the matter of privilege before the House that the member has  
lied, is to say that word and then if subsequent events  
do not bear me out, well then, under parliamentary rule I  
would be required to withdraw the term as being unparliamentary.  
But to make my point of privilege, I submit, Mr. Speaker, I  
would have to follow the same course that was followed here  
a few nights ago when we had the all night debate where the  
term 'deliberately misled' stood during the duration of the  
proceeding and once it had been dealt with, the proceeding  
had been dealt with, then the term had to be withdrawn to  
conform within the parliamentary rules.

I would submit it was in  
that context I used it and I would ask Mr. Speaker to take  
that under advisement and if he still feels I need to withdraw  
it I shall, of course, heed what his advice is to me on the  
matter.

MR. MARSHALL: Mr. Speaker.

MR. HICKMAN: Mr. Speaker.

MR. SPEAKER(Collins): The hon. House Leader.

MR. HICKMAN: I do not know what we are  
on now, a point of privilege -

MR. NEARY: The hon. House Leader. One  
at a time.

MR. HICKMAN: Oh, I am sorry.

MR. SPEAKER(Collins): The hon. member for St.  
John's East.

MR. MARSHALL: Mr. Speaker, this is  
entirely and completely - you know, this House is just going  
to tumble down around our ears. Your Honour has ordered, has  
ruled that an hon. member of this House withdraw an allegation  
that another member has lied. Your Honour's authority is now  
being challenged. The fact of the matter is - and Beauchesne  
is full of this, May is full of it - that when an allegation  
like that is made it calls for the prompt intervention of  
the Chair, which was done. When Your Honour makes a ruling  
it is to be complied with by members whether they like it or  
not. It is not to be debated, but it is to be complied with  
and complied with immediately.

Now, Your Honour, I suggest -

MR. NEARY: (Inaudible) rule.

MR. MARSHALL: - I suggest that the rules  
demand that the hon. member for Burgeo - Bay d'Espoir  
immediately, unequivocally, without reservation whatsoever  
withdraw the allegation of lying against the member for  
Grand Falls, with no back-talk no nothing but do it immediately  
and if he does not the consequences are there that the hon.  
member should be named and bear the consequences accordingly.  
Because this is parliamentary terrorism at its worse which is  
being practiced day after day in this Assembly.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER(Collins): Order, please!

The issue before the Chair is  
one of privilege. I thank hon. members for their submissions.

MR. SPEAKER: (Collins) The hon. the member for Burgeo - Bay d'Espoir (Mr. Simmons) following remarks I made, made a submission in which, in my view, he did state a case with some validity in that his case was that he was making a point of privilege and that to make his point of privilege he had to state that he considered that a lie was being told. I think that there is a difference here than if in the course of a debate without the statement being made on a point of privilege, in debate, that a member accuses another member of telling a lie, I think this is quite clear cut. I thank the hon. member for St. John's East (Mr. Marshall) for his submission, but I would point out that I had not actually made a ruling. If hon. members will remember my remarks, my remarks were I informed the hon. the member for Burgeo - Bay d'Espoir of my interpretation of Beauchesne and then I stated words to this effect, I was sure he would wish to withdraw. I made no such order to do so. And I think that with the submissions before me the question now is merely, Do we have a valid point of privilege?

MR. SIMMONS: I was just stating my point as I know it.

MR. SPEAKER: Order, please!

If I may just finish the remarks I am making. In other words, do we have a valid point of privilege before the House? And this revolves around the numbers that were present when a quorum was called.

The hon. the member for Burgeo - Bay d'Espoir wishes to make another submission, I believe.

MR. SIMMONS: While I was raising my point of privilege, of course, Mr. Speaker properly interrupted me to clarify the matter of whether I was being parliamentary and that is where the matter rested. I did not get an opportunity

MR. SIMMONS:                   until now to conclude my point of privilege, and that is why I rise right now.

                                  I clearly remember that there were five members on the opposite side of the House in their places at that particular time - five members.

MR. NEARY:                   Five out of thirty.

MR. SIMMONS:                   Five out of thirty, Mr. Speaker. And of course, Mr. Speaker in the Chair would be number six, but five on that side of the House. On this side of the House, Mr. Speaker, as I remember, there were probably eight or nine, probably as few as seven members. There is no way, Mr. Speaker, if you do the mathematics - and this is my point of privilege - there were five on that side -

MR. MORGAN:                   Show your allegation.

AN HON. MEMBER:               Oh, shut up!

MR. SIMMONS:                   I am proving the allegation. Mr. Speaker, is there any way to set straight the member for Bonavista South?

MR. SPEAKER:                   Order, please!

                                  Whilst a point of privilege is before the Chair, I think the rule of only one speaking at a time should be strictly adhered to.

MR. SIMMONS:                   I can see why the Premier has so much trouble with him, Mr. Speaker.

                                  There were five members on that side of the House, Mr. Speaker. There are only twenty in this caucus altogether, and while our attendance record over here is very good, Mr. Speaker, there were not twenty of us here at that particular time, indeed, there were about eight or nine here. So at most, Mr. Speaker, there were not twenty-five here, Mr. Speaker. There were anywhere from thirteen to fourteen or fifteen altogether. Now, Mr. Speaker,

MR. SIMMONS:                   thirteen is not twenty-five; fourteen is not twenty-five, and I say therefore, Mr. Speaker, I say first of all that the member knew the difference. Now if he did not know the difference, if he cannot count twenty-five let him stand up and admit that and I will withdraw my charge. But I assume he can count to twenty-five and if that is the case, Mr. Speaker, he has lied to the House. He has informed the House there <sup>were</sup> twenty-five people in here at a given time when any of us who were here know that at most there were fifteen and perhaps as few as thirteen at the particular time. It was so close to it being a quorum or not being a quorum, Mr. Speaker, that I was constrained to get a few more in here, particularly on the government side of the House. After all, it is the government's responsibility with thirty people on that side to keep at least thirteen or fourteen of them in the House. If they only have five there I am going to call a quorum no matter how many are sitting over here. But on that particular occasion, Mr. Speaker -

MR. MORGAN:                   Where are the rules?

MR. SPEAKER: (Collins)       Order, please!

MR. SIMMONS:                   - there were thirteen to fifteen at the most, and therefore, the member is lying to the House when he says there were twenty-five. That is just not true, Mr. Speaker. It is not true, and he should be asked to withdraw the false, lying information. And if not, I am prepared, Mr. Speaker, having, I believe, established my prima facie case, to move the appropriate motion that he be disciplined for lying to the House.

SOME HON. MEMBERS:           Hear, hear!

MR. SPEAKER:                   The hon. House Leader.

MR. HICKMAN:                  This is the most extraordinary -

SOME HON. MEMBERS:           Oh, oh!



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Tape 3747 (Night)

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MR. SPEAKER: (Collins)      Order, please!

I recognized the hon. House  
Leader, and I would point out that it is a precedent in  
this House if one member wishes to defer it

MR. SPEAKER (DR. J. COLLINS): to another this is in order. But at this point in time I had recognized the hon. House Leader.

MR. NEARY: If the hon. gentleman does not wish to speak, Mr. Speaker, -

MR. HICKMAN: Mr. Speaker, than you for recognizing me and I realize again on a point of privilege that Your Honour will not tolerate debate. But this, Mr. Speaker, is not a point of privilege. It is not even close to a point of privilege. The hon. gentleman from Grand Falls (Mr. Lundrigan) is making a perfectly valid point of order and he is - a perfectly valid point of order. He is giving his interpretation of the number of members he saw in the House at the time a quorum call was issued and, Mr. Speaker, it is the most extraordinary thing that I have ever seen happen, an hon. member stands in this House and calls another hon. gentleman a liar, which, Mr. Speaker, calls for the prompt intervention of the Chair and there was prompt intervention and there was no withdrawal thereof, and that the very, very most one can say is that the hon. gentleman from Burgeo - Bay d'Espoir (Mr. Simmons) is not prepared to say that there was not a quorum here. He was up to nine plus five, that is fourteen on both sides of the House and the hon. gentleman for Grand Falls (Mr. Lundrigan) was saying something more.

Now apart altogether from what I have to say, and I concur with what the hon. gentleman said from St. John's East (Mr. Marshall) that this House is deteriorating into a jungle and the language that we have seen in the last couple of minutes, Mr. Speaker, if we do nothing else we should make good and sure that anyone who wants to see how democracy works not come to this House.

SOME HON. MEMBERS: Oh, oh!

MR. LUNDRIGAN: Mr. Speaker on that question of privilege.

MR. SPEAKER: The hon. member for Grand Falls.

MR. LUNDRIGAN: Mr. Speaker, there is nobody who was not present in the House five minutes ago who could not attest to the clear, candid fact that there were twenty-five members present.

SOME HON. MEMBERS: No. No.

MR. LUNDRIGAN: - because I counted them.

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

MR. LUNDRIGAN: Mr. Speaker, there is nobody who cannot attest in the House that the hon. member when he stood in his place and called a quorum was absolutely out of order, that there was a clear unequivocal quorum in the House.

MR. MORGAN: There was a quorum.

MR. LUNDRIGAN: What he has really done effectively is he has abused me a little bit by calling me a liar, he can call me all he wants, I have been called a lot more than that, even worse than what was on the tapes this afternoon, on a few given occasions. But it proves the altitude of the individual, the altitude of the individual, Mr. Speaker, to stand in his place -

MR. F. WHITE: Personal attacks.

MR. LUNDRIGAN: - and absolutely give the clear impression that he knew how many people were in the House. I have been here all night counting the people in the House for a variety of reasons, as a variety of hon. members can attest, for a variety of reasons. I am totally, absolutely, I would lay my life on the line that there was a clear, undoubtable quorum in the House tonight.

MR. MORGAN: Yes there was.

MR. LUNDRIGAN: Way beyond the quorum, Mr. Speaker, there were twenty-five members in this House. That is what I counted -

MR. SIMONS: There were not twenty-five.

MR. LUNDRIGAN: - Mr. Speaker, when the hon. gentleman called a quorum. And the reason I rose on a point of order which has become

MR. LUNDRIGAN: more substantive at the present moment, was that the people of this Province were being gypped their rights under a parliamentary system by having an hon. member act as if he has got the autonomy and the hypocrisy to turn around and say now it is time to call a quorum and walks out and leaves the House. And all of his members walk out.

MR. SPEAKER (DR. J. COLLINS): Order, please!

MR. LUNDRIGAN: Now, Mr. Speaker, on the question of privilege.

MR. SPEAKER (DR. J. COLLINS): Order, please! Order, please!

MR. SIMONS: Sit down boy! Sit down!

MR. SPEAKER (DR. J. COLLINS): I think that we must keep distinct the point of privilege from the point of order and I feel the hon. member may have been getting into arguments in terms of point of order. I would ask the hon. member to keep to the point of privilege, whether the hon. member is justified in accusing the hon. member on a question of lying.

MR. LUNDRIGAN: Mr. Speaker, look it is quite simple. It is quite simple. It needs no interjection from me. The rule is clear and candid and there is no reason for me to interject or to stand for my rights. The hon. member has abused the rules. He has also taken advantage of the fact that Your Honour is a diplomatic Chairman tonight to stand up and repeat his charges.

SOME HON. MEMBERS: Oh, oh!

MR. LUNDRIGAN: And repeat his charges, Your Honour. He is totally against every rule of the Legislature in his accusations against me. But, Mr. Speaker, I would suggest, leave it on the record and get on with the business. I would like this to stand on the record as an example of the way that that hon. gentleman as one, and several others, are trying to destroy the parliamentary system in this Province. Leave it on the record.

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MR. SPEAKER (DR. J. COLLINS): Order, please! I have heard a number of submissions on this and I certainly do not wish to cut off anyone who wants to make substantial contributions but I would say that

MR. SPEAKER: (Dr. Collins) unless an hon. member has something very substantial to say it would be as well if this matter was ruled upon.

Hon. member for Conception Bay South.

MR. NOLAN: Mr. Speaker, without in any way attempting to abuse your definition of substantial I merely have something to say. There has been a charge that there were twenty-five members in the House of Assembly if we always assume as we must that all hon. members are honourable members it can be settled very quickly now without even attempting to pass on the judgement to, Your Honour, that is all hon. members who were in the House when the quorum was called stand up and let us see if there were twenty-five and we will settle it that way.

MR. MORGAN: There was a quorum present.

MR. SPEAKER: (Dr. Collins) Hon. member for St. John's East.

MR. MARSHALL: Now, Mr. Speaker, the member for Grand Falls (Mr. Lundrigan) may wish to, and I can understand his wish to let it go, but I do not think the House can let this go. Mr. Speaker, I refer you to Beauchesne -

MR. NEARY: Page one.

MR. MARSHALL: I am addressing the hon. Speaker.

MR. NEARY: Mr. Speaker is not a mind reader.

MR. SPEAKER: (Dr. Collins) Order, please!

MR. MARSHALL: Mr. Speaker, I do not choose to have any discourse with the voice I am hearing from the other side.

MR. SPEAKER: (Dr. Collins) Order, please! While there is a point of privilege before the Chair I will ask that only one member speak at a time.

MR. NEARY: That proves to be to the advantage of the hon. gentleman.

MR. SPEAKER: (Dr. Collins) Order, please!

MR. MARSHALL: Not the Bell Island Enquirer.

MR. NEARY: He thinks he is at the Bull 'N' Bear now.

MR. MARSHALL: 108 (3) page 98 of Beauchesne.

MR. SPEAKER: (Dr. Collins) What was the citation?

MR. MARSHALL: 108(3) on page 98. I will leave the judgement the hon. member has already passed by the hon. the Chief Justice Mr. Mifflin.

MR. NEARY: Justice will triumph.

MR. MARSHALL: Page 98 108(3). "Libels on members have also been constantly punished: but to constitute a breach of privilege they must concern the character or conduct of members in that capacity." Now what greater libel can there be than to say that a member has stated a lie. It is further on, Mr. Speaker, I think you have already alluded to it tonight under the rules of debate. I will find it here now in a moment. I know what the statement says, the statement says, "It is not out of order to say a statement is untrue" Yes, here it is, page 130 of Beauchesne, paragraph 154(5) "It is not unparliamentary to say that a statement is untrue, but it is unparliamentary to say that it was untrue to the knowledge of the member addressing the House." Now, Mr. Speaker, I have to put this to, Your Honour, that if a member of this House is going to be allowed to say any other member lied under any guise whatsoever without being sharply drawn to order on the matter, immediately and required to withdraw it unequivocally that all this place is going to turn into is really going to be a beer garden and perhaps it has descended to it right now. But this is one of the prime rules in parliamentary debate, that you cannot call another member of this House a liar without withdrawing it and withdrawing it immediately at the instigation of the Chair without any ifs, buts or ands, whatsoever otherwise the whole procedure, Mr. Speaker, breaks down. And while the hon. member - and I can understand his feelings may not care from whom the barb is cast, because as they say we know a man's character by the character of his enemies, Mr. Speaker. The fact is that this is an abuse, an abysmal abuse of the rules of this House and in the interest of the future operation of this House in accordance with British parliamentary practice I say the hon. gentleman has to withdraw and withdraw without equivocation whatsoever.

MR. SPEAKER: (Dr. Collins) Hon. Leader of the Opposition.

MR. W. ROWE: Mr. Speaker, Your Honour, was sitting in the Chair and saw how many members were in this hon. House at the time that my colleague rose and said that there was no quorum which is his undeniable right to do, nobody disputes that. And the fact that he may rise and call a quorum when there is a quorum in the House or a quorum not in the House is not the subject of a point of order. Everyone has the right to call a quorum and have the matter calculated and ascertained.

Rising on a specious point of order the member for Grand Falls (Mr. Lundrigan) states or tries to state that the hon. member for Burgeo-Bay D'Espoir (Mr. Simmons) does not have the right to rise and call a quorum or to call a quorum at any time which is his undeniable right to do. And in order to substantiate a specious point of order to begin with he makes an allegation or makes a statement as to how many people were in the House at the time that my hon. colleague mentioned the quorum. He said there were at least twenty-five



MR. W. ROWE: which was clearly an untrue statement. Your Honour knows that. Everyone in the House knows it. I happened to be sitting outside. I know it. It was an untrue statement. My hon. colleague feels that it is a breach of the privileges of this House for an hon. member, the member for Grand Falls (Mr. Lundrigan) to rise and to make this untrue statement. He characterized it as a lie. In other words an untruth, known to be an untruth at the time it was stated. He raises this as a breach of the privileges of this House he seems to make a prima facie case for Your Honour to decide whether a point of privilege or the privileges of this House are in fact involved.

Now Your Honour has to decide whether there is a prima facie case of breach of privilege here. I would submit, Sir, that there is a prima facie case of breach of privilege. If Your Honour so decides then I would understand without having conferred with my colleague, his willing to make a motion that the hon. member be dealt with by this House for breaching the privileges of the House, uttering an untruth at a time and in a way in which he knew that an untruth is being uttered by himself.

Now, Mr. Speaker, the way Your Honour has to decide this is using Your Honour's discretion and judgement in the matter. Your Honour has to decide whether in fact there were twenty-five members in the House or anywhere near twenty-five members in the House at the time, whether any hon. member, reasonable hon. member, could in fact have misconstrued or miscalculated so badly that he thought there were twenty-five members in this House or whether in fact Your Honour believes that the hon. member was either deliberately misleading the House, that the privileges of the House are so involved by an attempt to lie or deliberately mislead

MR. W. ROWE: the House to make a specious point of order. If Your Honour comes to the conclusion that the privileges of the House are involved by his statement, by his untrue statement, that there is a prima facie case, that the privileges of this House are involved by a member getting up, abusing the orders and rules of this House, making an untrue statement to substantiate a specious point of order, then Your Honour has very little choice but to rule that there is a prima facie case of breach of privilege.

I would submit that Your Honour has ample authority, precedent and evidence, the evidence of his own senses, to rule that there is a prima facie case of breach of privilege of this House, that the hon. member for Grand Falls (Mr. Lundrigan) uttered an untrue statement. And that this is a prima facie case of breach of privilege. Your Honour does not have to go any further than that. Your Honour does not have to name the hon. member. Your Honour does not have to do anything else. Your Honour only has to make the prima facie ruling that the privileges of the House are involved and my hon. colleague and I, and others on this side of the House, will then be prepared to make the substantive motion to deal with the callous disregard of the rules and privileges of this House by that hon. member.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (DR. J. COLLINS): Order, please!

MR. HICKMAN: What the hon. the Leader of the Opposition has just said -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (DR. J. COLLINS): Order, please! Again I would just -

MR. NEARY: Sit down when the Speaker calls order. Sit down.

MR. SPEAKER (DR. J. COLLINS): I would just reiterate the point that to make sure that the whole matter does not become confused and difficult

MR. SPEAKER (DR. J. COLLINS): to unravel that submissions certainly will be welcomed by the Chair but I would encourage members to make sure that these are substantial points.

The hon. House Leader.

MR. HICKMAN: I simply give to Your Honour a citation.

MR. NEARY: The second time.

MR. HICKMAN: 102 - I do not know how many points of privilege we have before the House now.

MR. NEARY: No, well make one.

MR. HICKMAN: The hon. gentleman from St. John's East (Mr. Marshall) was talking about the use of very unparliamentary language from the hon. gentlemen opposite. There is the point of alleged privilege with respect to the number of people in the House and I direct Your Honour's attention to Beauchesne 102, paragraph 113, "Members often raise so-called 'questions of privilege' on matters which should be dealt with as personal explanations or corrections, either in the debates or the proceedings of the House. A question of privilege ought rarely

MR. HICKMAN:

to come up in Parliament." And then it goes on to deal with the various kinds. But I draw Your Honour's attention about half way down that paragraph - "But a dispute arising between two members, as to allegations of facts," and this most assuredly constitutes allegations of facts, "does not fulfil the conditions of parliamentary privilege." And, Mr. Speaker, I realize we had to deal with the other question later.

MR. WELLS:

Mr. Speaker.

MR. SPEAKER: (Collins)

The hon. the member for Kilbride.

MR. WELLS:

Mr. Speaker, the point here is

a very -

MR. NEARY:

You are out of order.

MR. SPEAKER:

The hon. the member for Kilbride was recognized by the Chair.

MR. WELLS:

Thank you, Mr. Speaker.

Mr. Speaker, the point here is a very, very narrow and clear one. The point is this, it does not matter for the purpose of this discussion whether there were twenty-five members in the House or two members in the House. What is at issue here, Mr. Speaker, is that the hon. the member for Burgeo - Bay d'Espoir (Mr. Simmons) has called another member of the House, namely, the member for Grand Falls (Mr. Lundrigan) a liar. Now Beauchesne, page 130, Section 155 says, "It will be useful to give examples here of expressions which are unparliamentary and call for prompt interference. These may be classified as follows: (1) The imputation of false or unavowed motives; (2) The misrepresentation of the language of another, etc.; and (3) - here is the one, Mr. Speaker - Charges of uttering a deliberate falsehood." Now that is a lie. That is the

MR. WELLS: word for a deliberate falsehood.  
The hon. member made that charge. He has made it since two or three times. Your Honour asked him to withdraw and he has refused.

MR. SIMMONS: No one asked me.

MR. WELLS: Your Honour asked him to withdraw and he has refused.

MR. SPEAKER: (Collins) Order, please!

MR. WELLS: Now I am making my submission, Mr. Speaker.

MR. SPEAKER: Order, please!

MR. WELLS: Your Honour asked him to withdraw and he refused. Now that is the issue before the Chair. When that issue is dealt with, Mr. Speaker, then we can discuss the matter of whether the Grand Falls member was mistaken or whatever. But the word 'lie' is not permitted in Parliament, Mr. Speaker -

MR. NEARY: Sit down and do not be making a fool of yourself.

MR. SPEAKER: Order, please!

MR. WELLS: - and he has been ordered to withdraw and refused.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, the hon. gentleman, Sir, who just spoke, obviously, Sir, forgets where he is at the present time. The hon. gentleman is not down before judge and jury, the hon. gentleman is in the Legislature of this land, the highest court of the land where we operate in a half democratic way, and Your Honour, the hon. gentleman, the instant constitutional expert feels that the issue is that my hon. friend called my hon. friend a liar.

MR. NEARY: My hon. friend, Sir, has made a prima facie case for a breach of the privilege of this House.

AN HON. MEMBER: Right.

MR. NEARY: That is the issue that the Speaker has to rule on, not whether my friend used unparliamentary language, because the only way that my hon. colleague could make his case, as the hon. the Premier knows - and the hon. the Premier should come in the House more often and show a little leadership, because -

MR. SPEAKER: Order, please!

As I mentioned, I would have to rule that the submission should be substantial. There should not be side issues.

MR. NEARY: Well, I think really, Mr. Speaker, the breakdown is that there is no leadership on the other side and everybody is jumping up all over the place. The hon. the Premier should be here to speak for his side of the House or delegate the responsibility and the authority to the Government House Leader, because what started it all was lack of leadership - members jumping up helter-skelter all over the place. But the real issue, Sir, before Your Honour is whether or not my colleague has a prima facie case that the member for Grand Falls (Mr. Lundrigan) did indeed deliberately -

AN HON. MEMBER: Raise a point of privilege.

MR. NEARY: Point of privilege - did indeed deliberately, to try to justify his case, mislead the House by saying that there were twenty-five members in the House when in actual fact there were probably around thirteen or fourteen members in the House. That is the issue, Sir.

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Tape 3751 (Night)

EC - 4

MR. NEARY: And my hon. friend from Kilbride somehow or other thinks that Your Honour directed the member for Burgeo - Bay d'Espoir (Mr. Simmons) to withdraw, and Your Honour has made it abundantly clear.

AN HON. MEMBER: That is right.

MR. NEARY: Will the member for Kilbride (Mr. Wells) get this - the Speaker did not ask the member for Burgeo - Bay d'Espoir to retract at any time or withdraw or apologize or anything else. Your Honour merely expressed a view, an opinion, and did not direct my hon. friend to withdraw anything. My hon. friend does have a strong case, Sir, and Your Honour may need a few minutes, by the way, to go out and consult with Hansard or to think it over, and we are quite prepared on this side of the House, Sir, to agree to that if Your Honour wants to do it. But, Sir, I do not think it

Mr. Neary: is a kind of a situation where a snap decision must be made, everybody must now speak, but we seem to be going back and forth and everybody shall have an opportunity to speak on this breach of privilege.

AN HON. MEMBER: They got about a dozen over there.

MR. SPEAKER (DR. COLLINS): Order, please!

I thank hon. members for their submissions, and I feel that this is a serious matter. But I also am of the opinion that it is ground that has been covered before. We are in an area of fairly recent precedents. I think the first matter that has to be dealt with is whether unparliamentary language can be used in making a point of privilege. I think this is an important matter to settle before anything else. I would direct hon. members attention to Beauchesne, Section 111, which states as follows: "The journals of the United Kingdom House of Commons", and as hon. members know we first would go to our own Standing Orders, then we would go to the authorities that are usually used, and in our particular case, it is Beauchesne, and even though Beauchesne quotes the United Kingdom House of Commons, which is, shall we say, down the line in terms of the authorities we go to, the fact that it is quoted by Beauchesne, I think, it is legitimate to consider at this time.

It gives the following examples of speeches and writings which have been held to constitute breaches of privilege. And it states a number one of which is imputations against members of corruption in the execution of their duties. Now in my interpretation this clearly means that if one is to make a charge of breach of privilege you have to state that a serious matter has happened such as you have to charge a member with corruption. And that was the example I cited. I therefore would consider that charging a person with lying is in the same area. And if you can therefore in making a point of privilege charge someone with corruption, I think, it is clear that in making a point of privilege you can charge someone with lying.



MR. SPEAKER (DR. COLLINS): So I think that the hon. member therefore is not outside our rules or outside privilege in stating a point of privilege in making a charge,

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (DR. COLLINS): - which in other circumstances would be clearly out of order.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (DR. COLLINS) But within the -

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (DR. COLLINS) Order, please! But within the context of making a point of privilege, I think, that it is implicit that a charge of some sort has to be made, and the citation I mentioned, I think, is the type of charge that can be made, and the charge there, one of corruption is clearly a very gross one. And I would think, therefore, the charge of lying would certainly fall within that general ambit.

Having settled that point, the next point to settle, I think, does a prima facie case or privilege exist? And I would direct hon. members to Beauchesne, Section 105, Subsection (3) of the third paragraph thereof, and it states as follows: "A dispute arising between two hon. members as to allegation of facts hardly fullfills the condition of a privilege question", and it goes on from there. And also in the section that was cited by the hon. House Leader, Section 108, Subsection (3), which states - no I am sorry -

MR. HICKMAN: 113

MR. SPEAKER (DR. COLLINS): 113, yes, which states as follows: "Members often raise so-called "questions of privilege" on matters which should be dealt with as personal explanations or corrections", and so on. "A question of privilege ought rarely to come up in Parliament. It should be dealt with by a motion giving the House power to impose a reparation or apply a remedy." And further down, "But a dispute arising between two members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege."

I think that these two authorities quite clearly

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Tape 3752 (Night)

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MR. SPEAKER (DR. COLLINS): points out that if we are dealing merely with facts, privilege as such cannot be the issue at hand.

MR. SPEAKER(Collins): In the absence of our keeping continual count, or perhaps in some photographic means, there clearly is no way that the numbers of hon. members who are in the House at any point in time, unless a count is taking place at that time, there is no way that the numbers in the House can be ascertained.

I am not in a position myself, nor would it be proper for me to put myself in that position, to state the numbers that were in the House when a quorum was called, certainly not in any precise number. And despite the reasonings that I heard in submissions as to numbers of members in one caucus and numbers in another, and numbers of members who clearly were not here because they were away elsewhere, I do not hold or do not feel that these reasonings were sufficient to pin down the numbers with any certitude and I would so rule that this is a matter of dispute as to facts and facts which cannot in any way, to my knowledge, be proven with any certainty. In other words, it would be an impossibility to assert whether there were twenty-five, twenty-four, twenty-six, twenth-three, eighteen, sixteen, whichever number one wishes to consider, to ascertain with absolute certainty the numbers of hon. members in the House when the quorum was called so that we are therefore left with a dispute between two hon. members not a point of privilege. As that is the case I would ask the hon. member if in the light of these facts, and in the light of the discussion that has gone on, and in the light of the impossibility, in my view, of proceeding further, I would ask the hon. member if he would withdraw the remark 'lying' which unless a point of privilege were proven - and therefore the whole matter would have to be debated - in view of the ruling that this is not proven or, in my view, cannot be proven, I would ask, therefore, that the hon. member would withdraw the remark that the hon. member lied.

MR. SIMMONS: Mr. Speaker, I was probably being a little too forthright with the House and I should have said that he uttered a complete untruth. I therefore withdraw the term 'lying' because it is unparliamentary.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: To my point of order, Your Honour.

MR. SPEAKER(Collins): Is the hon. member rising on a point of order?

MR. LUNDRIGAN: My point of order, Your Honour, is that the -

MR. SPEAKER(Collins): A point of order.

MR. LUNDRIGAN: - as I was starting to say earlier on in my remarks -

MR. NEARY: Do not be wasting the time of the House.

MR. LUNDRIGAN: Mr. Speaker, the hon. gentleman when he stood in his place today to challenge the statement that I made that there were twenty-five members present - somebody on this side said that he thought there were twenty-three, somebody else said twenty-one - the hon. members, both across the way, the hon. member who called the quorum and the hon. House Leader who got up and spoke on the question of privilege, both admitted that there was a quorum present in the Legislature at the time.

MR. W.N. ROWE: What is your point of order? State it.

SOME HON. MEMBERS: No, no.

DR. FARRELL: Order! Order!

MR. S. NEARY: There is no point of privilege.

MR. SPEAKER(Collins): Order, please! Order!

SOME HON. MEMBERS: Oh, oh!

DR. FARRELL: Order! Order!

MR. SPEAKER(Collins): Order, please! Order, please!

MR. SPEAKER(Collins): I understand the hon. member os speaking to the original point of order with regard to a quorum.

MR. LUNDRIGAN: Yes, Mr. Speaker, and I was interrupted twice with questions of privilege. My point of order, Your Honour, is that I think the people of our Province are being gypped by the tactics that a member can stand in his place and know that there is a quorum present in the House, call a quorum, remove themselves from the presence of the House to have a quorum forced on the House, Mr. Speaker, I think, Mr. Speaker, it is about time that that type of member got cracked on the knuckles for slapping the teeth the people of this Province here today. That is the point of order I have.

MR. W.N. ROWE: Keep your cool.

MR. LUNDRIGAN: You wait and see who is cool.

MR. SPEAKER(COLLINS): Is the hon. the Leader of the Opposition speaking on the point of order?

MR. W.N. ROWE: Oh yes, Mr. Speaker, if I may.

MR. NEARY: If the hon. member for Grand Falls (Mr. Lundrigan) will allow him, Sir.

MR. W.N. ROWE: By calling it a point of order, Mr. Speaker, is gracing it with a connotation that does not exist at all. Sir, it is the clear, undoubted right, as I mentioned earlier, for any member of this House to call a quorum at any time. As Your Honour said, these matters are not subject to calculation or scientific analysis on the spur of the moment, it is the undoubted right to call a quorum at any time whether there are one hundred members in the House or two members in the House and have that matter ascertained, whether there is a quorum or not. That is the undoubted right of any member of this House, point number one, Sir.

MR. W.N. ROWE: Point number two: Our  
Standing Orders, Sir, clearly state that no one has to stay  
in the House when the matter of a quorum is being ascertained.  
The person who calls the quorum or calls that a count

MR. W. ROWE: for a quorum to be taken is under no obligation to remain in the House, Mr. Speaker.

So, Sir, this point of order, like so many more by this in some ways pitiful hon. members across the House there, the member for Grand Falls (Mr. Lundrigan) -

MR. SIMMONS: Bagman. Bagman.

MR. W. ROWE: - Sir, is specious, without foundation of any kind, rising, Sir, in some way to gain attention or something -

MR. R. MOORES: Press coverage.

MR. W. ROWE: - hoping to get a little press coverage perhaps by the fact that he is present in the House. I do not know what the problem is with the hon. member. Is his vision obscured by problems of egoism or something, I do not know, Mr. Speaker. All I know is that it is an abuse of the privileges of this House to allow that hon. member to get up day after day, hour after hour, Sir -

MR. F. WHITE: Interrupt the House for hours.

MR. W. ROWE: - and raise these specious points of order, interrupt the course of business of the House, Sir, for a good hour now on this nonsense -

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: - Mr. Speaker, and piously bleat out something to the effect that we are insulting the intelligence of the people of Newfoundland or wasting the time of the people of Newfoundland, Sir, when it is he, that hon. member, who is abusing the privileges of this House by rising on these specious, useless points of order, Sir, which have no foundation, no substance whatsoever, Sir, and I would ask Your Honour to rule that there is no point of order and to say directly to the hon. member that he should not rise on his specious points of order for whatever obscure reason he might have for doing so.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (DR. J. COLLINS): The hon. member for St. John's North.

MR. J. CARTER: Mr. Speaker, to that point of order and there is a further matter that should be brought up, a further point that should be made. That is that if a member calls a quorum when there is clearly no quorum present and there are members in this House who will guarantee that there was well in excess of a quorum here, now my point is this, that if a member calls a quorum under those circumstances and then leaves the House, leaves his place, the member was speaking, I suggest, Mr. Speaker, that the member has forfeited his right to continue. It is the same as if he ceased to speak.

Now I can well understand, Mr. Speaker -

MR. NEARY: But if you leave the savoury patch, do you give up the right to go back again?

MR. J. CARTER: Mr. Speaker, I wonder could you protect me from Darwin's delight over there?

MR. SPEAKER (DR. J. COLLINS): Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (DR. J. COLLINS): Order, please! There is a point of order before the Chair so a submission should be on the point of order rather than bringing up any other matter.

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

MR. J. CARTER: That is right on this point, Mr. Speaker. But I can understand an hon. member calling a quorum if there is some doubt, if there was fourteen, fifteen or say sixteen people. I am well aware that the hon. member cannot count and in this case does not count. But there is no question about it that there was clearly well in excess of a quorum and I suggest that he has forfeited his right to speak by ceasing to speak and moreover leaving the Chamber and I think, Mr. Speaker, that this point should be ruled on quite vigorously on because otherwise a member may delay - obviously the member,



MR. J. CARTER: havinz spoken for about four days now, he is looking for any excuse to drag out his speech, anything will do, even noticing a fly on the wall would be sufficient excuse for the member to delay this House.

AN HON. MEMBER: He spoke for twelve hours.

MR. SPEAKER (DR. J. COLLINS): Order, please! Again I think that this is a matter on which a ruling can be made. Now if hon. members have something very substantial I will hear it but I must insist that at this point in time, because a lot of time has passed, if there is not a very substantial point being made, rather than reiteration of previous points, I will have to intervene.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, my point, Sir, is very substantial indeed, that the hon. member for Grand Falls (Mr. Lundrigan), Sir, in my opinion is abusing the rules of the House by raising these points of order and merely to draw attention to himself, Sir, and as I said earlier, Mr. Speaker, the real problem on the government side of the House -

MR. SPEAKER (DR. J. COLLINS): Order, please! I do have to intervene. I am hearing phrases that I have heard very recently and I would ask the hon. member to abide by my instruction if he would, that if he has a new substantial point to make, I would be glad to hear it.

MR. NEARY: Well, Mr. Speaker, my substantial point, Sir, is this, that the hon. member, Sir, keeps interrupting my hon. friend here and keeps accusing my hon. friend, which is a very serious matter, of delaying the proceedings of the House, when in actual fact it is the member who is raising these so-called points of order who is delaying - My hon. friend could have finished his speech by ten thirty if my hon. friend had not gotten the House in an uproar.

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Tape No. 3755 (Night)

AH-1

MR. NEARY: So I would say, Sir, that there is no point of order, Mr. Speaker, it is just a difference of opinion between a couple of members.

MR. HICKMAN: Mr. Speaker, to that point of order.

MR. SPEAKER: (Dr. Collins) Government House Leader.

MR. HICKMAN: I draw to, Your Honour's attention 4(a) of the rules of Standing Orders. 4(a) "Any member may direct the Speaker's attention to the fact that there is not a quorum present." So that imposes upon the hon. gentleman standing, he cannot stand up and look around and say, Mr. Speaker, there is not a quorum present and then have three or four members scurry out off the House. The scurrying has to be done in advance of it being directed to the attention of the House because when the hon. gentleman - and this rule has been followed ever since I have been a member, when an hon. member stands up and says, Mr. Speaker, I draw to your attention there is not a quorum in the House it has to be factual that there are less than fourteen in the House.

AN HON. MEMBER: Hear, hear!

MR. HICKMAN: And that, Mr. Speaker, I submit is very germane to the issue that is before the House on this point of order. The same procedure is laid down except the method of counting is different in parliament because Beauchesne of 61 says again "Any member may direct the speaker's attention to the fact that there is not a quorum in the House." and that imposes the obligation upon any hon. gentleman in standing in the House calling for a quorum the first assurer that in this House there is less than fourteen, if there is not he cannot count and anyone who scurries out there after is - you know that is not only not playing the rules of the House but Your Honour would be quite right in counting them as having been in the House at the time of the quorum call.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: (Dr. Collins) Hon. member for Burgeo-Bay D'Espoir.

MR. SIMMONS: Mr. Speaker, the Minister of Justice very conveniently quotes only part of section 4, 4(b), Mr. Speaker, our Standing Orders 4(b) says "A member need not remain after notice that a quorum is not present." Now he talks about scurrying out of the House.

MR. HICKMAN: "After giving." You left out the word "giving."

MR. SIMMONS: I am sorry. I did not mean to. "A member need not remain in the House after giving notice that a quorum is not present." Under the rules of the House, Mr. Speaker, there is no onus on me to remain in the House. Alright! He talks about scurrying out. I left I thought rather gracefully, Mr. Speaker. After looking over - I think it is my obligation, Mr. Speaker, and I think I exercised it well, it is my obligation to let the Province know. If the member for Grand Falls (Mr. Lundrigan) wants to tell the Province things tell the Province that only five members out of thirty on the government side of the House were sitting in their places when I called a quorum.

SOME HON. MEMBERS: That is right.

MR. SIMMONS: Only five out of thirty. That is true. And, Mr. Speaker, I looked around and in a quick count I saw either eight or nine counting myself. Eight and five are thirteen, nine and five are fourteen.

MR. HICKMAN: Ask the hon. gentleman who called the quorum did the other eight gentleman decide to go out -

MR. SIMMONS: Well there is nothing wrong with that, Mr. Speaker.

MR. HICKMAN: With some speed.

MR. SIMMONS: Mr. Speaker, with my leaving and I believe even without my leaving there was not a quorum present and therefore, Mr. Speaker, was obliged to do as (d) requires that he shall cause the bells to be rung. There is no rule here saying that people that were here when the quorum was called would have to stay in the chamber during the intervening period, that is ridiculous in the extreme, of course it is. We are quite in the habit here, Mr. Speaker, when there is an intervening

MR. SIMMONS: period, a lull in the business or we are waiting for time to count the House that individual members walk out of the House and then come back in as the case may be.

MR. J. CARTER: Hoisted by your own petard.

MR. SIMMONS: Now, Mr. Speaker, I was not hoisted by any petard at all. There were thirteen members, Mr. Speaker, thirteen members in this House to my knowledge -

AN HON. MEMBER: They are walking out on you. Look they are all laughing at you.

MR. SPEAKER: Order, please!

MR. SIMMONS: Now, Mr. Speaker, the real point that we have made by this quorum call is that only five of thirty members on the government side were sitting in the Chamber, only five of thirty. There was not a quorum in the House, Mr. Speaker, and there being not a quorum in the House it was my duty, Mr. Speaker, under 4(a) to bring it to Mr. Speaker's attention. If Mr. Speaker thought that I had acted improperly he could have and should have I suggest immediately informed the House a quorum was present and did not do that.

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

MR. MARSHALL: Mr. Speaker, look the rules are taken in Standing Order 4 on quorum and there is no doubt that a member need not remain in the House when he calls a quorum and any member may direct to the Speaker's attention the fact that there is not a quorum present as the House Leader has said. But I also refer Your Honour to Standing Order 4(d) which says that "When the Speaker's attention has been directed to the fact that there is not a quorum present, the Speaker shall cause the bells to be rung." Now I would submit, Your Honour, that really what that means is that any member could direct - I could direct Your Honour's attention to the fact, just say now there is not a quorum present but Your Honour has to look and see. His attention has to be directed to the fact. That I say it does not direct Your Honour's attention to the fact

MR. MARSHALL: that there is not a quorum present it would be sort of ludicrous you could bring the proceedings of the House to anybody who wished to. If I wish to say all I could do every time get up and say there is not a quorum present so we will ring the bells for three minutes all through the day and when we come back I will say it again. My point is the purpose of that particular Standing Order there, Standing Order 4 and particularly 4 (d) is that, When your attention is called to the fact that there is not a quorum, Your Honour, ascertains by looking around the House quickly whether or not there is a quorum. If there is obviously a quorum present he does not ring the bells. And if the hon. member who calls the quorum chooses to go out of the House then another member may rise and be recognized. The fact of the matter is, Your Honour, it has to be that way or otherwise the proceedings of the House could be reduced to a complete absurdity. In other words if I say now it requires two things a member directs the attention of the House to the effect that there is a quorum but the second step is that, Your Honour, has to then determine by looking around and if it is abundantly clear that there is a quorum present we just continue on with the proceedings of the House. That is the way it goes.

AN HON. MEMBER: Is that right?

MR. MARSHALL: Yes. Okay?

MR. SPEAKER (COLLINS): Order, please!

I think that this matter may be clarified if I read parts of Standing Order 4 in total, that is sub-section (a), (b), and (d), (c) does not apply. 4 (a) reads as follows: "Any member may direct the Speaker's attention to the fact that there is not a quorum present". Now clearly this means that the member in his view feels that less than fourteen is present in the House the onus perhaps is on the hon. member to make a count beforehand but I do not know if it is the Chair's business

MR. SPEAKER (COLLINS): to assume that the hon. member is absolutely accurate in his count. 4 (b) states as follows; "A member need not remain in the House after giving notice that a quorum is not present. My interpretation of that would be that if it requires the member's absence or removing himself from the House to validate the non-quorum that our rules would make that in order I think that can the only sense that could be taken as of that rule or that sub rule being in there if it did not mean that I can see no reason why such a point should be made. So, from that it would seem to me that in reducing the number in the House to below fourteen requires the hon. member of bringing the matter to the Chair's attention leaving when he is within his rights to do so and this would constitute loss of quorum. And then in (d); "When the Speaker's attention has been directed to the fact that there is not a quorum present, the Speaker shall cause the bells to be rung and shall cause the count to commence when three minutes have elapsed after the ringing of the bell." It does not state there that the member himself should make a count at that point when his attention is directed to the fact that there is not a quorum present the rule states that the Speaker should ring the bell and commence a count at a later point. So the rule seems to me to imply this that if a quorum is stated not to be present and there clearly is a quorum present, in other words 4 (b) does not come into effect if it clearly is a quorum present I think it would be quite within the Chair's right to make that comment and allow the debate to continue. If on the other hand a member removes himself from the House and at that point in time by his removing himself from the House at that point in time a quorum is not present I think there is nothing for the Chair to do but to ring the bells as 4 (d) states.

Now at the point that the quorum was called the hon. member directed the Chair's attention the quorum was not present and then left the House. Now I am aware that other

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Tape 3756 (Night Session)

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MR. SPEAKER(COLLINS): members left with him but  
at the point in time that he left the House there was less in my  
view than a quorum present so that the Chair unless it was merely  
to state an untruth, in other words that a quorum was present

MR. SPEAKER (DR. COLLINS): The Chair was placed in a position that I had to say that a quorum was not present or at least had to make the statement let the bells be rung and the members come in. In other words, at that point in time it would have been impossible for the Chair to make the statement that a quorum is present, when the hon. member by leaving, and incidentally other members leaving with him left the House without a quorum, there was no alternative.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (DR. COLLINS): And I would say though that on that matter I do not feel that there was any other alternative, but clearly it would be specious for members to say a quorum is not present, when self-evidentially and from that point on there continued to be a quorum present.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (DR. COLLINS): The hon. the member for Burgeo-Bay d'Espoir.

MR. NEARY: A point of order, Sir.

MR. SPEAKER (DR. COLLINS): A point of order has come up.

MR. NEARY: Mr. Speaker, during the time, Sir, that the hon. the member for Grand Falls (Mr. Lundrigan) was talking about the dignity and the decorum of the House in raising a so-called point of order, Sir, the hon. member used the lowest form of unparliamentary language, Sir. And Your Honour will remember that the member for Grand Falls accused my hon. colleague, and I want to refer Your Honour by the way to Page 131 of Beauchesne, Section (2), accused my colleague here, Sir, of insulting the House and insulting the people of the Province. And just go down Your Honour to 1, 2, 3, 4, and Your Honour will see that his remarks are insulting to the House and to the country are unparliamentary.

MR. W. ROWE: And must be withdrawn.

MR. NEARY: And must be withdrawn, Sir.

AN HON. MEMBER: Be serious.

MR. NEARY: I beg your pardon?

AN HON. MEMBER: Be serious.



MR. NEARY: No, this is a valid and a serious point of order. My hon. friend from Grand Falls (Mr. Lundrigan) did say that, did make that charge that the remarks of my hon. friend, his behaviour, his remarks and so forth were not only insulting to the House but an insult to the people of the Province, the country in other words. That is unparliamentary, Sir, and I would ask Your Honour to ask the member for Grand Falls to withdraw these remarks.

MR. SPEAKER: The hon. House leader.

MR. HICKMAN: Mr. Speaker, that point of order is frivolous and vexatious inter alia because Your Honour will recall that on that same point of order the hon. gentleman for Trinity-Bay de Verde (Mr. F. Rowe) rose in his place read that section, that provision to Your Honour. At the same time it was drawn to Your Honour's attention the provisa<sup>l</sup> in sub paragraph (4) of 154 which says "It is not out of order to say that a member has obstructed the business of the House, or that a speech is a abuse of the rules of the House." Your Honour has already made a ruling on that and it has been dealt with. To raise it again is not only specious, not only frivolous, not only vexatious but demeaning to this House.

SOME HON. MEMBERS: Hear, hear!

MR. F. ROWE: Sir, to that point of order.

MR. SPEAKER: The hon. member for Trinity-Bay de Verde.

MR. F. ROWE: It was my understanding, Sir, that - while I was speaking to the point of privilege at the time and Your Honour disregarded that particular reference because it was a separate and a different thing because we were considering the word 'abuse' at the particular time. That is the only reason why - Your Honour did not rule on that particular citation -

MR. HICKMAN: He did.

MR. F. ROWE: No, no, no. Your Honour did not rule on that particular citation, Mr. Speaker, because it was a different point of privilege.

MR. PECKFORD: You are all mixed up.

MR. F. ROWE: Mr. Speaker, I am not all mixed up.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. F. ROWE: Your Honour, Sir, I submit, ruled -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. SIMMONS: Straight from Beauchesne.

MR. SPEAKER: Order, please!

The hon. member has difficulty making his remarks.

MR. F. ROWE: Yes I am, Mr. Speaker. Your Honour, Sir, ruled quite clearly and specifically on only one thing and that was the question of the use of the word 'abuse' at that particular time and you disregarded completely my reference to that particular citation because it was a different reference and a different point of order. And now it is being resurrected at this particular time. It is a different point of order, Sir, and Your Honour has not ruled on that particular point of order. And this is a clear case of where a citation is made. There is nothing vexatious about it whatsoever or frivolous or anything else. It is one of the few occasions, Sir, when a person gets up on a point of order and makes a direct citation from Beauchesne.

MR. PECKFORD: Sit down.

MR. SPEAKER: Order, please!

MR. F. ROWE: Mr. Speaker, I am not going to sit down for the 'Walrus' from Green Bay over there just because he says so.

SOME HON. MEMBERS: Hear, hear!

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

It has been alleged that the hon. member made certain remarks, that his remarks imply insult to the House and to the country. At this point in time I am not in a position to know whether these remarks were made or not. I would have to consult

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Tape 3758 (Night)

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MR. SPEAKER: (Collins) Hansard, and I will bring this matter back to the House at the earliest opportunity.

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

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: I have thirty seconds left, Mr. Speaker. Let the record show, Mr. Speaker, that the member for Grand Falls managed tonight to use one hour and fifteen minutes since quarter to ten when he raised the matter, and do not let anybody suggest, Mr. Speaker, that I used that time in speaking or the two hours that the member for Kilbride (Mr. Wells) used up the other day on those specious points of privilege. All right, Mr. Speaker. Now there are a number of other issues, but it is now five, four, three, two, one. I move the adjournment of the debate, Mr. Speaker, it being 11:00 P.M.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: Mr. Speaker, I was going to get up and move the adjournment of the debate, but we have had no debate in the last four days.

I move that the remaining Orders of the Day do stand deferred and that this House on its rising do adjourn until tomorrow, Wednesday, at 3:00 P.M. and that this House do not adjourn.

On motion, the House at its rising adjourned until tomorrow, Wednesday, May 31, 1978 at 3:00 P.M.

The House resumed at 8:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

MR. SIMMONS: Mr. Speaker.

MR. SPEAKER: The hon. member for Burgeo-Bay d'Espoir.

MR. SIMMONS: Oh, he is back. We missed him this afternoon. How is the savoury patch?

MR. RIDEOUT: There was a good sale on savoury.

MR. NEARY: Spray matacil on it.

MR. SIMMONS: I am not sure what the member is saying. Yes, that is right. Would the member agree to have it sprayed with matacil? We were going to try it on the Minister of Tourism but we thought we should try it on something useful instead. So perhaps the savoury patch, Mr. Speaker, would be a good one. I was just delaying there for the minute, Mr. Speaker, because I was looking at the transcript -

MR. LUSH: Morqan is out.

MR. SIMMONS: Yes. I think they have given him the flick.

MR. J. CARTER: It is hard to keep them seated after a good meal.

MR. SIMMONS: As soon as we are all settled down now. I know we have eaten well and all that but I want -

MR. NOLAN: Were you down in the dining room?

MR. SIMMONS: No, some fellows do not get invited to the dining room. I was just perusing this famous transcript again, Mr. Speaker, because I read it very differently from the member for Kilbride (Mr. Wells). I wish he would come in at some point so we could have a chat to him. This business, Mr. Speaker, of dealing with part-time members is awkward because just as you want to say something that they should be present for they are absent and then you will get accused at some point of saying something in their absence.

MR. J. CARTER: Is it better to be a part-time member or a full-time mouth?

MR. SIMMONS: The member for St. John's North (Mr. J. Carter) would well know the answer to that question. Now, Mr. Speaker, if we may. Let me get my notes organized here. There are a few other things

MR. SIMMONS:

I wanted to say on the subject before quitting.

MR. MORGAN: Ten and a half hours.

MR. SIMMONS: What?

MR. MORGAN: He spoke ten and a half hours.

MR. W. ROWE: Not at all.

MR. SIMMONS: It did not seem that long at all, Mr. Speaker. Just made a few remarks, Mr. Speaker, about a number of important issues about -

MR. NOLAN: If he had any conscience the member for Green Bay (Mr. Peckford) would help you on it.

MR. SIMMONS: Yes. Well the member for Green Bay is hardly worth getting to.

MR. W. ROWE: No, not these days.

MR. SIMMONS: Only a shadow of his former self. The poison pen column has taken all of his energy. He has little time for anything else.

The member for Humber Valley (Mr. House), Mr. Speaker, is a man I have spent a little time on not that I have anything against him personally but we have said a few things in this debate about his performance or lack thereof insofar as the education matter is concerned and the word that keeps pouring into us is he is the source of continuing disappointment to all the people around the Province. And I would say to him there are only thirty or thirty-five school superintendents. One of those days he is going to have to apply for a job and the way they are talking these days he is going to need some recommendation I will tell you.

AN HON. MEMBER: He does it well.

MR. SIMMONS: Well, Mr. Speaker, I sincerely hope he does it better than he is doing the education portfolio right now. Ah, there he is Mr. Speaker. We have got the member for Kilbride (Mr. Wells) back with us at least for a little while. Good to see him. It looks like he has eaten well. Certainly I hope he fed his body a lot better than he fed the minds of the people of Newfoundland tonight

MR. SIMMONS:

on television. I hope he was more truthful with his glands than with the peoples' minds.

Perhaps there should be a requirement of tabling Mr. Speaker, that we circulate it to the people of the Province. It would be a tremendous cost but with the very rough paraphrase they got from the member tonight perhaps the only way that they are going to get the truth on this is if they all get a copy of what he said. His rough paraphrase incidentally is a matter of no consequence, that it is all over now and that kind of thing. It is misleading at the very least I say to him. I wish he had quoted what he said and then followed it with his statement and then people could judge whether he was telling the full truth or not. I wish he had said that his buddies over there were so boozed up they did not know what they were thinking or that they had no idea what they are doing anymore or some of these other choice terms that we read this afternoon.

What was most incredible, Mr. Speaker, instead of the member saying to CBC - and I am talking about the CBC news segment this evening, the local news and the insert into it which we shall kindly call the Walsh Editorial Period - during that particular period, during the Walsh Editorial period we were told - understand Mr. Speaker, no criticism of CBC or any other medium for what the member says. It is not CBC's fault that he says it. But the most incredible statement this evening, Mr. Speaker, on the Walsh Editorial Period to the effect that this was a matter of no consequence and

Mr. Simmons.

Mr. Speaker, helped by the script, the script for the Walsh editorial period which failed to point out at all anything about the allegations in this paper here that the member thought his friends were boozing it up in Cabinet, did not know what they were doing. No reference to the fact that they have not got any sense left over there. Do not know any more what they are doing over there. No reference to that. No reference to his disagreement over the Doyle decision or over the Brinco decision. There was a reference on the item that somebody was filling their pockets. No reference to the fact that he felt there was no way to deal with them any more. No reference to his concern that they were destroying their credibility. A bit of a veasel reference to the bunch of crooks' comment, and it kind of takes the member off the hook on that one. Perhaps I read too much into it. But my understanding of it, and the understanding of others I showed this to is that it is pretty clear who the member is talking about when he refers to a bunch of crooks.

But he came off rather well and rather badly this evening, Mr. Speaker. Well in the sense that he was able to portray, he was able to minimize the damage of this document to himself, and he was given the CBC forum to do it, to minimize the damage. That showed at that time that there is a large listening audience, one of the largest, I believe, of any television period during the day on any channel. And he was given the opportunity to misuse, to badly misuse, Mr. Speaker, the public media, badly misuse the public media to misrepresent what is in this document, badly misrepresent it. And then in this very offhand way to say, Well, actually it is a dead issue. He hopes, Mr. Speaker, he hopes it is a dead issue. I can see why he would

Mr. Simmons.

Now, Mr. Speaker, the transcript itself is not a matter that I want to spend a lot of time on, but I want to use it to draw attention to the larger problem over there, and it is a problem which permeates the whole government process, whether you are talking about the scandal in Public Works, whether you are talking about those scandalous Dobbin deals, whether you are talking about the Scrivener scandal. The problem is one and the same that for some strange reason over there they have all got to hang together. It is only one word for it I say to the member for St. John's North (Mr. J. Carter). I would like to be kinder, but I also have got to be factual. I have also got to be a bit factual. So for some reason, Mr. Speaker, overtly or otherwise they decided to band together over there, because they realize, they realize, like a - the analogy would not be parliamentary - they realize, Mr. Speaker, it is either hang together or they hang separately.

So, Mr. Speaker, the incredible spectacle today of a member over there can now acknowledge on the public record that he said all those things. Then he wants us to believe that it is just a mild criticism. And then to add insult to injury he goes on the public airwaves and gives a very misleading representation of what actually happened.

MR. F. ROWE:                      He wants to refer it to a committee now.

MR. SIMMONS:                    Now, Mr. Speaker - yes he wants to refer it to a committee now because somehow - it is a dead issue, he says, but it is going to a committee. Well, you see, we are playing into his hands I say to my colleague from Trinity - Bay de Verde (Mr. F. Rowe) in this sense, that you should have learned one lesson from this whole episode, do not take him too seriously. Do not take him too seriously. If he can still get



Mr. Simmons.

in bed with people that he thinks are a bunch of crooks and  
hoozers and people who fill their own pockets and he can  
reconcile that, that is thinking with his stance, and at  
the same time he can also make much ado this afternoon about  
how it is going before a committee on privileges and then  
two hours later on the television it is all over, he says.  
It is a dead issue.

MR. SIMMONS: Somewhere along the line, Mr. Speaker, we have been taught that your statements from time to time ought to be consistent or consistently progressive. It might change from time to time given new information. They ought to have some relationship to reality. I do not know, Mr. Speaker, after that statement this afternoon and the brilliant performance from the member from Kilbride (Mr. Wells) on the public airways, aided and abetted by whoever writes the Walsh editorial period on CEC, it was a disgraceful performance, disgraceful. Nobody bothers to ask my colleague from LaPoile (Mr. Neary) if that is the only conversation he has. Nobody bothered to ask him why it is that the member from Kilbride (Mr. Wells) looked so relieved when he sees the conversation and realizes it was not the conversation he feared it was at all. There is more to come, yes indeed. I fear, Mr. Speaker, that some people have missed the entire point on this conversation. If it takes a few hours for us to beat the point into some heads, we shall do so. We will come back to that Mr. Speaker. I was hoping by now the Minister of Manpower (Mr. Rousseau) would be back in his seat but he is not at the moment.

I see the Premier has joined us momentarily. Perhaps, Mr. Speaker, at this time we should give the Premier an opportunity to table the document that he promised to table a couple of weeks ago now. Is it a couple of weeks ago now?

MR. F. ROWE: Over a month ago now.

MR. SIMMONS: A month ago, well he had time. The Premier promised about a month ago, Mr. Speaker, that he would table a document in this House.

MR. F. ROWE: The members telephone bills.

MR. SIMMONS: Yes, two or three documents he promised to table. One of them he undertook to table was the contract for Mr. Bob Cole, the part-time director of the special action group. Well that is what the Premier promised us a month ago he was going to table and the job description for

MR. SIMMONS: Mr. Cole, how much he was getting, well we are told it is forty seven thousand dollars. What is the job description, Mr. Speaker, for this parttime job? How can we here, in the Opposition and in the House generally, make an intelligent decision on this budget vote when it comes unless we know how the money is being lashed out and for what reason. Now we have a part-time fellow who does not work full time at this, let that be understood, let us see what his job description is for forty seven thousand dollars. Did he get the job notwithstanding the fact that he did not meet the job description laid down first for this job and the person first offered this job was given a job description which included managerial experience in the business world, it was all spelled out, I have seen the job description. Is that the same job description under which Mr. Cole was hired? If so Mr. Speaker, I can tell you know that he does not meet that job description at all. Was he hired because he is a good golfing buddy of the Premier? Is this what we have here Mr. Speaker, an old boy's club where you scratch my back and I will scratch yours? Is that his main qualification, he is a good golfing buddy of the Premier? Is his second qualification that he is a good golfing buddy of Mr. Dobbin, who is also a good golfing buddy of the Premier. Does the job description provide that he will get time off to go golfing with the Premier? If so will his salary be docked a day or two? Will they use helicopters for the golfing and if they do who will pay for them? Will the hon. member for St. John's North (Mr. Carter) be allowed to be the caddy?

MR. RIDEOUT: That is if he is qualified for that. A helicopter caddy.

MR. SIMMONS: Mr. Speaker, these questions could all be answered if we just had the contract that the Premier promised us a month ago. Then again Mr. Speaker we are back in the area of the Premier's promises, that is

MR. SIMMONS:

treacherous ground, very treacherous ground, Mr. Speaker. I tell you for your own good, do not hold your breath if the Premier promises to do something for you. Ask the people of Grand Falls. Ask the member for Grand Falls (Mr. Lundrigan) who was promised a hospital extension. Ask dozens and hundreds and thousands of people throughout this Province. Ask even Craig Dobbin. The Premier promised to deliver an office building to him. He promised to deliver our Cabinet to him. I talked to a businessman as late as yesterday, Mr. Speaker, a very reputable businessman in the city, a man I do not know well but I have met a few times. He told me that - and he was away, Mr. Speaker, when this whole issue was, I do not know if he was physically away but I think he was out of St. John's whether he was out of the Province or not I do not know but he was not immediately on the scene when this whole matter came up in the House. So yesterday I happened to run into him at another meeting and he asked me - I am not sure if it was yesterday or, yes yesterday I guess it must have been - he was asking me about the issue and I told him about the signature business and what we said was a deal and I tried to put to him what the government's argument was and I must say I did not do it very well at all but I tried to give it some semblance of impartiality.

Half way through he interrupted me. He said, "What are you talking about?". He said, "Sure Craig told me about two months ago he had the deal in his pocket." I said, "What?" "Yes", he said, "only about two months ago in the presence of six or seven people Craig patted the breast pocket of his coat and he said, "Sure I have got the deal in my pocket signed." He was bragging about that, Mr. Speaker, as late as two months ago, the deal that the Premier said they never had. Then the Premier goes and gets his old golfing buddy one day to date a letter, the very day that we are having the debate in the House, that same day. What an insult to the House! Get his buddy to sign a document. That was on the Wednesday. Then on the Friday Mr.

MR. SIMMONS:

Dobbin and his lawyer came to see us in the Opposition. On Friday he came down and he had a chat with two or three of us who were there at the time, myself, the member for Trinity-Bay de Verde (Mr. F. Rowe) I believe was there during part of the time when Mr. Dobbin visited and the Leader of the Opposition spent most of the time with him.

During that exchange, no question about it as far as Mr. Dobbin was concerned, there was a deal, no question at all about it, no question. But as I say, Mr. Speaker, talking about the Premier's promises whether they are promised to this House to table a document involving the contract of Mr. Cole or a promise to construct some hospital or a promise to deliver for his old golfing buddy, they are all in the same category. Do not take them too seriously. Do not lose any sleep over them. Now, Mr. Speaker, in addition to the verbal promise let the word go out if you got a piece of paper signed by the Premier, even an \$80 million agreement signed by the Premier and witnessed by one of the ministers or the other way around, even if you have his signature on a piece of paper, a little advice to you, Mr. Speaker, make sure you get it autographed by everybody else in the Cabinet. Make sure you get it autographed by everybody else in the Cabinet or, Mr. Speaker, get the Premier to tell you whether it is his tentative signature or his final, irrevocable signature. It could be either one you see, Mr. Speaker. It could be just a tentative signature that does not mean a row of beans or it could be the final, irrevocable signature. How you tell the difference by looking at them I do not know but there must be a way. He found a way.

Mr. Simmons.

He did not convince the House last week but he must have found a way because last week he was so sure that that signature was not the final irrevocable signature.

Mr. STRACHAN: Signature in principle.

Mr. SIMMONS: As my colleague from Eagle River (Mr. Strachan) reminds me, it is a kind of a signature in principle, I guess.

Mr. Speaker, just before we went to supper, we were talking about a couple of matters that had come up in the Public Accounts. These either did not come out directly or did not get elaborated on at the time, because we were involved in another major issue at the same time. But I was bringing the House up to date just before six o'clock on the fire which took place in September, 1974 in the FSO Building, what is now called the Fisheries College Annex Building on Merrymeeting Road. And I pointed out - and again, Mr. Speaker, I am prepared to table a couple of documents which relate the fire captain's report which indicates that it was a fairly minor fire and then the report by Mr. Angus Rees of the department which indicated that the total cost of the fire was something of the order of \$103,000, but that the cost related to electrical was \$30,000. And as we rose at six o'clock I was pointing out that the \$30,000 on electrical subsequently went to \$616,000 with not a tender called for any of it. I wish the Minister of Manpower were here right now, because there are some questions that needed to be answered about this.

How does it go on? I mean I asked ministers - fellows on this side who were in the ministry or I asked fellows on the other side who are running other departments, is that any way to run a department, that you run up \$616,000 for which first of all there is no budget item anyway. It is an emergency item, I suppose. There is no budget item for it. And the only contrived or after the fact budget item is information from one of your people that it is going to cost \$30,000 to fix it. And then

Mr. Simmons.

it runs up to \$616,000. No tender called for any of it. I mean how is it possible? How can you run a department so badly? How can you be such a lousy minister that this goes on right under your nose - \$616,000, no tenders called, and every last cent paid out to one contractor. Every last cent paid out to one contractor. And one more thing, not one amount, not one individual payment over \$15,000. Every last one, every invoice, every work order, under \$15,000 individually. Now, Mr. Speaker, is that all a coincidence? Does that not concern anybody over on that side, Mr. Speaker, that what you have here, Mr. Speaker, at the very least, if you just go by appearances only, is some awfully sloppy administration, some awfully flagrant abuse of all the rules, a flagrant abuse of the rules, Mr. Speaker. Either the crowd down there was completely stunned, including the minister, in which case they should all be fired or, Mr. Speaker, there was something willful, something mischevicious, something malicious going on. And I cannot, Mr. Speaker, I cannot for one minute believe that that expenditure - and I am only talking about one building now - where the cost went from \$30,000 to \$616,000 on electrical. I am only talking about one building. I cannot believe for a minute that that went on over an extended period of time, two and one-half years, thirty months, without the active knowledge of people at the political level, without the

MR. SIMMONS:

the active knowledge of a minister or ministers. I do not think it is possible, probably possible but not very probable, anymore, Mr. Speaker, that I do not believe that the whole gear racket that went on in the Department of Fisheries went on without the knowledge of the ministers concerned. I believe the former minister, Mr. Crosbie, was aware of what was going on over there. I believe the Minister of Health as he is now knew what was going on there when he was Minister of Fisheries.

MR. H. COLLINS: You would not say that outside the House.

MR. SIMMONS: I may have to. I may have to. If the member will educate me as to the reasons he would like it said outside the House I might consider it.

MR. H. COLLINS: I am implicated.

MR. SIMMONS: Mr. Speaker, the member may not believe that but I believe it and I believe it very implicitly and I will demonstrate to him why I believe it.

MR. H. COLLINS: Belief has nothing to do with it. I asked you to state your impressions. Will you say that outside the House?

MR. SIMMONS: I may well do it. I am not saying I will not. All right. The member believes and belief has a lot to do with it, the member believes that nothing should be said inside the House that cannot be said outside the House.

MR. H. COLLINS: That is an abuse of the immunities of this House.

MR. SIMMONS: No, Mr. Speaker, we have immunity for another reason too, the kind of reason I demonstrated last Spring. If I did not have the protection given me under immunity I could not have stood here in the first week in June when there was a money bill going through the House and demanded a public enquiry. I could have done it but I could not have given the documentation required to convince the government that there was no way out but by public enquiry. And I predict that to this day there would not be a public enquiry if it was not for that vehicle which I was allowed to use because of immunity. I stood here most of the day. I started



MR. SIMMONS:

about ten-thirty or eleven o'clock in the morning after Question Period if members will remember and I went through - when we started again in the afternoon at three o'clock the Minister of Finance as he then was the, Minister of Transportation now, got up and said, "Well the Premier is in Toronto." It was at that point I said to him, "Well they have phones in Toronto, do they not?" And we talked until five-thirty. And at five-thirty the minister got up and announced that the Premier in Toronto had agreed to a public enquiry. And I would submit to the member for St. John's North (Mr. J. Carter) that we would never have succeeded in getting that public enquiry if I had not been able to lay out here the documentation with the protection of the immunity of the House.

MR. HICKMAN: The only concern about immunity is with respect to the laws of liable, right? That is the real concern, that the laws of liable do not apply.

MR. SIMMONS: No, well in my debate at that time -

MR. HICKMAN: No but what I am getting at is that truth is a defense to a liable action.

MR. SIMMONS: Of course. Ah yes you can say truth is a defense.

MR. HICKMAN: Yes.

MR. SIMMONS: Mr. Speaker, yes and no.

MR. HICKMAN: Yes it is.

MR. SIMMONS: Yes and no and here is what I mean.

MR. HICKMAN: There is no yes or no there.

MR. SIMMONS: Truth is a defense provided you have more money than the other fellow to defend yourself.

MR. HICKMAN: Oh, nonsense, absolute nonsense.

MR. SIMMONS: A lot of innocent men, Mr. Speaker, have gone to jail not because they did not have truth on their side but they did not have might on their side. They did not have money on their side.

MR. HICKMAN: Nonsense! Tommyrot!

MR. SIMMONS:

I have a number of things, Mr. Speaker, I would like to say but I tell you now, Mr. Speaker, I will not say them without the protection of this House, not because they are not true but because I want to stay out of jail. It is a terrible thing to say but it is true and I believe it.

MR. HICKMAN: Do you believe that you could go to jail for liable?

MR. SIMMONS: Well you know I used the expression. What I mean is I want to stay out of court. Put it that way, I want to stay out of court. I am sure the Minister of Justice is used to the expression in its general context, to stay out of jail. I mean of course to stay out of court, stay out of a situation where I am the subject of prosecution for something I have said. And there are a lot of people, Mr. Speaker. Let us not lose sight of that. A lot of people have been taken to court because they said things which were true but never had the money to prove that they were true.

MR. HICKMAN: That is a terrible reflection on a judge.

MR. NOLAN: A terrible reflection on a court.

MR. HICKMAN: That is what I mean, a terrible reflection on a court if that is true.

MR. SIMMONS: It may well be that but no, it is also a reflection on the quality of the defense that the guy can mount.

AN HON. MEMBER: Legal aid is there for that.

MR. HICKMAN: No, legal aid applies to criminal cases.

AN HON. MEMBER: You mean you cannot get legal aid?

MR. SIMMONS: Pardon?

MR. WELLS: I think the member has it mixed up. It is mixed up.

MR. SIMMONS: Well help me unmix it, will you.

MR. HICKMAN: Well the Attorney General is-

MR. SIMMONS: No, no. I hear what the Attorney General is saying and I hope he hears what I am saying too, that there are all kinds of cases, Mr. Speaker,

Mr. Simmons.

where innocent people, by speaking out on the truth, have gotten the shaft, not because the judge was malicious, because the judge given the facts presented to him in court made a decision which went against the innocent person, because the innocent person could not mount a good defence. He did not have the money. There are all kinds of cases like that.

MR. WELLS: Oh, no!

MR. SIMMONS: Nobody in this House believes, Mr. Speaker, do they?

MR. HICKMAN: We have a stronger judicial system than we have ever had.

MR. SIMMONS: Nobody in this House believes that the poor man - is there anybody in this House, Mr. Speaker, who believes - does the Minister of Justice believe that the poor man got the same chance in a court of law as the rich man in Newfoundland?

MR. HICKMAN: Yes.

MR. NOLAN: What a lot of nonsense!

MR. SIMMONS: A lot of nonsense, Mr. Speaker.

MR. HICKMAN: When he has retained counsel, yes.

MR. SIMMONS: Absolute nonsense!

What did he say about retaining counsel?

MR. HICKMAN: When he has retained counsel, yes.

MR. SIMMONS: There is the catch, Mr. Speaker. There is the catch, Mr. Speaker.

MR. HICKMAN: That is why we have legal aid, is it not?

MR. SIMMONS: Mr. Speaker, does not the minister understand at all that I will always, whether I am in the right or the wrong, or whether I am being wrongly accused or rightly accused, I will always have - and listen to what I say - the best defence I can buy. There is the catch. I can only afford so much. And if I am up against a person who happens to have a few millions on

Mr. Simmons.

His side, I daresay, Mr. Speaker, that he will have a better case than I will.

MR. NOLAN: What you are saying is that the justice scale and silver have a great affinity for one another.

MR. SIMMONS: Yes, we would be naive if we did not think that, Mr. Speaker. What we ought to be doing instead of wrangling over the obvious is looking at ways to put some extra money into the legal aid organization.

MR. HICKMAN: It is \$600,000 now.

MR. SIMMONS: Oh, yes, but I was coming to my next point. And then, Mr. Speaker, firming it up so it cannot be abused by the lawyers, firming it up so it cannot be abused by the lawyers.

MR. HICKMAN: Is it doing any good?

AN HON. MEMBER: Oh, no, of course not.

MR. NEARY: Where has the minister been?

MR. HICKMAN: Well, I asked that because we have a board consisting of lawyers and lay persons.

MR. SIMMONS: Well, Mr. Speaker, I will give the minister -

MR. HICKMAN: And the Auditor General does the auditing.

MR. SIMMONS: - I will give the minister one example where it is abused. It is abused in effect. Now what I will overt is I submit it is a overt abuse. But it is abused in this sense: You talk to any number of people who are availing of legal aid and the favourite trick - you can read into the reasons you want - the favourite trick is to have the case held over to another day, because there is another trip out of town. I can give the minister examples of very straightforward cases, very straightforward cases that are carried over and carried over and carried over and carried over. Does anybody over here know about those cases?

MR. NOLAN: Shameful!

MR. HICKMAN: Now if you do, you know - I do not want you to make it public, because we may be libelling some person who is not in a position to defend his or herself. But if the hon. gentleman has any evidence of abuse would you please give it to me, and I will without any hesitancy give it to the board and to the Auditor General.

MR. NOLAN: Why do you not talk to some of your legal colleagues who will tell you?

MR. NEARY: Not only that but the work is pawned off by the way on the juniors. The seniors are gone on business trips.

MR. HICKMAN: No, no!

MR. NEARY: And anybody who wants legal aid go to the junior.

MR. FLIGHT: The lawyers get -

MR. HICKMAN: The what?

MR. FLIGHT: Twenty-five dollars an hour.

MR. NEARY: It is pawned off on the juniors.

What about \$10,000? Does the minister remember what I said about it?

MR. HICKMAN: You said it would go up to \$300,000 or \$400,000.

MR. NEARY: That is right.

MR. HICKMAN: And can you remember what I said?

MR. NEARY: You said it would not.

MR. HICKMAN: I said we should some day catch up with New Brunswick which is \$1.6 million.

MR. SIMMONS: Mr. Speaker, I have no argument with the amounts involved, whether it is \$1,000 or \$600,000 as long as the people for whom it is intended get the benefit from it. All right? Now it is equally wrong if there is only one dollar in the fund if the people for whom it is intended do not get the benefit of that one dollar. The amount is important only in the sense that it meets whatever the need is, whether it is enough to meet the need. But I am

Mr. Simmons.

talking about the need, the need of the person who cannot afford legal aid or legal services on his own. I am not talking about the needs as a lawyer. The lawyer can find other ways. But I understand, Mr. Speaker, I know of cases where - and there may be good reason, the lawyer is not telling his client what the good reasons are - of fairly routine cases held over, carried over to another day, a week after, or two weeks after. I know one thing it means. It means that a lawyer has to go back to the community again, next week this time and a week after this time and a week after this time.

MR. HICKMAN:

The Crown is at the request of the court.

MR. SIMMONS:

I will tell them when, Sir. I will get a little more documentation because I do not have -

MR. NEARY: More for the convenience of the lawyers than anybody else.

MR. SIMMONS: All I am saying to the minister -

MR. HICKMAN: I am serious about that because I think that we have kept a very close rein on our legal aid fund compared to what I hear from other jurisdictions. That is why we have had the Auditor General doing the audit. And if the hon. gentleman has one I would have no hesitancy at all in sending it down to the board in confidence and let him see the result of their investigation.

MR. SIMMONS: All right. Well that is what I began to say to the minister just now. I just got into this as an aside and I did not have documentations here.

MR. HICKMAN: I appreciate that.

MR. SIMMONS: But it is only in the last -

MR. NOLAN: Why must the member do it when lawyers know it, when lawyers are talking about it, when lawyers are ashamed of it. You are a lawyer. You do not need us to tell you.

MR. NEARY: And you are a Minister of Justice.

MR. HICKMAN: I wish they would come and tell me.

MR. NOLAN: Just goes to show how much they trust you I guess.

MR. HICKMAN: I think I have a very good rapport with my legal colleagues and I think they trust me and I hope they trust me and I cannot see any reason why they should not.

MR. NOLAN: Well then they must tell you in -

MR. SPEAKER: Order, please!

MR. HICKMAN: They probably do not tell me any doubts.

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

Past experience has indicated to me that when an hon. member is speaking and other side issues and other members then

MR. SPEAKER:

get involved that could well have a tendency to lead to disorder. So I would ask hon. members to desist and also I would point out that when this practice develops it sort of happens with a certain informality and people speak of views and talk to one another in a manner which is at variance with the rules. Put it that way.

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

MR. SIMMONS: Mr. Speaker, the member for Conception Bay South (Mr. Nolan) is right of course that a fair amount of the information is available directly from the lawyers. But in addition, the minister has asked me and I will undertake to get him some information. I will undertake to get him some information because it is an amount of money that we cannot afford to abuse and if any part of it is being abused then of course we have got to put an end to it.

Now, Mr. Speaker, the page is near. I promised a moment ago that I would table these documents. These relate to the fire in the U.S.O. Building which was to have cost \$30,000 electrical, wound up costing \$616,000, all lashed out to one contractor, a good friend of the administration without any tenders even being called at all.

MR. NEARY: Is that the one that is under scrutiny now at the institution on Duckworth Street?

MR. SIMMONS: What institution?

MR. NEARY: The Court House.

MR. SIMMONS: Oh yes, that is right. This is the same contract that is involved in the courthouse thing and the fire hall thing, the central fire hall and a number of others. A good friend of the government, Mr. Speaker, a very good friend of the administration. Fewer people these days who want to admit that he is their friend but nevertheless they are friends.

MR. NEARY: The member for Placentia, his friend. The member for Bonavista North.

MR. SIMMONS: I must say the member for Placentia (Mr. Patterson) is one of the men who helped uncover this whole thing last Spring. I have to -



MR. NEARY: Well nevertheless he supports the administration.

MR. SIMMONS: Well he is another one of the people like the member for Kilbride who may well be guilty by association before it is all over because the member for Placentia like few others in this House, Mr. Speaker, knows what we went through trying to get the information out publicly. I dared say he was leaned on privately. I dare say his friends advised him in a number of ways. But he persisted at the meetings and he helped us smoke out this unseemly set of events at a time, Mr. Speaker, when there was a lot of muttering on that side about whether we should allow them to come out. And there were all kinds of filibusters, attempts to shut up the Committee, everything you could mention.

But I think, Mr. Speaker, the member for Placentia takes a degree of pride now as I do in the fact that the Committee has smoked it out with his assistance. But it does put him in a bit of a quandering. He must feel a certain affinity for the member for Kilbride because he, like the member for Kilbride is now in the position where he has to embrace those that he keeps at arms length. He has, Mr. Speaker, the member for Placentia, to embrace those that he keeps at arms length. And what an assignment. Now if he is having trouble doing it I would suggest he talk to the member for Kilbride because he has got it down to a veritable art, almost a science, embracing those you keep at arms length.

The Fisheries College job I have made reference to.

MR. SIMMONS: I want to go another job. This one involves another contractor. One of the contractors, Mr. Speaker, on the list, this list by the way, Mr. Speaker, is a list that was sent to me a year ago by a person who called me on the phone. I do not know to this day who that person is. I assume, but I do not know, that that person worked or probably still works in the Department of Public Works, but at the very least he did tell me that he did have some access to what was in Public Works. He could not give me his name. He called me first in the office and asked me if he could call me at home and I said he certainly could and he did call me at home and he gave me some information. Then he said this is the list of contractors, Mr. Speaker, electrical contractors. He then said to me, Mr. Speaker, on the phone one night at my home, he said, "I can get you certain information" and lo and behold a couple of days later certain information turned up in the mail, and I can only assume that the gentleman on the phone was responsible for sending the information. It was not signed: it was just in an ordinary envelope and this was one of the pieces of information which was in that envelope at that time - a list of electrical contractors and a number on that list, the first is the Walsh company, the second is Noel's Electrical, third is Cahill, G.J. Cahill, the fourth is Gaulton Electric.

MR. NEARY: Who?

MR. SIMMONS: Gaulton Electric.

MR. NEARY: Gaulton Electric?

MR. SIMMONS: Yes, that is Gaulton Electric over on Signal Hill Road - this fire that happened there two or three or four weeks ago, remember, the fire which burned out the building at the bottom of Signal Hill Road.

MR. NEARY: Where were they working and what kind of work were they doing for the government?

MR. SIMMONS: Well, they were doing electrical work for the government, the job -

MR. NEARY: Without tender?

MR. SIMMONS: Yes, without tender, yes.

MR. NEARY: What about the list?

MR. SIMMONS: Yes, yes. I want to tell you about this list first and I will come back perhaps to the demise of the premises because the two may be related. Mr. Speaker, the two may be related. It is possible that the two may be related. The fact that they are on this list here and the fact that the demise of the premises may be related. This list came to me, as I say, probably as a result of the telephone conversation which I had. It came to me in the mail. I went into a meeting of the Public Accounts Committee and I began asking questions. I said with this list tucked away in the bottom of my file, Mr. Speaker, without making any reference to it in committee, I said to a witness from the Department of Public Works "Do you know of a list: do you use a list?" And the member said, as a matter of fact I had better give credit where credit is due I think it was my colleague from Lewisporte, the member from Lewisporte (Mr. F. White), who actually first asked the question about the list of a gentleman who worked in the Department of Public Works and still works there. The gentleman from Public Works said well he would have to - he could not answer that and he would have to think about the answer or something to that effect, but he would have to think about it for awhile. So, he went away and the next week that witness was not present at the meeting for other reasons, and there was another gentleman there. We put the question to him, and he allowed that, yes, there might be a list; well, if there was a list, there was certainly a group of names that they routinely used. I asked where that group of names came from. Well, he never saw the list himself but he got it from his superior, the gentleman who was now absent from the meeting and who responded the

MR. SIMMONS: week before that he would like to have a week or so to think about it. So, eventually the first gentleman came back to the meeting and under further questioning he said well he thought there might be a list and that kind of thing. Then I said to him "Well, if you saw a list, would you recognize it?" He thought that perhaps he would. Then we had the clerk of the committee, the law clerk of the House, the then clerk of the committee take this list that I have here down to him and he showed it to him, gave it to him, and I said now you are looking at a list of electrical contractors - is that the list that you use in your department in making decisions about who got jobs without tender? He said "Yes, it is". Then I asked him where the list came from. He told me, of course, that the present Minister of Industrial Development gave him the list soon after that minister came into office back in January or early February, 1972. Now, Mr. Speaker, you have for the purpose of the debate tonight to take my word for what I have just said, but if you want some back-up I refer you to the minutes of

MR. SIMONS: The proceedings of the Public Accounts Committee, or my colleague from Carbonear (Mr. T. Moores), or my friend from Placentia, or my friend from Mount Scio (Dr. Winaer), the other members of the Committee I am sure will attest that that is basically what happened in terms of the list and how it came to be public knowledge. Now where did the list come from? The list, Mr. Speaker, came from the man who is now Minister of Industrial Development. He has not denied that it came from him. The public inquiry, under Mr. Mahoney, has been told it came from that gentlemen. The Public Accounts Committee has been told that it came from that gentleman. He at no time has denied it. Senior public servants have said it came from that gentleman.

Now what is this list? A list of contractors which has Walsh, Noel, Cahill, Gaulton, plus some others on the list.

MR. DEANE: Read them all.

MR. SIMONS: Well I should read them all perhaps. In order, A.B. Walsh Electric, Noel's Electrical, G.J. Cahill, Gaulton Electric, Crann Electric, All Electric, Clarenville, Pollart's Electric, Grand Falls, Lock's Electric, Frank's Electric, Fromm's Electric, Gander Electric, Clancey Electric, Dodge Electric. Thirteen altogether. You will appreciate that some of these are not in the city of St. John's. Some of them are in other parts of the Province. For example, Mr. Speaker, the Minister of Manpower as he now is told us on the 10th. of March last year, and I think I have that, yes I do, that statement, told us on the 10th. of March last year that a number of firms were doing electrical and mechanical work for the government and that they received various amounts during the year.

Well, Mr. Speaker, I know that one of the companies, one of the Corner Brook companies received only two work orders for the year under review, totaling about \$850. So the fact

MR. SIMMONS: that they appear on this particular list, particularly if they are well down the list, does not mean they got a lot of work. But I know of four companies that got a fair amount of work, Mr. Speaker, Walsh, Noel, G.J. Cahill, and Gaulton Electric.

MR. HEARY: Gaulton got a fair amount of work.

MR. SIMMONS: It is my information that Gaulton got a fair amount of work and I will say in fairness to the House that the two that we really documented were the first two on the list because they were the two companies that were identified in the Auditor General's Report, when he mentioned companies A, B, and C, one of the letters, I am not sure which, one of them was Walsh and the other two were Noel companies.

MR. LUSH: How come the Auditor General did not know about it. Did he not have a right to know?

MR. HEARY: Wiring was the cause of that fire over at Gaulton. It was caused by wiring.

MR. W. BONE: Faulty wiring.

MR. HEARY: Faulty wiring.

MR. SIMMONS: Well we are waiting with interest to hear the report of the RCMP on that particular fire.

AN HON. MEMBER: The CID.

MR. SIMMONS: Or from the CID I should say, the CID who are investigating that plus the Fire Commissioner of course, and waiting with interest to find out what the report is. But, Mr. Speaker -

MR. HEARY: Is the minister listening to this?

MR. SIMMONS: - now that my colleague reminds me, the fire that was over on Signal Hill Road did involve the Gaulton Company, the fourth company on this particular list, and it happened I forget the date but we all remember the incident because it was the night after -

MR. HEARY: Twenty four hours later.

MR. SIMMONS: - the member for LaPoile (Mr. Neary) will remember for sure, it was the night after the member for LaPoile tabled some documents, which we will call the Davidson documents.

MR. NEARY: No, the Scrivener scandal.

MR. SIMMONS: The Scrivener scandal documents were tabled.

MR. NEARY: The Health Sciences Complex.

MR. SIMMONS: The Health Sciences Complex, they were tabled eight-thirty, nine o'clock on a night. Was it a Tuesday night? A Tuesday night I think. Anyway it goes back three or four weeks ago whatever, and he tabled them on that night. Well it was the next day I say to him, the next day, the day after that he may remember, that there was a fire over on Signal Hill Road.

MR. STRACHAN: That was the same day as the Elizabeth Towers fire.

MR. NEARY: Did they do any work on the Health Sciences Complex?

MR. SIMMONS: Yes, that is right, the member for Eagle River (Mr. Strachan). The same day, yes that is right. Well now we will get the sequence right. I am trying to help my buddy from LaPoile here. The Scrivener documents were tabled on the Tuesday evening, eight thirty, nine o'clock in the evening. Wednesday morning, the next Wednesday morning now, eleven, twelve hours after that there was a fire in Elizabeth Towers, about seven o'clock in the morning in the apartment of the Minister of Industrial Development, and then about four hours after that -

MR. NEARY: About four hours later.

MR. SIMMONS: About four hours later, after the Elizabeth Towers fire there was a fire on Signal Hill Road involving Gaulton Electric, and Gaulton Electric was completely burned out.

MR. HICKMAN: Is the hon. gentleman insinuating something there?

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Tape No. 3732

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MR. W. ROWE:

of events.

He is back to the chronological order

MR. NEARY:

to think that but it is not -

The hon. gentleman might be able

MR. SIMONS:

will find it embarrassing?

What did the minister say? Who

MR. HICKMAN:

get the facts. I am only listening.

We will do what we do on occasion when we

MR. W. ROWE:

While Rome burns.



MR. SIMMONS: No, Mr. Speaker, I was giving a little time for the minister, I thought he was just about to tell us something. Because we have asked him - he asked was I insinuating something? No I am not insinuating anything. I certainly have a lot of questions in my mind, Mr. Speaker. I have a lot of questions in my mind. And one of the questions I put publicly to the minister about three or four weeks ago. I asked him on the subject of the Elizabeth Towers fire and the Gaulton Electric or the Signal Hill Road fire I asked him whether there was any possibility that arson had been involved there? I asked him that in a Question Period in the House.

MR. HICKMAN: I said I did not know.

MR. SIMMONS: That is a kind paraphrase of what the minister said. More particularly he gave me a lecture on what kinds of questions I should ask and so on. But I remember that among other things he said, he did not know. Does he know now?

MR. NEARY: No. No answer.

MR. HICKMAN: Mr. Speaker, I gave my information what I knew then to the House.

MR. W. N. ROWE: What about now?

MR. NEARY: What about now?

MR. HICKMAN: And I have no more information today than yourselves.

MR. SIMMONS: Now, Mr. Speaker, -

MR. NEARY: Not quite.

MR. SIMMONS: Now, Mr. Speaker -

MR. RIDEOUT: Can he tell me what he has left, right?

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

SOME HON. MEMBERS: Oh, oh!

MR. RIDEOUT: The Government House Leader is causing disruption in the House.

MR. NEARY: There is nothing private, nothing private.

AN HON. MEMBER: No cover up.

MR. SIMMONS: Mr. Speaker, the second -

MR. NEARY: No cover up.

MR. RIDEOUT: It is not me I am not going to be party to a cover-up.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Although hon. members are speaking quietly there is no great tumult. Certainly the procedure could be that four or five debates be going on at one time, and while that might expedite matters it would not make it easy to follow the debate and it would be very difficult for Hansard. So I must insist that hon. members not carry on completely separate conversations while somebody else is speaking.

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

MR. SIMMONS: Mr. Speaker, the second company on that list of electrical contractors is Noel's Electrical. I just want to illustrate, Mr. Speaker, to illustrate to the House the way this work order system worked or was made to work. I just want to table the document which consists of several work orders and several invoices. Now, Mr. Speaker, the members of the Committee went to the LeMarchant Road Building, we had a look at the electrical installation there, and if you get time sometime when you are over there to see the Electoral Officer, it is in the same building where Mr. Harvey Cole is located and where the S.A. Lab for the Department of Transportation I believe is located among other functions, but these two I know the Electoral Office and the S.A. Lab are in that building, if you get time sometime you should go down on the ground floor, Mr. Speaker, and have a look at the electrical panel. Since first seeing it I have asked a number of people, a number of electricians this question, that if you are going to install an electrical panel, how many jobs would be involved? They look at me as though I am not quite with it. How many jobs? One job. Of course, one job. There is only one electrical panel. I said, "Yes, but it is in two or three parts, you have a switch box, and you have some more gear there, and so on, and you have the electrical entrance, you have the meter and so on?" He said, "Yes, but, you know, it is like buying a car

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Tape 3337 (Night)

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Mr. Simmons: without the wheels and then going back and buying the four wheels the next day, and thereby asserting that you have two separate purchases, which I suppose technically you do have two separate purchases, except it is

MR. SIMMONS: hard to fathom what good the car was on the first day without the four wheels, and so I have been assured by the electrical people that there is no point in putting in the electrical entrance unless you put the panel box in; no point in putting in the meter unless you put in the switch box. In short, Mr. Speaker, no point in buying the car unless you buy the whole car. No point in installing part of the panel without installing the full panel. And somebody says, well, that is elementary. Well, I thought it was elementary, Mr. Speaker, until I went over and the fellow said to me from Public Works, 'Well, there's the panel'. I said "Yea, how many jobs is it?" - "Three". "Three jobs?" "Yea, three jobs". So it was, Mr. Speaker, they got the bills out for me and sure enough, Mr. Speaker, they had it billed out as follows: from Noel's Electrical, let's go the other route: no, we will go with the invoice first. From Noel's Electrical to the Department of Public Works: One switchboard, section one; One switchboard, section one. The next invoice reads: One switchboard, section two.

AN HON. MEMBER:

It is a dark room.

MR. SIMMONS:

And the third one, Mr. Speaker, reads: One switchboard, section three. One bill is for eleven thousand and something and the other bill is for eleven thousand and something and the other bill is for ten thousand and something, totalling about thirty-three thousand dollars altogether, Mr. Speaker, but you will notice, Mr. Speaker, that neither of the three bills is more than \$15,000. Problem - how do you buy one panel over \$15,000 without going to public tender. Solution - break it down into a three-stage panel. Sectionalize it - sectionalize it - break it down into sections, Mr. Speaker, and so that is what they did. Well, that is part of what they did Mr. Speaker, but they did more than that. The invoices from the contractor who did the work, Noel's Electrical, were dated August 31, and, Mr. Speaker, get this, Mr. Speaker, because one would assume you know if you want to be particularly

MR. SIMMONS: kind about this, one would assume that if the thing were done in three sections, because it was done for some financial reason, now they did not have all the money in one month, so they were going to do so much this month and so much next month and so much the next month. So, I should tell you that section one - the bill was dated August 31; section two - the bill was dated August 31; and section three - the bill was dated August 31.

AN HON. MEMBER: So what?

MR. SIMMONS: Mr. Speaker, -

AN HON. MEMBER: Dated the same day.

MR. SIMMONS: It can be argued, of course, Mr. Speaker, it can be argued that the company was not anxious to get its billings out so it did all the work and then sent all the bills the same day, and that has happened, Mr. Speaker, that is quite possible. So, let us look at the work orders. Let us look at the authorization for this work in the first place. How was the work authorized? It was authorized by what is known as a direct purchase order, which by the way, Mr. Speaker, should only have been used for amounts up to \$100, but that is another story. They got wrongly used for amounts up to \$15,000 and the work order for section one of the switchboard, Mr. Speaker, was dated on the 26th of nine, what is that, September? Is that September?

AN HON. MEMBER: Yes.

MR. SIMMONS: No, come on now, it cannot be. The work order, Mr. Speaker, I just discovered actually, was dated 26 days after the bill was in. The authorization to do the work in the first place was dated 26 days after the work was apparently done because it was billed - they would not bill it before they did it, would they? They billed it on the 31st of August and -

DR. KITCHEN: Did they do it?

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MR. SIMMONDS:                   then the authorization - I will come to that - it is an excellent point - did they do it at all? On the 26th of September, the authorization goes out to do work by the end of August. Now, Mr. Speaker, the second invoice was dated August 31. When is the direct purchase order dated? Well, one would think if they are going to do it in three stages, if the first one was dated, say, September 26 then the second one would have been dated some time subsequently. The fact is it was dated on the same day, on September 26, 1975,

Mr. SIMMONS: the second stage of the panel. And, Mr. Speaker, the third stage of the panel, the work order also dated the 26th of September 1975. The three sections were authorized on the same day if you can believe what these fellows have written and they were all authorized on a day, twenty-six after the day the bill was due. The job was apparently done when the bill was due.

Mr. Speaker, a couple of other questions. First of all how much were these work orders for? Were they for \$10,845 as in the case of one invoice or were they for \$11,557 or perhaps there was one for \$11,881? Were they for specific amounts, Mr. Speaker? Not on your life. One was for \$10,000, a second was for \$10,000 and a third was for \$10,000. Now, Mr. Speaker, we all cannot see this but as you get a copy you might notice, Mr. Speaker, and perhaps it is only my suspicious mind but a very fine handwriting, obviously a good writer writes the following; Department of Public Works issue to Noel's Electrical, O'Leary Avenue, deliver to LeFarchant Road Building, invoiced to the Department of Public Works, descriptions of jobs; supplying and installing section 1 of main switchboard. That is all written, Mr. Speaker, in the same very even, particular, good handwriting. And then, Mr. Speaker, there are a couple of things in very different handwriting - the amount and the date. What we had here, Mr. Speaker, was not only work orders under \$15,000 but something worse than that. We had blank work orders, blank, undated work orders - a clear case, Mr. Speaker, of where somebody was covering his tracks. This is signed, Mr. Speaker, by an inspector, an electrical inspector down in the Department of Public Works who calls himself the Chief Electrical Inspector or the CEI on this document which I understand to mean Chief Electrical Inspector. And it may be judging from his handwriting - I am no handwriting expert, it may be that the date and the amount was entered in his handwriting. That is certainly possible. It is certainly a different handwriting from the body of the purchase order.

What do we have, Mr. Speaker? Blank work orders to get around the public tender legislation and to farm out work, Mr. Speaker, to another one of the friends of the Minister of

MR. SIMMONS: Industrial Development or whoever helped her compile that list. Now, Mr. Speaker, I do not want to hear another word about scandal from that crowd over there. I do not want to hear another word from that hon. crowd over there because what I have seen, Mr. Speaker, in the last year would just turn your guts particularly from a crowd that were going to clean her up.

AN HON. MEMBER: Clean her out.

MR. SIMMONS: They cleaned her out alright. My colleague from St. John's West (Dr. Kitchen) asked a minute ago was the work ever done - an interesting point. To answer the question from the member for St. John's West (Dr. Kitchen) we visited the building on May 18, 1977 and saw this three section panel, this sectionalized panel. I came back from the building thoroughly shaken, not only on the financial finagling that had been going on but on another issue, the issue of safety. I was thoroughly shaken so much so that I was constrained not only on the issue of the financial finagling but on the issue of safety as well.

MR. NOLAN: Which building?

MR. SIMMONS: This was the LeMarchant Road building.

MR. NOLAN: Why is it so serious?

MR. SIMMONS: The letter will explain. I have a letter which I wrote as a result. The visit was in the afternoon, about four thirty or five o'clock on the afternoon of the eighteenth. You will understand that we left the building there about five fifteen in the afternoon and there was not any direct opportunity for me to have the letter written that day. But it was written the following morning and hand



MR. SIMMONS: delivered to the then Minister of Public Works, the now Minister of Manpower, because I was thoroughly shaken about the safety issue. Now keep in mind, Mr. Speaker, that this is a job that had been done, would have been billed twenty-one months before. So we can assume that it was paid for. I would assume it is paid for, I do not know. But it was billed twenty-one months before so the job had been I suppose, done up to two years before that or say eighteen to twenty-one months before. Certainly with that lapse of time any last bits and pieces were pulled together. If there was a part missing or they were waiting on delivery of parts, certainly it is assumed that in twenty-one months they would have had time to pull it together. So we went there on May 18th. On May 19th, Mr. Speaker, the very next morning as I came into the office, I wrote this letter to the now Minister of Manpower: "Dear Sir: In my capacity as Chairman of the Public Accounts Committee, I had occasion to visit the LeMarchant Road building yesterday, Wednesday, May 18th. I am writing you now not on behalf of the Committee, but as a concerned private citizen. During my visit I had a look at the new electrical room and I was appalled at the serious safety hazard which the set of conditions there constitutes. The electrical panel is uncovered. At least two temporary services have been taken off the panel," - these are large wires running out through the doors, as you can imagine.

MR. SIMMONS: "At least two temporary services were taken off the panel, one of which prevents the room from being secured since the door to the room cannot be closed. Further, the unsecured electrical room is readily accessible -

MR. RIDEOUT: Taken off? You mean added on to the panel.

MR. SIMMONS. Yes. I think it is an expression electricians use - at least I got it from this electrician who was there. When I say 'taken off from the panel' I mean after the panel had been installed and the wires run through the wall somebody goes in and clips a couple of wires on the Southside of the panel directly and overtly from the front of the panel they just take it and clip it on to the panel itself, and the electricians normally describe that -

AN HON. MEMBER: Are you taking something off?

MR. SIMMONS: No, the electricians normally describe that process as taking a line off the panel -

AN HON. MEMBER: Take things as they are.

MR. SIMMONS: - really meaning connecting a line to the panel if you like, and that was the context in which I used the expression here. When I say, Mr. Speaker, at least two temporary services had been taken off the panel. I meant two temporary lines were connected to the panel.

AN HON. MEMBER: It is an electrical term.

MR. SIMMONS: Yes, but it is an electrical term and I probably should not be using it because I am not very conversant in that area, but that is the point I was making there that at least two temporary services had been hooked into the electrical panel from the front and then run out through the room over the doorway so that they could not actually close the door.

"Further," Mr. Speaker," - and I am reading from the letter - "Further, the unsecured electrical room is readily accessible from the outside of the building via a back door located within approximately thirty feet of the electrical room." Now if anybody knows the building, it is the old - the member for St. John's Centre (Mr. Murphy) can help me - one of the bottling companies.

MR. MURPHY:

It was one of Al Vardy's.

MR. SIMMONS:

Al Vardy's building. What was the name of the company?

MR. MURPHY:

I think it was Suncrest.

MR. SIMMONS:

Maybe Suncrest - that building. And at the back of the building there is a single door entrance, but beside it is a ramp where a truck would back in.

MR. MURPHY:

A warehouse.

MR. SIMMONS:

Right. And the door, besides, the day we were there was unlocked, indeed, was open and this is the point I am making here. The electrical room is readily accessible from the outside of the building via a back door located within approximately thirty feet of the electrical room, a door which I understand is usually unlocked, and I got that from talking to the security people there. When I say 'usually' - he used to lock it when he would go at 11:00 P.M., he told me.

"It would appear that the unsecured electrical room presents a particular hazard to children who may be playing in the area at the back of the building. I believe you would be well advised in the interests of safety to take steps to rectify this situation without delay." Now I was prompted, as I say, to write that letter of May 19th, the day after our visit. And just to complete the record, on the 16th, a week following, the minister wrote me a letter: "In reply to your letter of May 19th, the deficiencies noted in the electrical equipment room, LeMarchant Road Building at the time of your recent visit have not been satisfactorily corrected by the contractor responsible at no cost to my department. All debris and surplus materials have been removed and the door to the electrical room fitted with an appropriate lock."

MR. SIMMONS: So that action was taken apparently as a result of my letter, but certainly in that week anyway.

Now I raise that first because of the question from my colleague from St. John's West (Dr. Kitchen) about whether the job was satisfactorily completed. Again, I am in no position to judge because I am not in that particular field at all. All I do know is that Noel's were engaged to install an electrical panel - if we are to believe this - in three stages. And when we saw the panel it was in a very incomplete stage. Now, Mr. Speaker, being aware that as Committee members we were not required to be conversant in electrical matters, it so happened that one of the gentlemen on the Committee, the member for Mount Pearl (Mr. Neil Windsor) has background in the engineering field and therefore, would be somewhat exposed to this discipline, I am sure. But as members of the Committee we were not particularly required to have this expertise, so we asked Newfoundland Hydro to send along somebody with us. And I forget the name of the gentleman now, but he was either the chief

MR. SIMONS:  
the member help me?

inspector or the next to the Chief. Can

MR. SIMONS: But anyway he went along to give us his opinion on the service and without quoting from the context I got the net impression from him that it was most unsatisfactory. Now this is a job that had been completed and had been paid for, had been billed and paid for.

Mr. Speaker, I said a minute ago that I would table that and perhaps if the Page would come by. There is a case \$30,000, it is not a large amount but I thought we would pick that one because it does demonstrate in terms that most of us can understand, it does demonstrate how the public tender system was gotten around. Remember the ceiling was \$15,000. Here was a switch panel installed purportedly in three stages but all dated on the same day. The invoice dated on the one day and then the work orders themselves dated on the same each amounting to \$10,000 each and together they are suppose to cover a \$33,000 expenditure. The work orders do not even add up to \$33,000. They add up to \$20,000 so the question is how was the other \$13,000 authorized. And of course the overall question of why that route was used, Mr. Speaker, to install an electrical panel when the simple course, Mr. Speaker, would have been to just go out and call a tender. The law provided it. This hon. crowd brought in a Public Tender Act in 1974 which said that after \$15,000 you call a tender. It is a very simple matter, Mr. Speaker, a very simple matter. Just call a tender and God knows, Mr. Speaker, perhaps they would have gotten a better price. Perhaps they would have gotten better service. Perhaps it would not have required a letter two years later after the job was done to say that the job was unsafe. Perhaps it would not have required that letter to get some action on it.

Mr. Speaker, I believe this one and this involves the Noel company and I thought in fairness we should do that because we have talked a fair amount because the Walsh company and their activities at the Torbay Bangar, the Fisheries College, the Court House

MR. SIMMONS: downtown, the fire hall and other building around town, their activities are well known and the pattern of how a lot of expenditures were incurred without the calling of tenders is well known. But this is another company, Mr. Speaker, that got a lot of money at the expense of the taxpayers without even going through the routine of a public tender.

Now, Mr. Speaker, where does this leave all the people who are in the small contracting business in this city? The men, Mr. Speaker, who have one or two or three man operations in the electrical business, in the mechanical business, in the carpentry business, small business that this government is prating about all the time, how they are going to support small businesses, how they are going to promote small businesses. I ask you, Mr. Speaker, with the examples that I have just given with the Noel case - is that anyway to promote small business? The examples that I have just given you on the Fisheries College this afternoon, the \$616,000 without tender - is that anyway to give encouragement to the small electrical contractor in this city? You hear all this nonsense about small business. This Special Action Group has only promoted one small business, the small business called McConnell in Montreal.

MR. NEAPY: What about the author of the Public Tendering Act. I keep reading about him.

MR. LUSH: A great piece of legislation.

MR. SIMMONS: Well, Mr. Speaker, the member for St. John's East (Mr. Marshall) and I compared notes in this House not too long ago on the Public Tender Act. But I have an answer for the member for St. John's East (Mr. Marshall) which is not mine. It is contained in an editorial in one of the daily papers that I had said in the House that I quoted civil servants who said that "the Public Tender Act did not make any difference in the way the department operated and the way it spent the public's money." And then we had this great eulogy to public tendering by the member for St. John's East (Mr. Marshall) and he told us how things had changed. Well, Mr. Speaker, I am not sure that

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Tape No. 3737

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MR. STANOVIS:

I can put my hands on the editorial  
now but one of the daily papers here in St. John's gave the member  
the answer and the answer was this. It might have

MR. SIMONS:

changed, Mr. Speaker, the editorial said, but only in theory. Changed only in the member's mind, only in theory did anything change after the Public Tendering Act came in in 1974, strictly in theory, only in theory.

Mr. Speaker, there are other - oh yes there was another interesting document. Before we leave the LeMarchant Road building, Mr. Speaker, I had the auditors look at the expenses on the LeMarchant Road building, these are all electrical expenses alone, Mr. Speaker, and we all know the building. It is not a large building. It is a two or three story building, as I remember it, not a large building. And, Mr. Speaker, I have got a summary here, I had the auditors do for me, showing me the electrical work performed on the LeMarchant Road building over a three year period. Now we are not talking about a new building, Mr. Speaker, and we are not talking about a building where there is any great electrical requirement. When we were talking about the Hanger building, remember that we were talking about a building that had some particular electrical requirements because of the nature of the repair work they were doing there, electric, welding, and that kind of stuff. The requirement was electrical in part, the kind of requirement that the job that is going on in that building needed were electrical.

But this is a building that is, for the most part an office type building, although there is an S.A. Lab there. I do not know if it has any particular electrical requirement or not other than lighting and so on. But it is basically an office type structure, at least in terms of its present use. It is not a new building and I can understand that there have to be some electrical alterations as time went on and the function of the building changed.



MR. SIMMONS: Mr. Speaker, this is a summary of electrical work done in one building, one of the twenty or twenty-five buildings in which the government offices are located in this city, one building alone. And electrical work alone, not the carpentry work that was done there at the time because there was some of that done, not the mechanical work, not any painting, I am talking about electrical installation and alteration alone, in 1974-'75 - \$5,000 plus a few cents. '75 - '76, about \$28,000, '76 - '77, \$19,000, a total of \$113,278 in electrical expenses in one building over that two and a half year period, \$113,000.

Now, Mr. Speaker, this \$113,000 and by the way I should point out that the documents I tabled a moment ago, the \$30,000, are included in this \$113,000, we are talking about the same building. Mr. Speaker, not one cent of that \$113,000 was put out on public tender. Now this is the crowd, Mr. Speaker, this is the crowd that brought in the Public Tender Act, that was going to clean her up, that was going to get rid of the old corruption system they called it. \$113,000 paid out on the basis of seventeen work orders, and we all saw how these work orders worked a minute ago, undated, no amount on them, written after the invoice was made out, written after the job was done. \$113,000 paid out on seventeen work orders.

Now, Mr. Speaker, the question is this. Who got a piece of the action? How many contractors do you think were involved? Thirteen, that is the number of the list. It does not take into account the dozens of contractors around here who did not get on the list. How many contractors? Thirteen of them. Hardly. Seventeen perhaps, there were seventeen work orders. Not really. One. One contractor, Mr. Speaker,

MR. SIMMONS: one contractor, Mr. Speaker, one contractor got the entire \$113, 000 worth of work.

MR. NEARY: Is that the same one that is downtown now?

MR. SIMMONS: No this is Noel's Electrical. This is number two.

MR. NEARY: Any charges have been laid there yet?

MR. SIMMONS: It is number two on the list, Noel's Electrical. Every cent, Mr. Speaker, on that particular building for a two and a half year period.

MR. NEARY: Was the work done?

MR. SIMMONS: Well I told you how some of it was done. I told you how some of it was done, two years later the Minister of Public Works at my request or my suggestion had to send in people to make the place safe and to put a lock on the door.

MR. W. N. ROWE: How many work orders did you say?

MR. SIMMONS: Seventeen separate work orders.

MR. W. N. ROWE: Why all these work orders to one firm who is doing all of the work? Why would that be?

MR. SIMMONS: Well in the case of the panel which is three of the seventeen work orders they are very neatly broken down into amounts each under \$15,000. Because as you see \$15,000 they had to call a public tender.

MR. NEARY: They had to take her apart and put her back together again. What about that one? Now where does that put Noel's Electrical now?

MR. SIMMONS: Mr. Speaker, I do not really where these stand. I imagine some of this will come out in the public enquiry because the public enquiry which we were successful in getting here last June is going to address itself of the whole question of spending within the Department of Public Works.

MR. NEARY: And we will have a temporary stall on that one.

MR. SIMMONS: One of the things that concerns me I have every confidence that the Mahoney Enquiry will do a good job. It will be interesting, Mr. Speaker, to see what the government does with the report when it gets it, but that is another story. It is another story, Mr. Speaker. We all know what it has done with other reports. We all know about the report that the Minister of Justice's Department has had since last November. I told him about that in the House two or three times.

MR. W. N. ROWE: Finally forced some action.

MR. SIMMONS: Finally got some action. I said to some of the backbenchers over there, it is a hard job, it is a tussle over here because you have to be a full-time member over here just to keep this government in line, just to try and hussle them into some kind of position of integrity.

The Public Works thing, Mr. Speaker, the Public Works Enquiry will take care of this in time, but I should table that one, Mr. Speaker, I have read from it and I have learned, Mr. Speaker, in the last few hours that if you read from a document even inadvertently you should rush out and table it because some member might want it, \$113,278.74 no public tender, I say, to the member for St. John's East (Mr. Marshall), \$113,000 he the champion of the public tender legislation brought in in 1974, and then here they are 1974, 1975, 1976 scoffing at him.

MR. W. N. ROWE: Window dressing! Window dressing!

MR. SIMMONS: - just scoffing at the member for St. John's East.

You are dealing with a new breed, Mr. Speaker, a very new breed over there. You cannot, I suppose, we will have to go back to Ben Franklin, Benjamin Franklin had the explanation, I alluded to it a minute ago. What was it he said? That if you do not - he was talking about a much more noble cause mind you, Mr. Speaker, he was talking about the great revolution in the United States as it now is, and he used the expression in trying to rally the forces, he said, "We either all hang together or we hang separately."

MR. NEARY: They have decided to hang together.

MR. SIMMONS: Well Ben Franklin's crowd decided to hang together because they had a goal in mind. I suggest, Mr. Speaker, this crowd has decided to hang together because they have a goal in mind. I suggest, Mr. Speaker, the kind of goal they have in mind is far less noble than the goal Ben Franklin and his crowd had in mind some years previous. That is the only explanation, Mr. Speaker, that I can come up with as to why it is the member for St. John's East (Mr. Marshall) sits there grins and bears it. Here is his monumental work, The Public Tender Act paraded publicly by senior civil servants whose salaries he pays

MR. SIMMONS: paraded publicly, Mr. Speaker, as something that did not make, in their words, "a whittle of difference." That is from, I believe, the Assistant Deputy Minister of Public Works. It did not make any difference at all, he said, none at all.

MR. W. N. ROWE: When the minister spoke, they jumped.

MR. SIMMONS: Now the member has said it has made a difference, but the daily paper, I think The Evening Telegram had an answer for him in the editorial when it said that if there was a difference it was in theory only, it was in the member's mind only, because there was no difference in fact. And I tell him as the Chairman of the Public Accounts Committee I have scrutinized so far as I can the spending of the Public Works Department, and I tell him that in Public Works it did not make a whittle of difference whatsoever, not a whittle of difference.

How does he stick it, Mr. Speaker?  
He just sits there and he grins and he bears it.

MR. NEARY: I thought 'Joey' was the only one who did things like that.

MR. MURPHY: You are doing a good job with Public Accounts Committee these days.

MR. NEARY: I see. The Auditor General did not bring this out as a result -

MR. MURPHY: Sit down, boy!

MR. SIMMONS: Well, I wish the member for St. John's Centre (Mr. Murphy) were here today because I needed his support really badly. I was telling the House that I have difficulty these days getting the Committee to meet. They will not meet. Certain members of the Committee - I cannot say they will not meet, but I cannot seem to find a time convenient for them. I have been trying for about three and one-half to four months. First they wanted to

MR. SIMMONS: instructed over there to boycott the Committee altogether?

MR. W. N. ROWE: Yes.

MR. SIMMONS: Have they been instructed to sabotage the Committee?

MR. W. N. ROWE: Yes.

MR. NEARY: They are under pretty strict orders these days.

MR. SIMMONS: I know one member - he is not here now, I wish he were - but I know one member, and that is the member for Mount Scio (Dr. R. Winsor) - I do not think he would stand for that kind of thing, Mr. Speaker. They must be telling him some other story. He has gone and tried to get a meeting of the Committee. I know he has tried: he has come back to me fairly often.

Now, Mr. Speaker, if the member for St. John's Centre (Mr. Murphy) is right, if we have done a good job - and I think we have made a beginning - he can assist us by bringing it up in his caucus next time to tell his representatives on the Committee to find time within their busy schedule to get to a meeting.

My colleague, the member for Lewisporte (Mr. F. White), has a concern and I do not think he will mind my stating it.

MR. WHITE: No, I do not.

MR. SIMMONS: It relates to the member for Pleasantville (Mr. Dinn). I steered clear of this subject. As Chairman of the Committee I wanted to maintain as good a relationship as I could with each member of the Committee. But the member for Lewisporte has raised the question a couple of times about what the member for Pleasantville is doing on the Committee, being a member of Cabinet. Well, I want to say first of all that the House has no perimeters in terms of whether Committee members ought to

MR. SIMMONS: be Cabinet ministers or not  
Cabinet ministers - let us be clear about that. I am  
aware that when we were appointed to the Committee, all  
seven of us were non-Cabinet ministers - nobody appointed  
to the Committee from the government side was sitting in  
Cabinet and subsequently that member became a member of  
Cabinet. Now it is not my business, it is a matter for  
the government caucus - it is not my business to decide  
whether Cabinet ministers should be on Committees or not,  
but I will say this that when Cabinet meetings and Treasury  
Board and social policy committees are used as the reason  
we cannot have a meeting -

MR. NEARY: Is the minister alright?

MR. SIMMONS: - then perhaps the government caucus  
ought to look at a way of freeing up the member a bit or  
otherwise letting him attend meetings or replacing him on  
the Committee by some other member.

MR. NEARY: He is finished.

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: The Minister of Justice is an exception  
(inaudible).

MR. SIMMONS: It is okay. Any little pleasantries  
we can interject to make the job of the Minister of Justice  
easier and less stressful even momentarily we will be happy  
to indulge in.

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Tapo No. 3741

MM - 1

MR. SIMONS: He needs the digression like you would not believe it.

MR. HICKMAN: I need what?

MR. SIMONS: I say he needs a digression. He needs a digression, a diversion.

MR. WHITE: They are listening. They are listening. They had better be listening.

MR. N. WINDSOR: He does not make any sense.

MR. RIDEOUT: The member for Mount Pearl arena said that.

MR. W. ROWE: Trying to keep the Minister of Justice's morale up.

MR. SIMONS: If the member for Mount Pearl arena would like me to make some more sense I can -

MR. N. WINDSOR: Do you want me to make some sense?

MR. SIMONS: If you want to. Or you can live with it. I must be hard to live with, but you can live with it.

Now, Mr. Speaker, as I was saying, the member for Mount Pearl (Mr. N. Windsor) if I am not making sense now you should hear how little sense I will make when I talk about the Mount Pearl arena issue. That will be completely confusing to most members except one.

SOME NON. MEMBERS: Oh, oh!

MR. SIMONS: He may have to.

Do you want me to table a few more documents? Well I have several others here that I certainly could table. I could talk about -

MR. BURCHAN: Perhaps he could get a pencil and take the list.

MR. SIMONS: Yes. If the member will get his pencil out I will give him the list, I will dictate to him now. All right?



May 22, 1978

Tape No. 3711

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MR. RIDEOUT: Do not do it too fast because he cannot write too fast.

MR. SIMONS: He is ready. Number one, scandal in government. Number two, scandal in government. Number three, scandal in government. And so on.

MR. W. ROWE: Do not forget the corruption.

MR. SIMONS: As you see, Mr. Speaker, and it might take a little time to get this message through, even to some of the backbenchers on the other side, what we are dealing with here, Mr. Speaker, and I said it at the time we were dealing with the Scrivener documents when they were tabled, what we are dealing with here is one large and intricate scheme, one scheme of scandal anyway you look at it. Running government has become an incidental thing, and something this government does very badly. They cannot get their heads together on anything. They cannot even get their heads together on the spruce budworm spraying, cannot get their heads together on anything. Now the clique got their heads together, Mr. Speaker, the clique got their heads together.

MR. J. CARTER: Which members are you referring to?

MR. SIMONS: The member for St. John's North (Mr. J. Carter) is not a member of that clique, not a member of the clique. He does not qualify, Mr. Speaker. He does not qualify.

MR. LUSH: He is not in the clan.

MR. R. SIMONS: There is no room in a clique like that for a part-time conniving mind.

MR. RIDEOUT: Especially one that is so unsafe.

MR. SIMONS: You have to connive full-time. Now he was asking what other documents I could table? No, Mr. Speaker, I shall not keep you in suspense that long, Mr. Speaker. The Auditor General there wrote me a letter last Spring which he talked about, the \$116,000 and that says, "Chairman of the Committee," and of course as I point out to the member for Mount Pearl (Mr. V. Windsor) that the rules are clear, that once the report of the Standing Committee has

MR. SIMMONS: been presented to the House then a member of the Committee is free to table any document. He is not free before the Committee Report is presented. The rules -

MR. J. CARTER: Has it been presented?

MR. SIMMONS: It may not have been. I do not know.

There is no copy -

MR. N. WINDSOR: You know, did you receive the documents as Chairman?

MR. SIMMONS: Most of the things that I received, Mr. Speaker, most of the things I received would have been sent out and this one is dated the 6th. of March '77. There is nothing on it to show me it was - that any copies went to members. It is a covering letter at the time that the Auditor General replied to my request for information on the Fisheries College, the \$616,000. He gave me the break-down of it and he gave the vouchers and so on.

MR. N. WINDSOR: Are you saying that you get information as chairman that is not passed on in Committee?

MR. SIMMONS: Well that is quite possible, quite possible.

MR. N. WINDSOR: That does not seem to be entirely in order.

MR. SIMMONS: Well we will bring it up in Committee.

MR. N. WINDSOR: I think we should. Yes.

MR. SIMMONS: When do we meet?

AN HON. MEMBER: We cannot get a meeting -

MR. SIMMONS: There is a reason to have a meeting.

MR. RIDEOUT: Right.

MR. SIMMONS: Mr. Speaker, of course, the member for Mount Pearl, of course I get information from various people that I do not pass on to the Committee. Of course I do.

AN HON. MEMBER: A good job you do not.

MR. N. WINDSOR: Getting the information as a member is fine but you are getting information for the Committee, for all members of the Committee.

MR. SIMMONS: Ah yes, but we will have to see,

Mr. Simmons: Mr. Speaker, whether the member has a copy of that, if he does not, Mr. Speaker, look let us give him a copy.

MR. W. N. ROWE: No, no I am just asking you, that is all.

MR. SIMMONS: Give him a copy, Mr. Speaker.

I will table this letter from the Auditor-General in which he talks about the scandalous affair at the Fisheries College, I am tabling it and it is a letter to me as Chairman, a particular request for the member for Mount Pearl (Mr. N. Windsor) get a copy, and we will discuss it in the next Committee meeting.

AN HON. MEMBER: Committee.

MR. SIMMONS: Pardon?

AN HON. MEMBER: Discuss it in Committee.

MR. SIMMONS: Something like that.

Now, Mr. Speaker, before we get off the subject of public accounts I should also, Mr. Speaker, should mention one or two other things. The list I tabled a few minutes ago was an electrical list, a list of electrical contractors. Now in addition to that, Mr. Speaker, the department had a list of mechanical contractors. And without going through the whole sequence again I got this list in the same way as I got the electrical list. I had an informant on the telephone who subsequently mailed me some items this is one of the items. I subsequently asked questions in the Committee and found out that this list of mechanical contractors was the one given by the Minister of Industrial Development as soon as he came into office with an instruction that these people on this list be given the work.

This list, Mr. Speaker, mechanical contractors, Noel's Mechanical, Stares Mechanical, C. A. Hubley, or is that Hubley? C.A. Hubley is it?

MR. NEARY: Hubley.

MR. SIMMONS: E. P. Tobin, T. Knot, E. F. Barnes, MacWell, Eaststeel Industries, Earles Welding and Machine Works, George Philip and Sons, Robert's Refrigeration, F. J. Murphy and Sons, Prime Building Trades, Slaney's Burner Service, P. A. White, H. Pearcey, B. J. Bartle.

Mr. Simmons: As members will recognize some of the names that I have mentioned are names of companies in other parts of the Province, including I see one from Gander at least, and one from the Grand Falls area, at least one.

Now, Mr. Speaker, back to the first couple because these got the lion's share of the non-tender work, the first one is Noel's Mechanical, and that is owned by the same principals who own Noel's Electrical, and in the second one is S-t-a-r-e-s, Stares Mechanical, and that is owned half of it by a Mr. Stares, and half by a Mr. A. B. Walsh.

MR. LUNDRIGAN: What is the date on the document?

MR. SIMMONS: There is no date on - the member for Grand Falls, I believe, asked - there is no date on the document. It is the document that I produced in Committee about May of 1977, I asked a civil servant of the Department of Public Works if he recognizes it as the list that the minister had given him? And he agreed in Committee that it was the list.

MR. LUNDRIGAN: In 1977?

MR. SIMMONS: In late May 1977 in Committee, and the member of the department, I mean the civil servant acknowledged that it was the list that had been given to the department with an instruction -

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: Pardon?

AN HON. MEMBER: The minister's list.

MR. SIMMONS: The minister gave the civil servant this list with the instruction that he use it in farming out work, electrical and work, in this case mechanical work. He gave him two lists actually he gave him an electrical list and a mechanical list at the same time.

MR. STRACHAN: Is the public aware of this?

MR. SIMMONS: Not that I know of, you know, a number of these matters are under investigation. Mr. Speaker, I should also -

MR. SIMMONS:

Well, Mr. Speaker, we get the minister's in the House, I was hoping particularly that the Minister of Public Works, as he then was the Minister of Manpower, would answer some questions about this, because I have in the last couple of hours raised a number of very serious issues about, at the very least, Mr. Speaker, the matter of whether the minister was performing his job. It is a question the taxpayers would ask I would think, "Was the minister performing his job? Not was he committing any skulduggery or was he lining his pockets? But was he doing his job?"

At some point, Mr. Speaker, there has to be accountability, I admit, it is a fairly loose system that we have. Perhaps it is good or better than other systems that we would devise. I am not begging the question on that, by and large the Cabinet system serves us well. But, Mr. Speaker, was the minister in this case as the custodian at the political level, of the funds voted to that department, was he doing his job? Was he doing his job that this could go on over such an extended period? It went on for three or four years and, I submit, would have gone on longer but that is in the area of speculation.

May 30, 1978

Tape 3675

EC - 1

The House met at 2:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER:

Order, please!

I am informed that there is  
a quorum present.

It is moved that the Minutes  
be accepted. Is that agreed? Agreed.

Before calling routine orders,  
I am in a position to give a decision on a matter raised  
yesterday by the hon. the member for Kilbride (Mr. Wells).  
The substance of the matter is whether certain, as I re-  
call, 'documents', meaning tapes of telephone conversations,  
allegedly, and transcripts thereof, allegedly, must be  
tabled.

I have examined the Hansard  
for the relevant hour and thirty minutes approximately  
of May 25th and have in so doing indicated certain passages  
which collectively and in their context, in my opinion,  
require the tabling of that material. I will read the  
specific excerpts upon which I base that judgement.  
I will state at the beginning that it is my judgement that  
there was quotation from this material, that the hon.  
member did quote from the material and that this requires  
tabling of it.

Mr. Speaker: It may well be that the process of quotation was involuntary or inadvertent, but I do not deal in the subjective area, but the objective area. In legal terms, not the mens but the actus, the objective not the subjective. Having said that, I will read the three excerpts from the Hansard of May 25 upon which I base that decision. The first: "I was just pursuing the comment I made earlier to the effect that I understood from documented evidence that the member for Kilbride has said that there are people over there whom he classifies as a bunch of crooks. That is all I said." Another excerpt, "He might not recognize it as evidence, Mr. Speaker, but the fact that people refuse to recognize facts does not mean the facts do not exist. The evidence is clearly there, Mr. Speaker, indeed I saw from - I had better not read this to you because we will have to table it and that should be kept for another time - but I saw that the member for Kilbride, who sits in the caucus of the Minister of Fisheries, has said in a telephone conversation that the crowd over there is a bunch of crooks."

And the third, "Mr. Speaker, I am advised - I am not quoting directly from - but I am advised from a transcript of a telephone conversation which I understand it to be that the member for Kilbride, a colleague of the Minister of Fisheries, has himself described people on that side of the House as a bunch of crooks."

Taking the excerpts in their totality and in context, it is my judgment and my decision that that constitutes quotation and therefore requires tabling of the material. So I call upon the hon. gentleman to table the material.

MR. WELLS: Mr. Speaker, if I may on my point of privilege, I presume the material -

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

MR. WELLS: - will now be tabled forthwith. And that I, as the member of the House whose conversation this purports to be, be allowed to stand - or a fresh point of privilege, Your Honour - and deal with it as soon as it is tabled. that I be allowed to receive a copy from the Table or the original - whatever is tabled at any rate,

Mr. Wells: Your Honour, and deal with it at this time.

MR. NEARY: What is that, Sir?

MR. SPEAKER: I think the hon. gentleman is giving notice that when the material is tabled he may well be standing on a point of privilege. But what must happen now is that the material be tabled.

AN HON. MEMBER: By whom?

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

MR. SIMMONS: Mr. Speaker, if I may speak for a moment. Mr. Speaker quoted a number of excerpts from Hansard which I know to be quotations from a speech I made, this was not directly said in the ruling, and Mr. Speaker did not particularly call on me to do the tabling, and that is why there was some hesitancy on my part. I am assuming that Mr. Speaker has called upon me to do the tabling?

MR. SPEAKER: Yes, that is right.

MR. SIMMONS: Mr. Speaker, if I may, and again I would not like to appear to be wanting to defy or to defy the ruling or to procrastinate in any way, but I have a dual dilemma which I would like to put to Mr. Speaker as briefly as I can. First of all, I believe, Mr. Speaker, the House is aware that the documents concerned were not in my possession even at the time that I made the reference to them on last Thursday. The documents, Mr. Speaker, were seen by me on one occasion only, and therefore it raises the matter of what my responsibility would be for their accuracy. But that is a matter that I shall come to subsequently if the need does arise, and I would hope, Mr. Speaker, that you will allow me the opportunity to address myself to that further on if that becomes necessary. I will leave that now, I will not elaborate on that now because there is another more practical situation



MR. SIMMONS: which comes into play first and it is this, very simply. I cannot table the documents, Mr. Speaker, for the very simple reason that I do not have them, I have never had them, I have never had those documents in my possession, I do not now have them in my possession. The House will recall, those members who were here at the time that I made a reference or two or three references to the documentation, that when I made those references I was referring to a document which was being held before me by another member of the House. At no time did I have the documents in my possession, so as much as I would like to comply with all rulings of Mr. Speaker, I find myself in a bit of a dilemma today, Mr. Speaker, because I physically do not have the documents and therefore am physically unable to comply with Mr. Speaker's ruling.

MR. SPEAKER: There are really two matters there and there is only one with which I will deal. The hon. gentleman did allude to and then said himself that this was not a matter he was going to pursue and that is responsibility for the accuracy of documentation.

Obviously I will be saying nothing on that because that is not now a point at issue and if and when it does become a point at issue then that will be a different matter.

The hon. gentleman has said that he does not have the documents or material in his possession and obviously he cannot physically transport to the table or have transported to the table what he does not have in front of him or near him or nearby. Obviously one has to be reasonable here. What I will therefore say to give a reasonable period of time is that I will require the hon. gentleman sometime between now and 8:15 this evening to either table them or make arrangements for their tabling. I give that period of time because it appears to be a reasonable period of time.

MR. NEARY: Perhaps, Your Honour, I could help Your Honour out. I have the document, Your Honour, although I did not quote from it. In order to help Your Honour out and comply with Your Honour's request to my hon. colleague and to comply with the rules of the House, Sir, I would table the document if that would be satisfactory

MR. NEARY: to Your Honour.

AN HON. MEMBER: The tape as well.

MR. NEARY: I beg your pardon?

AN HON. MEMBER: And the tape.

MR. NEARY: His Honour ordered the document.

MR. W. ROWE: Nobody quoted from a tape.

MR. NEARY: I did not even quote from this and my hon. friend did not quote from it, but Your Honour would like to have the document tabled so we have no hesitation at all in tabling it.

MR. SPEAKER: The hon. member.

MR. WELLS: My point of privilege is, Mr. Speaker, that I be handed that document and be able to deal with it now which is the earliest possible opportunity I have had before this House.

MR. NEARY: You will get it the same time as everybody else does.

SOME HON. MEMBERS: Oh, oh!

MR. WELLS: Well if that be so, copies can be made and as soon as copies are made we can deal with it.

AN HON. MEMBER: I would like to have a look at it.

MR. WELLS: You have seen it often enough, I presume.

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: We could adjourn for five minutes.

MR. WELLS: I might say, Your Honour, that the question of the tape was raised, and I do not know if I should or not at this stage ask that the tape also be submitted, because when I have dealt with this I intend it to be referred to the Committee on Privileges and Elections anyway and there the authenticity of this is going to have to be looked into because there is no way that I can remember conversations that I might have had four or five years ago with anybody, nor can anybody else, I suspect, so that is going to have to be gone into, I suggest, by the committee. But in the meantime, I would ask that copies be made and immediately when a copy is handed to me I will stand up again on this point of privilege.

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Tape No. 3677

AH-3

MR. NEARY: Mr. Speaker.

MR. SPEAKER: Hon. House Leader on the Opposition side.

MR. NEARY: Mr. Speaker, I would suggest, Sir, that the safest and surest way to get the authenticity of the transcript is to send for the gentleman who was on the other end of the telephone conversation and have him brought before the Committee on Elections and Privileges so that he can be cross-examined and asked questions. That is the fairest way and with all due respect to my hon. friend I believe, Sir, if the gentleman who was on the other end of that conversation would be offered the immunity of this House -

MR. HICKMAN: (Inaudible)

MR. NEARY: Oh yes, Sir.

MR. W. ROWE: Witnesses have immunity of the House. Have some sense.

MR. NEARY: Witnesses have to have immunity, Sir, the hon. Government House Leader knows that.

MR. W. ROWE: These are parliamentary rules and orders.

MR. NEARY: That gentleman could be brought before the committee and then the committee could cross-examine, ask questions and so forth. I believe, Sir, that would be the best way to do it and I hope that the hon. gentleman - and incidentally the hon. gentleman is on that committee so he would

MR. NEARY: have to be thrown off because of conflict of interest. The hon. gentleman would have to leave that committee. Well my hon. friend already, one of my colleagues already declined to -

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

We are getting involved in matters not strictly germane to our proceedings at this point. The type-script has been tabled. I would now require that copies be made of it and that the hon. member for Kilbride's request, receiving a copy, be acknowledged and obviously other hon. members requiring a copy as well. And that is where we now are and that disposes of the matter at this time.

PRESENTING PETITIONS:

MR. SPEAKER: The hon. member for St. George's.

MRS. MCISAAC: Mr. Speaker, I beg leave to present a petition on behalf of fifty-eight residents of the community of Woodville -

MR. F. ROWE: Woodville?

MRS. MCISAAC: Woodville is in the Codroy Valley area. The prayer of the petition is, "We, the undersigned of the community of Woodville, are concerned with our drinking water supply being polluted with the deplorable condition of the garbage dump for our area. We propose to have this dump closed immediately and relocated elsewhere. However, we are quite willing to pay our garbage fee if it were in a suitable location and properly disposed of."

Now speaking to the petition, this may sound sort of garbled because it refers to the pollution of the water by the garbage dump and then they ramble on to refer to not having any disagreement or not being unwilling to pay their service fee or garbage fee providing that the dump is relocated. This has been going on now for quite a while and I do not know who selected the waste disposal site, but there are two sites in the valley, one is

MRS. MCISAAC: in St. Andrews and one is in the Woodville area. The one in the Woodville area is the one that is causing problems and the Department of Health has from time to time taken water samples from houses in that vicinity, near the waste disposal site, and have found the water to be contaminated. Now the Department of Health has not come out and said that it is definitely because of the waste disposal site being in the area, but they do go so far as to say that evidence points to the location of the garbage dump and they think that it is quite possible that the contamination is from the waste disposal site.

Now last year, and the Minister of the Environment is quite aware of this, last year they had quite a hooray out there about it and they barred up the dump site and refused to let them take any waste into the area. So as a result now they are hauling the garbage to St. Andrews, they are not using this waste disposal site. But the fact still remains that the water in that area is contaminated and only in that area and a couple of years ago, a year or a year and a half ago, I suppose it was two years ago, there was a test done by somebody and I believe it was from some university, I could not find out for sure who did the test, but it was a dye test and there was dye placed on the dump site and it showed up in some of the wells, which leads me and the people and probably - I cannot speak for the Department of Health because as I have said they went so far as to say that they believe that it is quite possible the pollution is from the garbage disposal site.

Now the petition does not ask for a new water supply, or a water supply for that area, but that is the intent of the petition. And they had invited the minister out there on one occasion and on several occasions the Department of Health went out and they kept testing the water and somebody went out from the

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Tape No. 3678

MM - 3

MRS. MCISAAC: Department of the Environment, I believe  
it was Mr. Strong, had meetings with the committee and

MRS. McISAAC: and anyway, they are no further ahead now than they were two years ago. So I would like for the minister to at least advise those people what is going to happen, because a year ago the minister was going to go out - in fact they invited him out to spend an evening with them and with the committee concerned about the water, if you remember, and I believe at that time the minister could not get out to the Valley because of the fact that Gallants hill was barred up with transport trucks. So I would like for the minister to tell me right now what the situation is, what can be done to get suitable drinking water for those people because they do not have any right now - they have been advised by the Department of Health not to drink it; the count is very, very high and they are in a bad situation, and I would like for the minister to tell me what he is going to do about it.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: It gives me great pleasure, Sir, to support the petition so ably presented by my colleague, the madame who represents the adjoining district to my district, by the way, of St. George's. And I have occasion, Sir, to drive down through that district every time I go into my own district of LaPoile, and I do not think that I have to tell hon. gentlemen that it is one of the beauty spots of this Province. One of the most beautiful parts of Newfoundland is the drive in the Summertime and in the Autumn down through the Codroy Valley, and I think, Sir, it would be a shame to pollute that area. It is a real

MR. NEARY: tourist attraction, Mr. Speaker, and the way the property is looked after out there is a real credit to the people who live in that community. But they do have a problem, Sir, in Woodville with their garbage disposal, and I presume the garbage is brought from a good many miles away to that -

MRS. McISAAC: They are taking it now to St. Andrew's.

MR. NEARY: Yes, they are taking it to St. Andrew's where my hon. colleague and I had a very enjoyable night about a week ago. We attended a function there for 200 senior citizens in St. Andrews's, my hon. colleague and myself, and I have to tell the hon. House that the old gentlemen there who are a little bit hard of hearing kept coming up to me and saying, 'You have got a lovely Missis! My, that is a nice Missis you have got there!' And I do not know if my hon. friend was embarrassed or not, but I must say, I was delighted, Sir.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Speaker, I support the petition, Sir, because I know there is a problem in Western Newfoundland. There is one down in my own district of LaPoile between Isle aux Morts and Rose Blanche that I brought to the minister's attention about a year and a half ago where garbage dumps, especially down near Burnt Island Pond - and I believe I brought it to the attention of the Minister of Municipal Affairs and Housing too, Sir - a garbage dump near Burnt Island Pond on the side of the road, right on a salmon river - and the dump is burning continuously. You can hardly get through there sometimes with the smoke. You cannot see where you are going, you have to stop your car with the smoke coming from that dump. All the way along



MR. NEARY: the road from Isle aux Morts, Burnt Island and Rose Blanche you will find garbage dumps on the side of the road similar to the one described in the prayer of the petition. The Minister of Environment does not do a thing about it. I asked the minister a year ago to put an incinerator in the area. The minister wrote me back and told me the government could not afford it. It would be worth the minister's while now, the man who is responsible for the environment, to go down and take a look at these dumps. It is a disgrace, Sir. It is bad enough for the people who live in the area to have to tolerate it, but here we are near the Gateway to Newfoundland where tourists by the thousands come into this Province every year and pass through my hon. friend's district.

The people in Woodville are very concerned about their water supply. So not only do they have a problem with the dump, it creates a problem by polluting the water supply in the area. And I do hope that before the Minister of Consumer Affairs and the Environment passes in his resignation in June month, retires from the Cabinet and then eventually retires from politics, that the hon. gentleman would do something about the garbage problem that we have in this Province. I can think of no other minister, Sir, who would be more responsible for garbage in this Province than the hon. gentleman, and I do hope, Sir, that he will do something about it.

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

MR. HODDER: Sir, I, too, would like to support the petition by fifty-eight residents of the community of

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Tape 3679

EC - 4

MR. HODDER: Woodville in the district of  
St. George's. It is a problem that I am well familiar  
with, the problems of garbage dumps and the problem of  
water

MR. HODDER: and contaminated water. I feel that this particular town, being from the West Coast and listening to the local media, this particular town has been pushing and kicking for quite some time now to have something done about the serious situation in that community, and I know the member has been pushing and kicking for quite some time to have something done as well. And, Mr. Speaker, I wonder when does the member's job end and when does the minister's responsibility begin in those matters?

I have a situation on all fours with that except for the fact that it is not a garbage disposal site that has contaminated water, but the water is being contaminated by garbage, whereby the Department of Municipal Affairs and the minister was told that there was contaminated water in Piccadilly in my district last year. The Department of Health has confirmed that and a number of letters have gone back and forth and the Spring is here and yet I see no signs of anything being done by that particular department and I do not know how many times you have to say it. I heard an hon. member on the other side say the other day the practice of bringing petitions into this House is outmoded and outdated, well, Mr. Speaker, how can we get some of these points across? How can the people from those smaller communities have their story heard without petitions? And how many times, Mr. Speaker, must these things be said to gentlemen on the other side before they take action? Because only does a member of this House know how many times he has to go to a minister on particular problems, or how many times he must write, or how often he must stress the point and talk to officials and everything else on a problem which once pointed out and once it is decided as the problem at Woodville, as the problem in Piccadilly, one may concern the Minister of the Environment, another the Minister of

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Tape No. 3630

MM - 3

MR. W. ROWE: Mr. Speaker, it is not only the community of Woodville which has this problem as well, two or three or half a dozen really communities in Twillingate district have it. I was brought about 300 yards from the main road the other day in Twillingate district, up to a dump, infested with rats, filth naturally, a garbage dump, which was also on a slope and apparently water is coming down, not necessarily drinking water but water was flowing down from this dump into the community. The nearest homes were only a matter of hundreds of feet away and they wanted as well some sort of a garbage disposal unit and I wrote a letter to the ministers concerned and some officials of the government on that matter as soon as it was brought to my attention.

But,

MR. W. ROWE:

Mr. Speaker, there really is no excuse - no excuse, Sir, for government to countenance and tolerate that kind of thing anymore in Newfoundland and Labrador. It has to be the first priority of any government - just as a national government's first priority is the security and defence of its citizens, surely the first priority of any provincial government, Sir, must be to make sure that its citizens have the basics, the very basics of life namely, drinkable, unpolluted water, and, Sir, that the garbage, the natural garbage that accompanies any human activity, any human settlement, that that garbage, Sir, is disposed of in a sanitary and civilized fashion. And, Sir, I do commend to the Minister of the Environment I hope he rises and has a word to say, and any other ministers - the Minister of Municipal Affairs in cases where municipalities are involved, and all members of the ministry, the government, to tackle this problem, to spend the necessary money that is required to get rid of the garbage situation we have in the Province, number one, and number two, to make sure that communities large and small do have good clean, drinkable water so that they do not run the danger of disease and anything else that might come from drinking polluted water or water that is not fit to drink.

Sir, this petition points up one of the very basics of life. I do not think for one moment that this kind of a petition is useless or should not be allowed to be presented, as the member for Grand Falls (Mr. Lundrigan) indicated, or it is not going to do anything for the people who signed their names and who went around door to door trying to get this petition signed.

AN HON. MEMBER:

(Inaudible)

MR. W. ROWE: That is an interesting point and some other member can raise it for my hon. colleague.

The point I was making was that this kind of a petition, Sir, dealing with the very basics of life and civilization and government itself, Sir, is not useless. It points up how far we have to go in this Province. It points up perhaps negligence and unconcern on the part of certain people in responsibility and with power and money to do something about it. It points up for the press and for the public that these important things which perhaps living in larger towns we do not notice so much still do exist in our Province and just having them aired publicly is beneficial. And certainly hopefully, by bringing up these matters over and over and over again, it does not have the effect of making the ministers of the government even more callous concerning these problems. Hopefully, Sir, by bringing them up and talking about them over and over again it will shame the government - the ministry and the ministers concerned into taking positive action to solve and remedy these problems.

MR. SPEAKER: The hon. the member for Conception Bay South.

MR. NOLAN: Mr. Speaker, I rise to certainly support the petition as presented by the hon. the member for St. George's (Mrs. McIsaac) on behalf of the fifty- eight residents concerned.

Garbage disposal, of course, is a very serious one. It has been something that has been batted about on the Avalon, for example, for the St. John's area and surrounding areas for some time. But the hon. the Minister of Tourism surely will have to admit that tourism is one of our great assets and could result in many new

MR. NOLAN: dollars coming into this Province which we need, and one thing that would turn people away is this type of thing. When garbage is not looked after, not properly collected, it is most obvious, particularly to people who come from areas where they have a proper system of garbage disposal. Now there are in this Province already a number of incinerators that have been set up. There has been some reference by some of my hon. friends to the already announced retirement of the Minister of Consumer Affairs and Environment, the member for St. John's Centre (Mr. Murphy), so maybe he might want as a final project on garbage collection in the Province with some of the other problems he has on his plate, to maybe one, take a look at the Foxtrap situation, but in particular, Woodville in this particular case. And I can see it now as his last, final act. And I am sure that the hon. the member for St. George's (Mrs. McIsaac) would be good enough with a committee or the council, whichever is out there, to have a suitable plaque, and the hon. minister could cut the ribbon and he might even name it 'Ank's Inferno' - but whatever they do, I think that something has to be done. It is not a frivolous request. It is nothing to joke about at all, really - it is a very serious one. And I would hope that the fifty-eight

Mr. Nolan: people who signed this petition will not feel that we are a bunch who get in here and sound off and make grand sounds oftentimes accomplishing nothing. That they are - that they mean something. Now the only way that people can ever really feel that they mean anything in the eyes and the hearts of the politicians involved no matter what side is involved is when they see an legitimate honest to God request presented in what is oftentimes referred to as the highest office in the land, and acted upon in a clear, sensible, concise fashion by those who have been elected to represent them here. We are the only voice really that they have in elected office.

And so let us indicate now by our good works, hopefully, that the fifty-eight residents of Woodville will have their request answered, and that the hon. minister in the not too distant future may be in a position to lend the necessary assistance to provide the leadership necessary, and if there is a ribbon cutting involved, he and the hon. member can be there, and they can light the flame and all the rest of it, and burn the first piece of garbage to clean up Woodville.

MR SPEAKER: The hon. the member for Trinity-Bay de Verde.

MR. F. ROWE: Mr. Speaker, I would like to rise to support the petition so ably presented by the member for St. George's (Mrs. MacIsaac) on behalf of fifty-eight residents of Woodville. Sir, the point that I would like to make is this that - and I would like for the minister to stand and relate to this particular point, and that is determining the actual location of these waste disposal areas in the first place. This petition as you know, Your Honour, really is a double-barreled one, one for a new water supply, and secondly for a new location for the waste disposal site.

But the experiences that I have had with respect to problems regarding waste disposal areas or sites is the fact that they appear to be located in very peculiar and poor areas to start off with. I think when first these dumps or waste disposal sites are first located not enough thought goes into the growth of a particular community, and we find things like this happening where you have a waste disposal area located, say, a mile or two from a certain community



Mr. F. Rowe: and then that community starts to grow in a certain direction and unfortunately that direction may be towards that very waste disposal site. And consequently, I cannot remember what the rule is, but you are not allowed now to build within one mile, I believe, - if the minister is listening - I do not believe you can build within one mile of a waste disposal area. And sometimes you will find, Sir, that the area between a waste disposal site and the actual community is the best area in which to build residences and houses and schools and this sort of a thing.

So I would ask the minister that his department have a very close look in the future to the actual location of waste disposal sites with respect to what is likely to happen to the growth of a community or the effect it might have on a watershed in a particular area. And the suggestion, in a note that was passed along just a few minutes ago from the member for St. George's (Mrs. MacIsaac) was this is that, if the minister could probably have his officials place more dye on this particular site in order to establish actual and solid proof that the water supply and the wells are in fact being contaminated by the dump, as far as I am concerned that if dye have been placed there, and traces of it have been found in wells. That is proof enough. But if the minister wants to double check it this would be a good way to go about it.

And I would suggest, Sir, as well that some of the other waste disposals sites in the Province be subjected to similar testing. Because I know that in my own district there are two disposal sites, which disposal sites that are in fact affecting or polluting water supplies, as a matter of fact right in the middle of a watershed. And it is a very serious situation indeed, Sir, so it is a very simplistic or simple, but fundamental request that is being made here and I would hope that the minister would rise in his place, Sir, and relate and support the petition. I will certainly give the petition my whole-hearted support, Sir.

SOME HON. MEMBERS:

Hear, hear!

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Tape 3682

PK - 3

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

MR. CALLAN: Mr. Speaker, I want to rise in support of this petition on behalf of fifty-eight residents of Woodville. And even though, Mr. Speaker, it is only the people in Woodville who are petitioning here, in this connection, the point has been

MR. CALLAN: made and of course it probably should be re-enforced. We are talking about six or seven communities here. Six or seven communities are dumping their garbage in roughly the same location and this is what is causing the pollution, not just garbage from one relatively small community.

Of course, Mr. Speaker, it points up the need for some kind of an incinerator, an incineration system in this area, to serve these six or seven communities. Now, Mr. Speaker, we know that the Minister of the Environment was up to Montreal looking at a new type of incinerator but I would imagine this would be for larger cities and towns, it would not be something that would be suitable or on a scale to satisfy the needs of smaller communities. But I am sure that the Minister of the Environment is also aware that we have a gentleman out in Badger, I understand, who manufactures incinerators, makes them out of iron and steel and what have you, and of course he sets them up, he installs them for a fairly reasonable price. He does a good job. Does he have a competitor by the way? Competition is usually a healthy thing but that is the only one that I know of now.

MR. MURPHY: We have one at Bay Bulls -  
He did an excellent job on it, whoever he is.

MR. CALLAN: Right. He did major repairs, perhaps it was a new one. I am not sure about this. Perhaps the minister of Municipal Affairs and Housing can indicate whether it was a brand new incinerator at Sunnyside or whether this was a repaired one. I am not sure but there was, at the time that I was kept informed about it, there was some question of whether or not there would be a new incinerator. We call it the Sunnyside one even though of course it is not located near Sunnyside, it is

MR. CALLAN: located just a couple of hundred feet off the TCH, between say the Come By Chance Access Road and between the Goobies Access Road, at the Loadstar Inn there, which of course serves not only Sunnyside, it serves the town of Come By Chance. It serves Arnold's Cove. It serves Southern Harbour. And, Mr. Speaker, this probably does not have much to do with the communities down on the West Coast, but there is a point to be drawn here, and I have raised this point before on a couple of occasions and I have not found the answer. I do not know why it is.

I was listening on the radio on the weekend, or on the television or something and there was a gentleman who came out - I do not know why the press put on these things, and this fellow said, that it is not the responsibility of government to create jobs, a government provides services. Well, what kind of services? You know, an incinerator to serve a half a dozen communities seems to me to be a very, very small service to provide but apparently these people cannot get it, you know and they have to go door to door and to get fifty-eight people to put their names on a petition, apparently they cannot even get this simple little service, let alone the services of water and sewer, stadiums and all the other services that - you know highways and paved roads and so on.

I think, Mr. Speaker, there is a question here and I am sure that the minister will speak on this. I imagine he will. And perhaps he can tell us what plans does the government have? We know that his department, the Department of the Environment is not a funding department, there is no money there or very little besides the monies for salaries and so on, you know but obviously there must be some kind of a liason existing between the request that come to the Department of the Environment and then of course are in some way relayed to the appropriate department,

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Tape No. 3603

JM - 3

MR. CALLAN: whether it is the Water Services Division of the Department of Municipal Affairs and Housing or whether it is the incorporated town or what have you.

So, Mr. Speaker, I hope that the people out in Woodville and the other six or seven communities stretching from O'Regan' to Cape Anguille, six or seven communities there who have no incinerator. All they do is dump raw garbage like they do for example at Chance Cove in my district and have been doing it. The garbage has been brought from Jacks Pond Park, Bellevue Beach Park and from the surrounding communities, raw garbage and I asked for an incinerator and no money to get one. \$35,000, Mr. Speaker, to put an end to the rat problems that exist in many of these communities and of course in this case a polluted river and a polluted water system.

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Tape No. 3684

AH-1

MR. CALLAN: the member who presented the petition says on the North side of that river we have another disposal site. One incinerator could serve the entire Codroy Valley, one incinerator could serve the entire Codroy Valley. Mr. Speaker, I have seen these incinerators and as I said until this gentleman, Mr. Stuckless I think his name is, out in Badger came on the scene manufacturing and fabricating these incinerators the last ones that were produced in this Province were produced at the Marystown Shipyard.

AN HON. MEMBER: (Inaudible)

MR. CALLAN: At that time, yes, and they were beautiful, as beautiful as an incinerator can be, they have these wide metal doors that swing open allowing a John Deeres to go right through -

AN HON. MEMBER: (Inaudible)

MR. CALLAN: That is right.

AN HON. MEMBER: Teepee (Inaudible)

MR. CALLAN: That is right, teepees, that is what they are shaped like. Erected properly a dump truck can back in and dump the load right down into the incinerator and after it is burning for a day and so then along comes the clean-up man or the garbage contractor or what have you and takes this little John Deere that is owned by him or the town, runs right through it, cleans it out so that it is ready for burning the next day. A wonderful way to dispose of garbage, to incinerate it and of course we do not have nearly the piles of garbage around the countryside that we have with raw unburned garbage. I hope, Mr. Speaker, that when the minister rises to support this petition that he will announce that getting - right after the Question Period today, that he will be on the phone telling these people to instruct the gentleman in Badger "Let us get an incinerator as quick as we can out to the Codroy Valley and also out in Chance Cove.

MR. SPEAKER: Hon. member for Terra Nova.

MR. LUSH: I rise to support this petition, this most reasonable petition, most sensible petition, a petition with a very reasonable request, indeed a necessary and urgent request. And I sincerely hope that the government will act quickly and expeditiously in this matter. It is sad, Mr. Speaker, when people have to go through this avenue to get the recognition

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Tape No. 3684

AH-2

MR. LUSH: of the government to look at a matter as seriously as this matter, a matter of people drinking contaminated and polluted water, and much worse, Mr. Speaker, when the contamination and the pollution are apparently the result of neglect on the part of someone else. It seems rather strange today in the 1970s that we cannot establish waste disposal areas without contaminating a water supply in a community. And, Mr. Speaker, it seems to happen all the time I know recently in my own district there was a matter of grave concern about a waste disposal area being put in the water shed area of the community and after great protest by the people and only after great protest it was decided to relocate the waste disposal area in an area far enough removed from the water shed where it was felt by the people that it would be no threat, no danger to the water supply of the town. But this does seem strange indeed that with the expertise that is apparently around us that we cannot establish waste disposal areas in communities without contaminating the water supply, it seems strange and the most aggravating part is that being done the way that people have to agitate and fight and wrestle to get recognition to get the problem solved, to get the matter looked into.

Mr. Speaker, in terms of the expenditures of this Province, the total expenditures a very minor, a very small expenditure indeed to rectify the situation in Woodville but a matter of grave concern for those people, a matter of very

MR. LUSH: serious concern to the people of boys and girls, men and women, having to drink contaminated and polluted water. Mr. Speaker, it is a very, very serious situation and one that I would hope that the government would act on immediately and to see that the situation is resolved so that we get both problems solved, the one of waste disposal and the matter of drinking water - vital issues, Mr. Speaker, very important issues to the people of this Province and to the people of my hon. colleague's district of the community of Woodville. And I would hope that the matter is looked into urgently and that the problems related to the area are solved quickly and expeditiously.

MR. WELLS: Mr. Speaker.

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

MR. WELLS: A point of privilege, Mr. Speaker.

MR. SPEAKER: A point of privilege.

MR. WELLS: The transcript or whatever it is has been distributed now or is in the course of being distributed, and I would like to deal with it at this time, Mr. Speaker.

Now before doing so, I would like to make one or two preliminary remarks, Mr. Speaker, and get Your Honour's guidance on one or two points as well.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! A point of privilege.

MR. WELLS: This transcript purports to be, Mr. Speaker, a telephone conversation between me and a man named Davidson, who I presume is Andrew Davidson, and I know that on various occasions, Andrew Davidson telephoned me and came to see me. Most of these were back in the



MR. WELLS:

years 1973 and 1974. I mentioned this, Mr. Speaker, because the purpose of most of his visits was to decry what the government of the day was doing without being particularly specific about what they were doing. He never asked anything of me nor did I ever ask anything of him. And sometimes I wondered myself what the purpose was of his coming to me and telephoning me and talking about these matters. If this is in fact a true transcript of a telephone call then perhaps it is obvious now what he wanted and that was possibly to get remarks on tape of some kind which he could use later. But that is a matter for speculation. If this is accurate when the call took place I have no idea but looking at it and reading it I would estimate 1973 or 1974. That would be my guess. But as to its authenticity really I cannot say. It is impossible for me of course to remember what I might have said to somebody on the telephone five years ago or in personal conversation five years ago because certainly if such a telephone call was taped it was taped without my knowledge and consent.

One other thing and this is falsehood which has made the rounds of the House which I want to correct too at the very outset and that is that Andy Davidson as he was called and I were close personal friends and had a relationship extending over four or five or six or seven years. That is complete falsehood, Mr. Speaker. I met the man first in 1972. I met him not through a former partner of mine, Mr. Richard Green. That is a falsehood also which was said here in this House.

MR. NEARY: He came to your office -

MR. WELLS: No.

MR. SPEAKER: Order, please!

MR. WELLS: I met him when Scrivener Projects Limited opened their offices at the Royal Trust and had some sort of reception or function in which a great many people were present. I remember being there myself. I remember John Crosbie who was a member at the time and a minister being there and a lot of other members and ministers. At that time I shook hands with Mr. Davidson who was the host, had a drink and left in about twenty minutes and had no conversation with him. I did not see him again until sometime in late 1972 or 1973 when he commenced to come to me or to telephone me berating the government with matter in which he appeared to be at issue with the government. But they were never all that specific. So I mention this to clear up any misunderstandings on that point.

MR. NEARY: You did not see Watergate in Newfoundland.

MR. WELLS: Of course I saw Watergate in Newfoundland, of course. Everybody, the press, everybody has had that for years, Mr. Speaker.

MR. NEARY: But the hon. gentleman was definitely - from the press.

MR. SPEAKER: Order, please!

MR. WELLS: He could do what he like with it. That is neither here nor there.

MR. S. NEAPY: The hon. gentleman did not report that to his colleagues.

MR. R. WELLS: No. The hon. gentleman reported nothing to his colleagues, or spoke to anyone on Davidson's behalf at any time ever. The first page of this begins (00-156) Tape P-3 (side 1) and the first word is:

Davidson: "Nugent, I put in a call."

MR. P. WELLS: Now it does not say who phoned who, or when it was, or anything like that, Mr. Speaker.

Davidson: "Nugent, I put in a call, let me tell you that I did yesterday I put in a call for Doody but, I didn't get any reply to it. I put in a call for Farrell and I got Farrell called me back a couple of times, he called me back and I was not here and he called me back again and ah, Farrell says well I cannot hold too much hopes for you for this week you know and its I do not know what they can do but, I could not hold too much hope for you this week but he said listen why do you not call Barb Nugent and tell Barb Nugent that you want to have an appointment with Frank. When can arrange it for you Monday or Tuesday so I called arb -"

MR. P. WELLS: It says, but obviously means Barb.

Davidson: " - Nugent and ah, and she well they are not forecasting anything they are not they cannot right now forecast any free time for the Premier so then I blew my top."

MR. R. WELLS: Now this comes to a point where I will ask your advice. If a word which is not parliamentary, and in this case, Sir, I will not mince words - Mr. Davidson, if it it he in fact used the word, Jesus, now shall I repeat that in reading this transcript, or leave it out, Mr. Speaker? I am entirely in your hands.

MR. SPEAKER: My advice would be perhaps to leave it out and sort of indicate 'dash'.

MR. P. WELLS: Yes, very well. I might say insofar as my own language in this thing if, in fact, it is my language - I have examined

MR. R. WELLS: it - I used the word, Christ, twice, Mr. Speaker, that is the only thing. When I come to that I will blank it out. So much for the big point that the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) was so proud of making the other evening.

Davidson: "I said well blank, Barb, I said listen you tell Frank Moores from me that I want to have a meeting with him."

MR. F. WHITE: Is the hon. gentlemen going to read it all?

MR. R. WELLS: Yes, oh yes.

MR. F. WHITE: I was reading it, there is no need for two of us.

MR. R. WELLS: Oh well, as the hon. gentleman wishes, I intend to read it all.

Davidson: "-that I want to have a meeting with him. Now I do not have to go back to Montreal on Saturday morning but I want to know before Saturday morning when my meeting is. Now if he wants the meeting private that will suit me fine, if he wants it public he can have it that way too, and I said you can also tell him from me that the day that he wanted me to come in to his office to sign a piece of paper I went to his office and that is more than a year ago, and I said I think he has got an obligation to see me. So I left it like that, I have not heard any more.

MR. R. WELLS: Then the thing says -

Wells: "You will hear something today, yes, I am sure."

Davidson: "Oh well, well I could not take it no more, you know I - I - people say I - I - you know, I am not that bad tempered. Bob, but blank when I - I - it rises up on me that is it, you know."

Wells: "Oh yeah I mean blank."

SOME HON. MEMBERS: Oh, oh!

Davidson: "You know, it is over a year ago, Bob. I - the last time that I saw Frank Moores and were able to sit down have a discussion with him well you know when it was."

Wells: "Yes, that is right."

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Tape No. 3686

BT-3

MR. R. WELLS:

Davidson: "When he went to Hermitage. The day he went to Hermitage was the day he wanted me to sign that piece of paper."

Wells: "Yeah."

Davidson: "That was the day I was in his office. It was quarter after nine, that was the day he was going to give me the ten thousand dollar cheque when he signed up when he phoned up this fellow in the Fisheries Department and he would have it ready for me at two o'clock. When I went at two o'clock the fellow did not know anything about it."

Wells: "Yeah."

Davidson: "So, ah, ah, it is entirely up to Barb Nugent now if she wants to get back to him it is fine and if they want to ignore it then they can have it the other way. Ah, ah, I threatened once before, I think I mentioned to you to put a letter in, to put an open letter in the newspaper to ah, Tom Hickey when I could not get a hold of him."

Wells: "Yeah."

Davidson: "Now if Frank Moores wants that open letter in the newspaper I will put the blank thing in the newspaper."

Wells: "I think he knows that too, you know."

Davidson: "Well he had better."

Wells: "Yeah, I think."

Davidson: "Because I am not, I am not pussy footing around.

Now I asked Farrell yesterday about Julian Lake."

Wells: "Yeah."

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Tape No. 3627

JM - 1

MR. R. WELLS: Davidson: "Ah, and Farrell said well blank boy, he said, listen since December I have not been as active as I should have ah, in this these things. I said I must admit that but, he said eh, ah you know he said what is going on with the old man Doyle and them right now he said is not helping this situation any and he said between you and I they are really out to get Doyle, they are really out to get him now. Now my blank aah, eh Bob you cannot do these things."

Wells: "No you cannot. I cannot understand their thinking. Do you think they are thinging Doyle or do you think they are just boozing it up till they do not know what the blank they are thinking."

Davidson: "I do not know but my blank Bob you cannot go threatening people like that, they are out to get him and stuff like that. That is not the law of Canada."

Wells: "Yeah, yeah. I quite honestly sometimes Andy I think that they just do not have any sense and they do not know what they are doing anymore you know than if you put you and me in the cockpit of a 747 and said okay."

Davidson: "Right."

Wells: "Boys now take her to the conclusion to England."

Davidson: "Yeah well you know I said to Farrell look ah, ah Farrell I said I do not care what they do with Doyle. All I am concerned about is the contract for Julian Lake and the go ahead or it is not to go ahead. Now, ah I understand that Barry's department has cleaned it all up and according to McKillop, who is the ah Deputy Minister of Barry, as far as he is concerned now that is definitely as far as he is concerned with his department the thing is now left to a political decision but, then when you read into it Farrell was saying yesterday then that is political and that is when I you know that political decision is not going to be and I said blank Farrell I said I am suffering out of this thing, we have the contract to go ahead with that. It is \$11 million contract you can call it good or bad I do not know what the hell it is. It is a contract and we have the design, engineering and the

MR. WELLS: the project management for it. What the hell is it worth to us. You know, ah, that thing will take five years Bob but blank blank look at the money that is in it."

Wells: "Yeah, well what was Farrell's reaction to that."

Davidson: "And ah, ah Farrell said you know what my reaction is he, he said, ah, ah he is ah Farrell said blank Doyle you know, I am not interested in Doyle."

SOME HON. MEMBERS: Hear! Hear!

MR. WELLS: Oh dear, dear. "This is a public company, the blank things should go ahead but ah you know how do you take that Bob? You know."

Wells: "How do you take it, it is just words."

Davidson: "Yeah, you know but ah hmmm but you know what the hell. But I mean you just cannot just tie up something because you do not like the fellow I mean."

Wells: "Now this is you see, my point on this thing would be look and I can tell you right now if I how, what my attitude would be if I was in there."

Davidson: "Yeah."

Wells: "I would say okay Doyle you have the concessions you have had them for twenty odd years."

Davidson: "Right."

Wells: "Now do not come looking to the Government for money to help you to develop these."

Davidson: "Yeah he is not."

Wells: "No, the only thing we are concerned with is how big a royalty we can get on it."

Davidson: "Right."

Wells: "Now you know we are going to bargain hard and every cent of royalty we can get. Then if we reach an agreement on that, well you go ahead and do that."

Davidson: "Yeah."

Wells:

AN HON. MEMBER: (Inaudible).

MR. R. WELLS: It might be a good idea. I must say if I said that I am proud of it as that is just how I would treat any entrepreneur coming in to do business in Newfoundland with no government money, no concessions and the biggest royalty the government could get. But anyway.

Davidson: "Well that is ah."

Wells: blank.

Davidson: "They are getting five cents a ton more royalty for the, the ah, agreement than they have now than what they are getting from the Iron Ore Company."

Wells: "Yeah."

Davidson: "And yet I am quite sure that Doody and some of them went behind their back and would try to sell that to someone else."

Wells: "Yeah, well this is the danger, you see."

Davidson: "Yeah."

Wells: "Because you cannot if people are dealing off the top of the deck and no bull-blanking and back doors."

Davidson: "Yeah."

Wells: "Then you can deal with them but when you have people who are looking to fill their own blank pockets Andy, there is no way of telling what they are going to do."

Davidson: "No and that is what is going on Bob."

Wells: "Sure that is what is going on."

Davidson: "I mean they are looking for filling their own pockets, you know."

Wells: "That is what it is all about, that is why you cannot. There is no way to deal with them with any satisfaction."

Davidson: "No, did you hear a radio program a week ago or ten days ago with Sorenson on."

Wells: "I did, ah TV."

Davidson: "Yeah, tv."

Wells: "Yeah, I saw them."

Davidson: "Oh did you?"



MR. WELLS:

Wells: Yeah.

Davidson: Mullalley was telling me about that. He said that he mentioned something about this thing that Doyle had done down in New York and everything. Did you hear that?

Wells: I cannot recall it ah, in fact the TV Program I saw was an interview on CBC Here and Now.

Davidson: Right.

Wells: And it concerned entirely with, the program I saw, concerned with the Kennedy's year

Davidson: Oh

Wells: You know, Sorenson's involvements with Kennedy.

Davidson: Yeah.

Wells: There were no questions asked.

Davidson: Well this is what Mullalley was telling me about.

Wells: It must have been a different programme he saw.

Davidson: Well, he told me that aah, ah, ah Sorenson has brought this up with ah, ah Doyle, has issued these writs against Frank and them down in Boston and in New York and everything like that and that was going to affect the Province's borrowing in other parts of the world.

Wells: I did not hear that, mind you I, I dare say it probably will.

Davidson: I think it will, I, I you know when you sit back and think about it blank if someone slaps a writ on them for a hundred million dollars, someone is going to start thinking about it.

Wells: You know what I think it going to destroy their credibility in other parts of the world and I really mean this is an what they did to Brinco.

Davidson: Oh yeah.

Wells: I mean Brinco was a legitimate reputable company.

Davidson: Yeah, yeah.

MR. WELLS:

Wells: And they let it do a major development, one of the world's major developments and then they walked in and confiscated the blank damn thing.

Davidson: Of course Bob, we have no way of saying, we cannot say that Doyle's deal ah, well I am using the word Doyle, let us not use Doyle, let Canadian Javelin deal with the Government for the development of Julian Lake that can be just as good a proposition as ah, Brinco's deal.

Wells: Sure now as far as I', concerned.

Davidson: Now no.

Wells: The only question is how much royalty are you going to pay.

Davidson: That is right.

Wells: And if it was me I'd get the last cent I could out of them.

Davidson: Well, they're getting five cents a ton. The present agreement, ah the original agreement gave them five cents a ton more than they were getting for, out of Iron Ore Company.

Wells: Yeah.

Davidson: Now, you can't, you can't hold Julian Lake up for an excessive royalty and let the Iron Ore Company get away with twenty cents ton royalty.

Wells: Yeah, it would have to be based on your anticipated productions, your costs and your profits, you know.

Davidson: That is right.

Wells: You's have to have it gone at in a rational way.

Davidson: No but you couldn't just levy an increase of royalty on Julain because that might put Julian out of proposition of selling the blank stuff.

Wells: Right so you put the maximum you could.

Davidson: Right.

MR. WELLS:

Wells: Consistant with their being able to carry on and do business.

Davidson: That is right.

Wells: And this is, this is the only question.

Davidson: Well.

Wells: But you will not get that kind of approach from these Andy because they are a bunch of crooks as I say.

Davidson: Well unless you went there, in there with something.

Wells: Yeah.

Davidson: You know.

Wells: Yeah, yeah.

Davidson: But the ah, ah the other thing that Mullalley was saying that ah, ah what the hell is this ah Sorensen thing ah, he asked me if I'd heard about that Sorensen thing and then he said that ah, Bob yeah that Shaheen has not got the okay to go ahead. There is a contract he said, there is supposed to be a, Shaheen has said, that he has a deal with the Government. If there's a second refinery to be built in Newfoundland that he will build it. Well that has been common knowledge to a lot of people that ah that was the original, supposed to be the original deal. And he said yeah but the Government doesn't want to acknowledge that now. What the hell is going on with Shaheen and them now?

Wells: God only knows. I don't know what that means.

Davidson: Now Shaheen, according to Mullalley, eh Shaheen has also said on TV that there was ah. . . something up and I forget what the word is a bear or a bug, a bug up in the Confederation Building that it wasn't going thru now. Now they are referring to John Crosby.

Wells: He must have been that's what everybody thinks.

Davidson: Well I don't know, you know, what the blank

MR. WELLS:

Bob, I mean where does it go.

Wells: I do not know and ah you know, this is what it comes to, You know, is this Frank and Doody basically. They're the only ones who know what they're doing and why they're doing it, you know.

Davidson: Yeah. I don't think Farrell knows as much now as he used to know.

Wells: I don't think so either.

Davidson: No. I can't see any end to it Bob you know and mind you I can see why Frank has put off meeting with us because of what has happened with the strike but at least you'd have thought he'd had the blank decency to call.

Wells: Yeah.

Davidson: And say Andy, blank I am sorry I got... you know you're down here to have this meeting but it looks as if we're going to have to exc aah put it off until next week or something. I mean I'm not a perfect stranger to the son-of-a-blank you know.

Wells: That's the whole thing. Well, put it that way, when they needed you.

Davidson: Well this is what I told Barb Nugest yesterday: when he, when they needed me I came across, I didn't wait a year and ah

Wells: Andy look, I must, I'll give you a buzz then I have got to see somebody now.

Davidson: Okay.

Wells: I'll give you a buzz, you'll be in the hotel somewhere around.

Davidson: Yeah, I'll be around here most of the time

Wells - five o'clock okay, I will give you a buzz and if you have any word.

Davidson: Okay but that keeps you up to date anyway.

Wells: Yeah, thanks a million.

Davidson: Okay Bob bye.

Wells: Bye now."

Well there you are this is the famous, this is the famous exposé, Mr. Speaker. This is what was going to make earth-shattering history. A man who telephoned, we do not know when, but I judge from some of the references it would be late 1972 I would judge or maybe sometime in 1973. The period when incidentally -

AN HON. MEMBER: (Inaudible).

MR. WELLS: I do not know, I have no idea perhaps you better ask your -

MR. NEARY: I did not know, the hon. gentleman -

MR. WELLS: - you better ask your confidants. I remember, thinking back about it, if there is, I remember reference to that Kennedy-Sorenson matter, and several other matters that would place it to me somewhere around 1973, I would think, possibly 1974.

AN HON. MEMBER: (Inaudible).

MR. WELLS: Yes. That is right it would have - (Inaudible).

So any way here is a man who had a great beef, but it is not clear what it was. The conversations intrigued me. He had told me a great deal and presented the Watergate affidavit saying that a great deal of illicit things were going on, some of it, he produced things like receipts and cheques and things. I must say, Mr. Speaker, at that time it raised my doubts about what was going on. It was a period when I was somewhat critical of the government because I was here in the House, and publicly, I make no bones or anything about that, I was critical of the government. And here a man came to me with allegations which were in previous telephone calls and visits of wrongdoing. I dare say I probably did say a bunch of crooks. That

Mr. Wells: was my thought at the time perhaps. So I make no bones about that or no apologies to anyone about that, Mr. Speaker. As far as the two occasions when I used the word 'Christ', I make no apologies for that. Sometimes we all do that in conversation. It is nothing to make a big song and dance about.

So there you are, Mr. Speaker, there is the great expose. It really shows nothing. It proves nothing, except what everybody knows that at some point around four or five years ago I was critical of this administration. And as I said on a T.V. or radio interview last night with CBC everybody knows that. And there was a time came a bit later when the Premier and I had a chat and I was asked to help and to go into Cabinet and do what I could to help and I did. And I think while I was there I made a contribution and every since I left there for personal and professional reasons because I do not intend to sacrifice my professional career for politics, and anybody can take that how they wish. But at anytime since then I have been ready to help and advise and do what I could for this government, and this government did some mistakes, and some wrong things, and there are some things perhaps that are being investigated now that needed investigation, Mr. Speaker, and that is fine. I hope they find that nothing was wrong. I sincerely hope so. But if they do then the people who were engaged in wrongdoing are going to have to suffer for it, and that is fair enough too. But the point is, Mr. Speaker, that this is nothing, and I say it in all conscience and sincerity, this is nothing to embarrass me, but it is, I think, the cheapest, lowest form of political trick and skulduggery that has been played for some time in this Province. It does not say much about me, Mr. Speaker, or the government, but it says an awful lot about the people who would perpetrate it, and the people who would go along with it. Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. W. ROWE: Mr. Speaker, I thought the hon. member was going to raise a point of privilege. He did not raise a point of privilege.

MR. WELLS: I am sorry, there is one point I will

MR. W. ROWE: Mr. Speaker, I am sorry.

MR. WELLS: - a motion to refer it to the Committee, Mr. Speaker.

MR. W. ROWE: Go away, boy!

SOME HON. MEMBERS: Oh, oh!

MR. W. ROWE: The hon. member in one breath says, it is not serious, it is nothing, there is nothing to it at all, and in the next breath he is going to refer it to the Committee on Elections and Privileges. He raised on a point of privilege and did not make a point of privilege, he might want to make it a little later on. I do not know, Mr. Speaker, he might want to follow up with a motion I do not know.

SOME HON. MEMBERS: Oh, oh!

MR. W. ROWE: But let the record show, Sir, although there was no reluctance on the part of anyone on this side of the House to table that document, there was no desire on the part of anyone in this House to table that document either. The document

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Tape No. 3690

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MR. W. ROWE: and stands on its own merits, the words are used in there, people and now publicly as a result of the request of the hon. member for Kilbride (Mr. Wells) the document is now public and people can look at the words and judge for themselves what they mean, what the hon. member for Kilbride (Mr. Wells) meant at the time regarding his own colleagues in the government and so on.

MR. NEARY: Looking at it in the whole context of the things that are going on.

MR. W. ROWE: Look at the time frame, sometime after the Hermitage byelection if I can judge from the reference made there, probably sometime in 1974, two years or so after this administration came into office and some references were made by him concerning his colleagues and that is it. There is no great big furor, nothing famous or infamous about it. I doubt if anybody on this side of the House besides one hon. member or a couple of hon. members even had a look at the document. So what is the big deal?

MR. WELLS: - the hon. leader had not said that to his two members before they started waving it about.

MR. W. ROWE: Waving what about?

MR. WELLS: The transcript.

MR. W. ROWE: My hon. friends here referred to transcripts of tapes whereby -

MR. NEARY: I have a dozen more. Anytime the hon. gentleman wants them he can have them.

MR. W. ROWE: -whereby the hon. member for Kilbride (Mr. Wells) was making certain accusations on the telephone to somebody else, illegally or legally and the taping thereof.

MR. NEARY: I have a few with the fat man and the Premier-

MR. W. ROWE: That does not concern me, Sir, what I am saying -

MR. NEARY: and Doyle. Say the word that is all.

MR. W. ROWE: My colleague here came into possession of certain documentation, certain tapes which indicated how a prominent member of a



MR. W. ROWE: supporter of an administration felt about his colleagues two or three years after that administration came into office. He referred to them as a bunch of crooks, he referred to them as lining their pockets, boozing it up and all this kind of thing. He made mention of this fact to the hon. member for Kilbride (Mr. Wells) across the House once or twice as I would say it is his perfect right to do, he showed no great inclination the documents.

AN HON. MEMBER: He said he was going to .

MR. NEARY: No he did not.

MR. W. ROWE: I did not hear that, Sir, maybe he did but I did not hear it. He showed no great inclination to do so, it refreshed the hon. member's memory about things he said concerning this colleagues in the administration, a bunch of crooks, a bunch of boozers, out to line their own pockets and so on, made a fool of the Brinco deal, destroyed the credit of the Province, I believe, or some reference made to that. These are comments made by the hon. member presumably about his colleagues, now the public have the benefit of those comments from a very prominent, very reputable, very well esteemed member of this House. My hon. colleague showed no great desire to table it, he was requested to table it by the hon. member, A big deal was made of that and the Speaker made a ruling which the Speaker acknowledged was very difficult from the Hansard, the quotes and so on. My hon. colleague in orde to save time and trouble tabled the documents, we have no reluctance to table them, no great desire to table them, the matter is now in the public and that is it. What else needs to be done about it I do not know, Mr. Spaker. No big deal, no big thing, it does indicate three or four years ago or two or three years ago what that hon. member presumably, according to those documents, thought of his colleagues.

It is a very document I would say but it does give an indication as to what the hon. member thought of his colleagues. Maybe he said the same things publicly, maybe in less strong, less spicy language, publicly at the same period of time, I do not know and now the

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MR. W. ROWE:

public has the benefit of knowing what he felt about it. I do not believe there is any point of privilege involved, Sir, the hon. member himself requested that they be tabled, what the point of privilege is I do not know. Your Honour has to now decide whether there is a prima facie case of privilege made out in order to allow in fact a motion to be put. I would submit, Sir, that there is no point of privilege made out, the hon. member himself when he read it, read it in the spirit of levity, made his explanation of the words used, did not deny that he used them or might have used them, admitted that he might have said the same things publicly at the same period of time, admitted that he had grave doubts about the honesty and lack of wrongdoing on the part of his colleagues at that time, subsequently reconciled his conscience and his intellect with the government's activities and even consented to go into the administration on the invitation of the Premier. Now what the point of privilege is, Mr. Speaker, I do not know, a document treated with levity, treated as almost a joke by the hon. member, not disputed, the substance of it not disputed, as a matter of fact confirmed in substance by the hon. member. We on this side of the House made no big deal about the situation, we had no great

MR. W.N. ROWE: desire to table it. My hon. friend here inadvertently Your Honour ruled might have quoted from the document. He says he did not. He says he referred to a document which his colleague had in possession and it ends up on the table of the House. I say, so what. The time of the House has been needlessly wasted, Mr. Speaker, by even reading it out in detail. The press or anyone else who wanted to read it could have read it themselves. There is no point of privilege. There is nothing to waste the time of the House about. There is no dispute. There is no point of fact in issue. Nobody's reputation is tainted. Nothing has happened. The hon. member admits that what was said in it he agrees with the substance thereof. His feelings might have been hurt. He might have thought there was more in the document than in fact was in it when he rose to his feet on a point of privilege earlier without presumably having seen the document. He must be relieved I guess that another document was not tabled. That is the only thing I can figure out from him. But this particular document, he was obviously relieved by the contents of it, agrees with it in substance, treats it as a joke. There is obviously no point of privilege, Sir, no breach of the privileges of this House or breach of privilege of any member of this hon. House.

SOME HON. MEMBERS: Hear! Hear!

MR. SPEAKER: As I understand it what is required now is the hon. member wishes that a decision be made on whether there is a prima facie case or not. The hon. member, I may be incorrect.

MR. WELLS: I would like to give notice either now or at the proper time but all I would like at this time is that the transcript and the tape itself be referred to the committee on privileges and elections for examination as to its authenticity in any matters that would occur to the committee as being proper to deal with in connection with it.

MR. SPEAKER: That motion would have to come under Notices of Motion.

MR. NEARY: First Your Honour would have to decide whether it is a -

MR. SPEAKER: No, as I understand it I am not required to make a

MR. SPEAKER: decision on whether there is a prima facie case. That the hon. gentleman rose on a point of privilege and as May, then that is why I wanted the correction I was not sure - May points out an hon. member may rise on a point of privilege and make an explanation with respect to matters which refer to him and then another hon. member is allowed brief comment, not debate to the extent that it also refers to that hon. member and we have heard both. And I was not sure because that procedure is used for at least two different situations - one, a point of personal explanation, a member gets up on a point of privilege and makes a personal explanation or two, to submit a prima facie case and it is in the former instance that the hon. gentleman spoke.

Presenting Reports of Standing and Select Committees:

MRS. MCISAAC: We are still on petitions.

MR. SPEAKER: I am sorry. We are at petitions. Then I will not ask for leave to revert to petitions because strictly speaking we were on petitions. Yes, fine.

The hon. minister.

MR. A.J. MURPHY: Mr. Speaker, I would just like to take a moment or two to refer to the fifty minutes of this -

MR. SPEAKER: I am sorry. Order, please!

MR. A.J. MURPHY: Yes, I am sorry.

MR. SPEAKER: Before the hon. gentleman - It has come to my attention and I did not want to interrupt anyone during the matters immediately preceding that we have in the gallery and I would like to welcome them on behalf of all hon. members to the House of Assembly fifty-five grade six students from Elementary Holy Name of Mary in Marystown accompanied by two teachers, Mr. Hennebury and Miss Bishop. I know hon. members join me in welcoming these students and the teachers.

SOME HON. MEMBERS: Hear! Hear!

MR. SPEAKER: The hon. Minister of Consumer Affairs and Environment.

MR. A.J. MURPHY: Mr. Speaker, I just want to rise for a moment or two

MR. A.J. MURPHY: to speak on this called a petition. I do not know when it was drawn up, what year it was dated or when it was - There are no dates or nothing else on the thing. We proposed to have this dump closed immediately and located elsewhere. At ten o'clock this morning I asked a question about this and they told me there was no dump there anymore and I thought we had cleaned the place up a few months ago. So I am just wondering after fifty minutes of discussion and abusing me for spoiling water and as Minister of the Environment as far as I am concerned this dump was closed out a few months ago. I maybe all wrong on that but I can check with my officials again and as far -

AN HON. MEMBER: What is the date?

MR. A.J. MURPHY: There is no date on the petition, no year. You know this might have been 1962 when the previous government was in, I do not know. It could have been. I am not saying it was but as far as this is concerned and actually according to the rules of the House you cannot debate a petition. You must stand up and support it. But I would just like to put on record that we did have some problems in the Codroy Valley area particularly in the Woodville area. There were

MR. MURPHY:

There were quite a number of summons went out, people refused to pay the fee levied by a Waste Disposal Committee. This is not an incorporated area. There was quite a concern out there, quite a ruckus. We went in there, my officials, we set up a volunteer group, one of the sixty odd groups that take over a Waste Disposal Committee. Apparently this was not satisfactory to the area so these people just had to resign due to what was happening there. The hon. member has stated that I did try to get in there the Winter. I had a meeting arranged. We got as far as Deer Lake and we were not allowed to go any further on the road, the mounties would not permit it. Since that time I have not been able to get up there. But we had an inspection done by the Department of Health because of reports emanating from that district that this garbage disposal site was polluting the water.

The gentleman in Corner Brook -

I forget his name, I believe it is a Mr. Kennedy, I am not sure -

MRS. MACISAAC: Mr. Squires I think.

MR. MURPHY: Mr. Squires. Assured us by no means was this garbage disposal having anything to do whatever with this water. There are a lot of surrounding things about it. I have the whole matter on paper in my office. And now to have this come here again and to see something like eight or ten members get up and expound with the same degree of knowledge I would maintain, Mr. Speaker, that they had about the spruce budworm spray - I think they are experts on that too -

AN HON. MEMBER: The water in Piccadilly.

MR. MURPHY: The gentleman asks about Piccadilly. He asked me the other day. We can set up a committee in

MR. MURPHY:

Piccadilly. We can do that. But as has been pointed out we as the Department of the Environment set up volunteer waste disposal committees in areas that are not incorporated. Incorporated areas come under my hon. friend, the Minister of Municipal Affairs. We have just to give us some idea, we have some sixty-eight waste disposal sites in the Province. Last year in 1977 we spent some \$130,000 on creating these. I have a group of experienced personnel down there who do not look for rivers to establish garbage sites on their banks. And anybody wants to put that abroad, it is an absolute fallacy. It is not true of the facts.

Let us not forget that every area of this Province wants a waste disposal site. But you will not get one of them to have it within one mile of their own areas. It is grand to put it in St. John's West but for heaven's sake do not put it in St. John's Center or vice versa. So we have a group of people who go around - we have to look at the environmental effects whether it pollutes water and everything else and that is one of the absolute things that I would like to put on record in this House, Sir, that we are the last in the world to do anything with contaminating a water supply in any area.

The hon. gentleman for Bellevue (Mr. Callan) mentioned the burners. Yes we are doing our best to install burners. This year we hope to install a sophisticated type incinerators. But all these things take money and our department just does not have that amount of money and I would throw the challenge out now to any member of this House who is having trouble in their areas with waste disposal to speak to the people

MR. MURPHY:

concerned and organize their own committees. If we took the same interest in our own areas, in our own particular areas, as we do bringing it up in the House of Assembly I think we would be a far better Province to live in.

So all I can say, Sir, is that as far as this petition is concerned - I do not know what the rules governing the petition are. There are names signed to it. There is no date on it. No year on it, Sir, so I do not know of anybody who can come in here in the afternoon and sit down and scribble down, and I am not accusing it, I am just wondering what the attitude is, Sir.

MR. SIMMONS: You are. Yes you are.

MR. SPEAKER: Order, please!

MR. NEARY: Go out and resign.

AN HON. MEMBER: Go on 'Ank'. Do not mind that crowd.

MR. MURPHY: Listen to 160 degrees over there.

Mr. Speaker, all I am saying is there is no date - they missed that - look there is no year on it. Perhaps there was a year when there was a waste disposal site at Woodville. There might have been at that time and perhaps the member might have been delayed bringing it in. That is all right. She mentioned it to me yesterday and I checked the thing out and I was assured that there is no longer a waste disposal site in that area although we proved beyond a shadow of a doubt that the waste disposal site had nothing whatever to do with polluting the waters concerned and for to prove it I said, look let us get it out of there



MR. A.J. MURPHY: which we did some months ago and no longer do we use that. As the hon. member himself admitted we go through St. Andrews now and it is a much longer haul. But to have this thing and then have you know - Mr. Speaker, to hear these people get up and spout out about what the Department of Environment is doing, Sir, it is really disgusting I think. It is disgusting.

So, Mr. Speaker, all I can say is this, if there is any problem and a member wants to come my doors are open at any time to talk about this thing, if there is any cleanup there - The Department of Health as far as I know is on top of the matter all the time and we are guilty we will do our best to clean it up. But all I can say is of this moment that we are not guilty. The dump is not there so we cannot close anything that is not there.

MRS. MCISAAC: Mr. Speaker, I do not know if I can rise on a point of privilege or order or a point of anything or to respond to the minister.

MR. SPEAKER: I think the hon. member perhaps wishes to ask a question to the minister or something of that sort.

MRS. MCISAAC: Well I would like to clarify a few things for him. I think I have a point of privilege as he practically called me a liar.

MR. SPEAKER: Well if the hon. lady thinks she has a point of privilege she is entitled to attempt to make it.

MRS. MCISAAC: Okay. Thank you, Mr. Speaker. It is on a point of privilege. The minister raised the petition, there is no date on it I agree. Am I supposed to take that petition and write a date on it? That petition was circulated in the Valley area I am told by the people who sent it in to me in January and February. They forwarded it to me in March and asked me to hold off on it because they were negotiating with you and that you had promised them faithfully that you would go out to the Codroy Valley and try and get things straightened out. So they asked me if I would hold off on the petition until such time as they found out what would happen. Well okay fine, the dump site was closed. I stated that in my remarks that that dump site is no longer being used, that they are using the one in St. Andrews but the garbage that was dumped

MRS. MCISAAC: there over the years and for years - Well ever since it is in existence and the minister would know that more so than I would that garbage is still piled there in that same condition and there are rats and bears and everything else and you name it and it is there and I understood that that was supposed to be removed from the site. I understood that the minister had ordered or the minister's department at least had ordered that that garbage be removed from that area in order to alleviate the contamination.

Now the water is still contaminated. The Department of Health was out there and did a - Well the last count - One count that they did I just spoke to a lady there in the Valley, I went out and called and -

MR. SPEAKER: I would ask the hon. member to bring her submission to a conclusion.

MRS. MCISAAC: Two more seconds, Mr. Speaker, if you would please permit it. And the count that came back was that the count was too numerous to count. That was the report that she got on her water sample. They came back last week and did another water sample and she does not have her report. But I ask the minister - I brought that in and this was drawn up this year. There maybe no date on it and I do not want the minister implying that I happen to have had this in my possession for two or three years or that I am a liar and that is the impression that I got. I do not appreciate it and if that is the remark I ask that it be withdrawn immediately.

SOME HON. MEMBERS: Hear! Hear!

MR. A.J. MURPHY: Mr. Speaker, -

MR. SPEAKER: The hon. minister.

MR. A.J. MURPHY: Mr. Speaker, if I may, I did not want to impute that here is something -

SOME HON. MEMBERS: Oh! Oh!

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

MR. A.J. MURPHY: Here is something that asks me to close a dump that

MR. A.J. MURPHY: is not even open. What am I to expect?

MR. NEARY: Close your mouth as that is open.

MRS. MCISAAC: I did not ask you to close it.

AN HON. MEMBER: She did not ask you to close it.

MRS. MCISAAC: I asked you to -

MR. A.J. MURPHY: We propose to have this dump closed immediately and relocated elsewhere. Can I read or can I not read? Is this the petition that is being presented, Sir? Does the hon. member wish to withdraw this and put in another one?

MRS. MCISAAC: No, where was the member when the bridge was down?

MR. SPEAKER: Order, please! I perhaps acquiesced in the recent improper procedure and I do not intend to do it again. Hon. members have the right to speak once and not any more. I think we will leave it to that as obviously there is no point of privilege in which I can make any ruling.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES:

MR. SPEAKER: Or petitions.

MR. F.W. ROWE: No, I have spoken with the

MR. F. ROWE: Government House Leader on a matter that I wanted to bring before the House of Assembly and with leave of the House I would like to do so, Sir.

Sir, last night I had the pleasure of attending the Second Annual General Meeting Of The Newfoundland Division Of The Canadian Paraphlegic Association and the presentation of the paraphlegic of the year award down at Pleasantville, at the Children's Rehab Centre. And, Sir, I would like to announce and move the appropriate motion and possibly seconded by the Government House Leader, a little later. But, Sir, one Mr. Alfred Brushett of Marystown was the recipient of the Paraphlegic of the Year award.

Sir, Mr. Brushett was born with a nervous spinal disorder and he had to use crutches for a number of years and he attained grade six education in school and the rest of his education was finished through tutoring at home when this condition became more severe. And he was then confined to a - or confined to home at least. Sir, he got married and had five children and he opened up a general store which he operated quite successfully.

MR. HICKMAN: In Marystown?

MR. F. ROWE: In Marystown, that is correct, yes.

Now, Sir, unfortunately for this gentleman, I do not mind saying it in the House because it was made public last night, he became separated from his wife and in the midst of that tragedy and with a failing business and progressing paraplegia, that gentleman was able to raise and educate five children, three daughters and two sons, ranging in age approximately nineteen to five years of age.

Sir, it was a great inspiration to hear the history of this gentleman and I would like on behalf of this House to congratulate him and I would like to move the appropriate

MR. WELLS: a purported telephone conversation be referred to the Committee on Elections and Privileges, together with the tape from which it purports to be made for examination by the Committee for its authenticity or otherwise and any other enquires that the Committee deems advisable to make.

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

MR. DINN: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act To Amend The City Of St. John's Act."

MR. SPEAKER: The hon. Minister of Health.

MR. COLLINS: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act To Provide For The Provision Of Low Cost Prescription Drugs."

ORAL QUESTIONS:

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

MR. W. ROWE: A question for the Premier, Sir. He is back in fine fettle again and we are all pleased to see. We are always pleased, Sir, when the House is graced by his presence.

MR. W. ROWE: Mr. Speaker, would the Premier tell the House what the government's policy is on the spruce budworm spray? We had an announcement made by the government, by the Minister of Forestry, that they are going to spray these areas which are designated and put on the map, then we have a weakening of that position by the very minister himself and the Minister of Health who said they are going to reconsider, but we will pass over that, Sir. What I am mainly concerned about is the position taken last night by the Minister of Tourism who, having made a decision as part of a Cabinet, now says publicly in the House he is going to ask his colleagues to reconsider the spraying of water sources and headwaters of rivers and water, of course, for drinking and so on. He is going to ask them to reconsider this. Now what I am asking the Premier, Sir, is, Has the government reconsidered in accordance with the publicly stated request of his colleague, and if so, what is the government's policy on the spraying of budworm by the chemical, Matacil and regarding the areas of spray? Would the Premier enlighten the House as to what the government's policy is, Mr. Speaker?

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: Mr. Speaker, first of all, regarding the Leader of the Opposition's preamble about glad to having re back in the House - I am glad to be back. I am always glad to be in the House. I have fortunately had a most enjoyable day in St. Lawrence on Friday and in Gander on Saturday and Corner Brook since, and, Sir, just for the edification of the House - and I am sure he is prepared to do the same thing - the number of days I have been absent from the House since it opened was ten and of those just for the clarification as well, Sir,

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PREMIER MOORES: one of them was preparing for and one was the meeting with Mr. Levesque, one was that I was in Montreal and Ottawa, one I was in Halifax, two I was in Norway, one I was in Halifax with the Financial Post, one I was in St. Lawrence and the other one, Sir, I was in Corner Brook. But the fact is, Sir, that one day I was ill and I apologize for that.

However, getting to the hon.

member's question.

AN HON. MEMBER: (Inaudible)

PREMIER MOORES: Some problem over there?

AN HON. MEMBER: I said -

Corner Brook.

PREMIER MOORES: Well, that is not significant, Sir. The significant thing is they have not put the hon. member in.

MR. NEARY: (Inaudible)

PREMIER MOORES: We will see about that. The hon. member, Sir - I mean, I have great difficulty in being threatened by the hon. member that he may run against me. I wish, Sir, that he would follow through on one of his threats so he would do it. I think that would be a marvellous suggestion.

MR. NEARY: I always like to keep somebody in mind for the hon. the Premier.

PREMIER MOORES: Yes, and I have someone in mind for the hon. member.

Mr. Speaker, to get to the question, Sir, if I may.

MR. SPEAKER: Order, please! It is necessary for hon. members on both sides to observe the rules with respect to Question Period.

PREMIER MOORES: Yes, Mr. Speaker. Getting to the spruce budworm situation, the government's position has been outlined by the hon. the Minister of Forestry and Agriculture. The hon. the Minister of Tourism when he spoke in this debate last night - and I was not here when he spoke, I have a transcript of it and I have already spoken to him about it. The fact is, of course, that no Cabinet minister can take a position other than that of Cabinet unless he is not in Cabinet. The fact is that the hon. the Minister of Tourism realizes that.

As far as the areas which are to be sprayed are concerned, what detail -

MR. NEARY: Should the minister not resign?

PREMIER MOORES: No, there is no need for him to resign. As far as the hon. minister is concerned, Sir, regarding the spruce budworm spraying in the areas and so on, the Minister of Forestry and Agricultura will deal with that if there are any changes.

MR. W. ROWE: Mr. Speaker, a Supplementary.

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

MR. W. ROWE: See how disruptive the Premier's presence makes the House, Mr. Speaker? Yesterday's Question Period was long and smooth and dignified back and forth, Sir. As soon as he comes back, up she goes.

MR. NEARY: Lowering the decorum.

MR. W. ROWE: Mr. Speaker, a supplementary to the Premier. The Premier mentioned that ministers are not allowed to take positions contrary to the announced public decision of the Cabinet, yet yesterday for everybody to hear, the Minister of Tourism took a position which was, if not diametrically opposed to the Cabinet's announced



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MR. W. ROWE: position, Sir, then at least  
obliquely opposed - it was not the same position. Now  
will the hon. the

MR. W.N. ROWE: Premier indicate to the House whether he intends to ask for the minister's resignation or whether the government is as a whole going to accommodate itself to the hon. minister's views. So I ask the question, Sir, in good faith because the people of the province deserve to know what the government's position is and now the position has been muddled somewhat by the Minister of Tourism. I have already had calls this morning from people who are interested in the spray program asking me, what is going on. Have the government taken a different position? Have the government weakened in their position or what? So he owes it, Sir, to let the people know and I ask the Premier this - what is the government's position. And if the government's position stays the same is he going to reluctantly obviously and unfortunately ask for the minister's resignation from the Cabinet?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Mr. Speaker, if any member says I mean I suppose that the department must get on with the spraying it is monkeying around, it is not doing the job, it should put aside if once they have assurance from the Health Department to get on with the spraying and under no circumstances should not that happen and then changes his mind like the member for LaPoile. I am surprised that the hon. Leader of the Opposition has not asked for his resignation on this particular question.

MR. NEARY: No but we were misled. A year and a half ago we were misled in this House.

PREMIER MOORES: The fact is, Sir, that as I have said I have talked to the Minister of Tourism about this. He did not personally - Well he can answer it himself when he comes in the House but he personally himself may have taken a position the fact that he knows now that when one is in Cabinet one takes the position of Cabinet. I do not think it will happen again, Sir, and certainly the explanation to me was satisfactory. It was satisfactory to me, Sir, and as I said that is the position and that is how it will remain.

MR. SPEAKER: The hon. member for LaPoile followed by the hon. member for Lewisporte.

MR. NEARY: Yes, Mr. Speaker, I have three or four questions for the Minister of Transportation, Sir, and I will try to get them away as fast as I can. The minister told us the other day that the first of two PBV aircraft, that is the Canso aircraft arrived in the Province and I understand it took eighteen days to get it here. Would the minister now tell me two things? How much will it cost to refurbish that aircraft now that they have managed to get it here? And when will the second aircraft arrive from Western Canada, PBV Canso aircraft?

MR. SPEAKER: The hon. Minister of Transportation and Communications.

MR. DOODY: My impression was, Sir, and obviously I will have to take notice of the question, was that this aircraft was converted to an air water bomber type before it arrived here. If that is incorrect I will certainly check it out. But my information is that that is so. How long it takes to get a water bomber from X to Y is something also that I do not have on the top of my head. I will certainly undertake to get the information for the hon. member and if there is any further information that he would like along that area perhaps if he gave me notice or put it on the Order Paper I would be only too happy to get it for him.

MR. NEARY: A supplementary, Sir.

MR. SPEAKER: A supplementary.

MR. NEARY: I just said to the hon. gentleman in my introductory remarks that I understand it took eighteen days to get that aircraft here and it is going to take several months to get the other one here. What I would like to know is what is the condition of these aircrafts? Are they just nuts and bolts? Will they be able to fight forest fires? The one that is here now the minister says that the water bombing equipment is on it. Can that fly now? Will it ever fly again? And what about the one that is coming, how long more will it take before it gets here? Will it be here for this forest fire season?

MR. SPEAKER: The hon. minister.

MR. DOODY: Both these aircrafts were not purchased at the same time. The amount of money available when the tenders were called was

MR. DOODY: sufficient only to acquire water bomber number one. Two it has arrived and it is in a position and is equipped to fight forest fires when and if and where they occur.

MR. NEARY: It can fly now, can it?

MR. DOODY: So I understand.

MR. NEARY: Okay, it does not leak or anything?

MR. DOODY: I am not sure if it leaks.

MR. NEARY: It does not need new engines.

MR. DOODY: But I have been told that it is converted and refurbishing as specified in the tender call. That is number one. The second aircraft which is in the process of being refurbished and converted to a water bombing capability was delayed because of the fact that the Forestry and Agriculture subagreement had to be amended to allow the funding necessary for the additional amount necessary for the purchase of the second aircraft.

MR. NEARY: But it can fly then, that second aircraft?

MR. DOODY: The second aircraft can fly. That took - I have not seen it, Sir, as it is not here yet.

MR. NEARY: No and it will not be here for some time either.

MR. DOODY: I presume that they are not going to drive it down. If it cannot fly it will probably never get here and if it does not get here it will never be paid for.

MR. NEARY: They might have to put it in a tractor trailer to get it down here.

MR. DOODY: If it is not paid for then nobody really has a problem.

Mr. Doody: So the point of the matter is that the one aircraft that we do have here which is the property of the Province of Newfoundland and Labrador is operable and has been paid for and is in good shape. And the second aircraft, if it arrives here, and I sincerely hope it does, will also be operable and in good shape before we take delivery of it.

MR. NEARY: Another supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. DOODY: (Inaudible).

MR. NEARY: I presume, Sir, the hon. gentleman is going to get me factual information in connection with both of these aircraft. The hon. gentleman just undertook a few moments ago to get.

MR. DOODY: Yes that is right. Excuse me, Sir, I suggested that the detail of the question should be put on the Order Paper so I can be certain of getting -

MR. NEARY: The hon. gentleman knows what my questions are now.

MR. DOODY: - the accurate information for the hon. gentleman.

MR. NEARY: Well, Sir, perhaps the hon. gentleman can give me this information and I will write the hon. gentleman about the other information. Did the hon. gentleman check yet to find out if the director is on twenty-four hour call, the Director of Air Services and if he has a car because he is on twenty-four hour call? Can the minister confirm now that this is correct?

MR. DOODY: When the Director of Air Services is on call he has the use of that motor car with that blinker light on it.

MR. NEARY: But is he on call?

MR. DOODY: He is on call sometimes for twenty-four hours. When he is that car is at his disposal for his use. When somebody else is on call then that car is at the disposal or use of that particular person who has the responsibility -

MR. NEARY: He does not take it home or anything like that?

MR. DOODY: When he is on call he very often takes it home.

MR. NEARY: He takes it home.

MR. DOODY: Because that gets him out to the aircrafts for an emergency purpose or out to the MOT. He is a liaison officer with the local MOT officials at the air field and that is what that blinker light is on it for apparently, so they can cross the runway and so on. I have no doubt that he has brought it home. I am sure he has when he has been on call. Indeed other people of air services have also had that automobile home when they have been on call.

MR. NEARY: You are sure of that now? You are sure of that?

MR. DOODY: I have been told that, Sir, yes.

MR. NEARY: A supplementary question.

MR. SPEAKER: Final supplementary.

MR. NEARY: Mr. Speaker, when the hon. gentleman is getting me some factual information, not just giving me answers without having the backup information, would the hon. gentleman agree to table the logs of the Canso water bombers. And I am more specifically, Sir, concerned about reports that have reached my ears that a Canso water bomber has extra gasoline tanks on it to fly kerosene I believe it is into Summer cabins and the water bomber, a water bomber or water bombers have been used to carry lobsters in the belly of the aircraft. Water has been put in. Act as a lobster tank, lobsters have been carried in the belly of the water bombers and salmon, Sir, flown from Adlatok in Labrador flown into St. John's.

MR. DOODY: Hold on now. Slow down. This is getting more fascinating all the time.

MR. NEARY: Well first of all I want to find out if the water bombers, either one or several of the water bombers -

MR. DOODY: Some are equiped with extra tanks.

MR. NEARY: Well first of all equiped with an extra gasoline tank. I understand that one -

MR. DOODY: That is a fuel tank, is it?

MR. NEARY: A fuel tank to carry kerosene so it can be unloaded into certain people's Summer cottages. Number two, have either one of these aircraft ever been used to carry lobsters in the belly of the aircraft by putting salt water in and putting the lobsters in

MR. NEARY:

and have them flown into St. John's.

MR. DOODY: Into St. John's?

MR. NEARY: Into St. John's. And, Sir, has one of the aircraft ever been used to fly salmon from Adlatok which is the government lodge that the hon. gentleman knows in Labrador, to put salmon in the belly of the aircraft to bring in for anybody in the government. And there are people who could give me the answer now but I want the hon. gentleman to consider tabling the logs or get me the information. And I would also like the information on that car because I am not satisfied. Mr. Speaker, I know I could put this on the Thursday Late Show, that this gentleman is on call and, Sir, I would like for the minister to get me the information on the two PBYs, the Canso aircraft, how long it took the one to get here, what was the cost of it, why it was necessary to involve field aviation as a middle man and pay them huge commissions to purchase these two aircraft and when will the second aircraft arrive and will both be ready to fight forest fires. Okay?

MR. DOODY: Yes. Mr. Speaker, this is a very imaginative and extremely interesting series of question. I find it absolutely intriguing. Well if I knew the answer I would certainly be in a position to provide it. The idea of having one of the Canso equipped with an extra fuel tank to fly lobsters into St. John's or salmon from adlatok is absolutely -

MR. NEARY: No, the fuel tank is

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MR. S. NEARY: to bring the fuel out to  
summer cabins -

MR. DOODY: Oh, I am sorry.

MR. S. NEARY: What summer cabin? I can tell  
the hon. the Premier if he wants to know, one of his buddies, one  
of the hon. the Premier's buddies and who entertains Mr. Pearcey at his  
summer cabin occasionally or regularly.

MR. DOODY: Now the extra fuel - the extra  
tank is to bring fuel -

MR. S. NEARY:

MR. DOODY: Excuse me, Mr. Speaker, I am  
trying to get the question straight.

MR. SPEAKER: Order, please!

MR. DOODY: The extra fuel tank is to carry  
fuel out to summer cabins, is it?

AN HON. MEMBER: That is right.

MR. DOODY:

AN HON. MEMBER: Kerosene.

MR. DOODY: It is extremely imaginative  
and then the salmon and lobsters which are carried in the belly  
of the aircraft which sounds somewhat indecent but in any case  
I will undertake to see what I can find out about that.

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: Remember Jonah and the whale.

MR. DOODY: I remember, yes, he was swallowed.  
How long does it take to bring an aircraft? I do not know that  
eighteen days I have been told. How long it would take to bring the  
next aircraft down? I will certainly get that information. The  
Y field aviation were involved in the purchase it was because  
a public tender was called and there was only one firm tendered  
on that tender call and there was field aviation so their involvement



MR. DOODY: in it was pretty straight forward insofar as they were the only people who tendered on government's request by the aircraft.

MR. S. NEARY: The minister told us that he knew where the aircraft.

MR. DOODY: It was also true that field aviation are the only company in that business in Canada who are equipped to refervish and convert these aircrafts to the water bombing capability test that we need here in Newfoundland.

MR. S. NEARY:

MR. DOODY: It is very difficult to even try to supply information to the House, Mr. Speaker, because we hear the - you not only have to endure the raucous voice from the hon. member for LaPoile (Mr. Neary) during the question but you also have to listen to it during the answer and that makes it doubly difficult.

MR. S. NEARY:

MR. DOODY: Tomorrow if I live.

MR. S. NEARY: Okay, fair enough, Sir.

MR. DOODY: That is the parliamentary sense.

SOME HON. MEMBERS: Oh, oh!

MR. DOODY: On the information on the water bombers and so on I will get our trusted sleuths working on that as quickly as I can and I will certainly provide the House with the information as soon as it is available.

MR. SPEAKER: The hon. member for Lewisporte.

MR. E. WHITE: Mr. Speaker, I have a question for the Premier that I have been wanting to ask for a week or more and it deals with the meeting that was held in Grand Falls some time ago concerning the proposal to go ahead with the expansion to the Central Newfoundland Hospital. During that meeting, Mr.

MR. F. WHITE: Speaker, the Premier will recall that some references were made to the medical school and the high cost of the medical school. And I would like to ask the Premier how serious is the consideration with respect to closing out the medical school in Newfoundland?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Mr. Speaker, I was here last Thursday I do not know where the hon. member was that was several weeks ago or two weeks ago I guess I was in Grand Falls. There is no consideration being given at the present time, Mr. Speaker.

MR. SIMMONS: So he lied to the people to the people in Grand Falls.

MR. SPEAKER: Order, please! Order, please!  
I must ask the hon. gentleman to withdraw the remark.

MR. SIMMONS: Mr. Speaker, I should have said he gave contradictive information to the people in Grand Falls. I withdraw the expression he lied. He just spoke out of both sides of his mouth.

MR. F. WHITE: A supplementary, Mr. Speaker.

MR. SPEAKER: The hon. member for Lewisporte.

MR. F. WHITE: Mr. Speaker, my supplementary to the Premier again in connection with the hospital. I wonder if the Premier could tell the House that whether or not when the government's expansion program goes ahead, the hospital expansion program whether or not that the Grand Falls Hospital the Central Newfoundland Hospital will be number one priority in terms of expansion and be the first to go ahead?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: I have already answered that question many times, Sir, and the hon. member was in Grand Falls and he heard what I had to say. First of all regarding his

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PREMIER MOORES:

question on the medical school

I said it was unfortunate that it had started because in a few years after a very expensive experience we were going to be exporting doctors. However, - and I also said at that time that some time in the future it may be some of government's responsibility to take a look at exactly what that function is and if this Province can afford it. But I certainly did not say anything was going to be done immediately and to allege or to by innuendo to say that is absolutely incorrect.

The other part of the hon.

member's question I have gone on record as has this government regarding the Grand Falls Hospital saying that it is the regional hospital for Central Newfoundland and as a regional hospital it obviously has a top priority of the government and I also told the people of Grand Falls that when the

PREMIER MOORES: hospital plan is announced this Fall, that the hospital considerations will be made on medical needs in this Province, Sir, and the hon. member was here and heard that as well.

MR. F. WHITE: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the original questioner.

MR. F. WHITE: Mr. Speaker, I did not say in my question or imply in my question that the Premier said in Grand Falls he was going to close the medical school, I just asked him how serious the consideration was being given to that.

Mr. Speaker, I would like to ask the Premier whether or not when the hospital does go ahead in Grand Falls, the expansion to that, whether this will mean a severe cutback at or a closure of the hospitals at Botwood, Springdale, Twillingate or Baie Verte?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Obviously, Mr. Speaker, that is something that will be dealt with when the hospital programme is being considered. I am not saying, Mr. Speaker, I want to make one thing very clear, I am not saying that there will be specially closings or openings or expanded services or cutback services, I am not in a position to say that. I think that is something that has to be analyzed at the time of any hospital plan.

MR. F. WHITE: One final supplementary.

PREMIER MOORES: A final supplementary the original questioner, then the hon. member for Fogo.

MR. F. WHITE: Mr. Speaker, my final supplementary deals with the committee that the Premier indicated in Grand Falls would be set up to study hospital needs in Newfoundland and make a report by the - I think the 29th. of September, I wonder if the Premier could tell us the names of the people on that committee and when it will be holding its meetings.

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: No I cannot, Mr. Speaker, for the simple reason that there was some very major disagreement amongst the people there whether that should be done or not. It is not up to us to force something down the people's throats. We will be contacting people in the other areas that have the same concerns and the same desires and obviously any hospital programme is going to have to include people from those areas of the Province that are need hospitals -

MR. SIMMONS: Since when does the Premier do what the people want anyway?

PREMIER MOORES: When they elected us, Mr. Speaker, as opposed to the hon. member who has been in Opposition ever since he has been in here. Not only that, Sir, the fact is the people in the areas who have hospital needs of course will be consulted and told the reasons why or why not.

MR. SPEAKER: The hon. member for Fogo I indicated I would recognize.

CAPTAIN WINSOR: Mr. Speaker, I have a question for the Minister of Health. Mr. Speaker, I may have to preamble a little because it is a complicated question. But there is a very serious problem existing in the minister's Department of Vital Statistics, of Registry of Births and Deeds and the problem is, Mr. Speaker, before a young man can get a fishing licence for ordinary fishing today or for a student to get a job on any Canada Works Programme, he must first obtain a social insurance number and before he gets the social insurance number he must first obtain his birth certificate. Now the problem is that it is taking three and four months and sometimes longer, I have had cases of at least three or four months where those people applying have been delayed because they cannot get their birth certificate. My question to the minister, is there anything he can do, I feel sure he is trying to do his best but is there anything the minister can do to expedite the issuing of those

CAPTAIN WINSOR: birth certificates to those people who so badly need them because time is running out. A great part of the fishery now is in full gear and it is only another couple of weeks when the students will be getting into the Canada Works Programme, but they will be barred from taking either unless they can get that birth certificate.

MR. SPEAKER: The hon. Minister of Health.

MR. H. COLLINS: Yes, Mr. Speaker, during the past four months the Vital Statistics Division of the department has been inundated with requests for birth certificates. The fact that the young men in the Province need a licence to go fishing of course is not my responsibility. I had nothing to do with that. The fact they must have a licence to get a job is a federal requirement.

The reason the social assistance numbers have to be issued again is a federal requirement. As I indicated to the House some time ago, prior to this year, the federal department always recognized a baptismal certificate, which can be issued at the parish level. This year they decided that those were not valid. And of course the alternative then to people is to apply to the Vital Statistics Division of the Department of Health for a birth certificate.

Realizing the tremendous work load that that was going to entail, and also realizing, Mr. Speaker, that the federal government saw fit to exempt the Province

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MR. H. COLLINS: of Quebec from that requirement. They will still acknowledge the baptismal certificate from the parishes of Quebec, but we have got after them to see if they would apply the same lenient attitude to us, which they would not. So we have been inundated with requests.

AN HON. MEMBER: From Quebec.

MR. H. COLLINS: I think it might be worth mentioning here that in 1973 we issued 22,904 birth certificates; in 1974, 23,000; 1975, 25,000; 1976, 30,000; 1977, 33,000 and we are projecting, Mr. Speaker, in about four weeks time we will have issued 60,000 birth certificates down in the Vital Statistics division.

I was reading an article in the Globe and Mail last week where the issuance of birth certificates are becoming big business in Ontario and Alberta and British Columbia and all the other provinces in Canada because of this federal requirement.

I appreciate fully the problem which the hon. member has and the problem which a lot of young people have. We have employed eight additional people - I believe it is eight - there are a number anyway, of additional people to try and get the work backlog brought up-to-date. We are working three nights overtime per week with a permanent staff and a temporary staff and are told that we are up-to-date now to the end of April, and after having taken care of the major backlog, I am looking forward to having the whole thing up to date within the next two weeks.

MR. FLIGHT: Mr. Speaker.

MR. SPEAKER: The hon. the member for Trinity - Bay de Verde followed by the hon. the member for Conception Bay South.

MR. F. ROWE: Mr. Speaker, a question to the Minister of Tourism. The Premier indicated earlier this afternoon during the Question Period that he has spoken with the minister after his speech on the spruce budworm last night. Could the minister now indicate what his stand and policy is with respect to the spraying for the spruce budworm in this Province at the present time?

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

MR. MORGAN: Mr. Speaker, in speaking in debate yesterday evening I said then that I support the decision made by government as a member of the government, a member of the Cabinet. I did say as a result of numerous concerns expressed to me in the Central Newfoundland region over the last couple of days, over the weekend in particular, in connection with spraying in water supply areas, number one, and number two in connection with spraying in populated areas, I would bring these concerns to my colleagues in Cabinet, which I will do.

MR. SPEAKER: A supplementary, the hon. the member for Conception Bay South.

MR. NOLAN: To the Minister of Tourism on the same subject. Obviously, Mr. Speaker, the people in Central Newfoundland, as he indicated, are quite concerned. Does he accept the word? Is it concerning Matacil? Is he satisfied that Matacil is safe? Was he, in fact, on a Cabinet committee that recommended the spraying? And what position will he take as a matter of principle either within or without the Cabinet to handle this situation which I know has been brought to his attention?

MR. W. ROWE: A supplementary.

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



MR. W. ROWE: The hon. the minister was not here when the Premier answered the question which I asked about a half hour ago now, I guess, concerning the hon. minister. The words of the Premier were that he had spoken to the minister, the minister is not going to do it anymore. He now knows what Cabinet solidarity is all about - gave the impression that the member is now contrite and apologized for taking a line different from the Cabinet position, and now he stands up and makes the same point as he did last night. The point I am asking, Mr. Speaker, is, Does the hon. minister agree in every detail with the policy of the government which the Premier enunciated again today, a policy to spray the Matacil over the areas designated on the map which was shown to us yesterday - a clear government policy? Does the Minister of Tourism agree with that policy?

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

MR. MORGAN: Mr. Speaker, my views on the spraying were put forward in debate in this Assembly yesterday evening. My views have also been relayed to my colleagues, particularly my colleague, the minister responsible, the Minister of Forestry and Agriculture. My views are as a result of the concerns, as I mentioned, put forward by numerous people who are really concerned in the Central Newfoundland region in particular, and talking about, in particular, the water supply source in Gander. My concerns have been relayed to my colleagues in Cabinet.

SOME HON. MEMBERS: Oh, oh!

MR. MORGAN: Mr. Speaker, may I have protection while I am speaking? The question was asked by your leader and I assume he wants an answer.

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MR. MORGAN:

Whether I agree or not in the  
spraying programme was clearly pointed out last night.  
My reservations were as a result of the concerns that  
I received and surely,

MR. MORGAN: nobody in this Province today is not going to be receptive enough as a politician to listen to views of the people. If they are, Mr. Speaker, they should not even be in power.

ORDERS OF THE DAY:

MR. SPEAKER: Motion 9:

AN HON. MEMBER: (Inaudible).

MR. SPEAKER: The hon. member is welcome.

Motion, the hon. the Minister of Municipal Affairs and Housing to introduce a bill, "An Act To Amend The City Of Corner Brook Act," carried. (Bill No. 46)

On motion, Bill No. 46 read a first time ordered read a second time on tomorrow.

MR. SPEAKER: Order 3, the adjourned debate thereon.

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

MR. R. SIMMONS: Mr. Speaker, I started this debate last Tuesday as I recall and I had a few words to say on Thursday and then Friday we did not get an opportunity. I do not think we got beyond the Question Period on Friday and of course yesterday we had another important debate, the spruce budworm spray debate and so here I am again today with another few words I would like to say on the subject. I guess in fairness to me it should be pointed out that the few remarks I tried to make on Thursday were somewhat abbreviated thanks to the member for Kilbride. I am sure after what has happened in the past few hours particularly today I am sure he is rather sorry in a way that he ever pursued the matter of last Thursday. I believe, Mr. Speaker, and I wish and I hope he is within hearing of my voice because now that I have had an opportunity to see the transcript to which I made a brief reference last Thursday, now that I have had an opportunity to see it since it has been tabled and it is the first opportunity I had to read it as I was not here during his reading of it but I did hear bits of it on the loudspeaker down stairs and I must say, Mr. Speaker, it lost something in the translation when he read it. I am sure that the enthusiasm that he had in the

MR. SIMONS: telephone call itself was somehow absent from his translation today and one needs to go over it with a finetoothed comb, with a pencil as I have done and to look at it. I was making a statement last Thursday, Mr. Speaker, to the effect that the member for Kilbride was not a supporter of this government and that is very clear, Mr. Speaker, clear from lots of things that he says outside the House on a fairly continuing basis. And I suggested, Mr. Speaker, it would be clear from this telephone conversation. Now he says he said last Thursday and he said again today that it was a matter of being critical.

Mr. Speaker, how critical can you be? How much can you abuse the word critical? Here is a man who tells us that his colleagues are boozing it up and these are not my words, Mr. Speaker. These are not my words. They are on page three of the transcript, the transcript which he acknowledged today, Mr. Speaker, as he read it into the record. It is a transcript of a conversation he had with one, Mr. Davidson. So he tells us first of all his colleagues are boozing it up to the point that they do not know what they are thinking. He used some more colourful language. He took me to task today for thinking that language was a bit colourful. Well I do not know, Mr. Speaker, what his yardstick for colourful language is. I happen to think that some of the expressives, some of the terms in this document are fairly colourful but they are unparliamentary. He did not read them into the record and I shall not read them into the record. I shall only mention them to the extent that he somewhat chided me today for thinking these expressions were colourful. Well he must answer for the kind of language he uses. I just made a comment on it last Thursday.

But we do know now, Mr. Speaker, that this gentleman feels his colleagues are boozing it up to the point that they do not know what they are thinking. Now, Mr. Speaker, if this is the crowd we have in government, these are the people who are making decisions, decisions that affect your tax dollars, your destiny economically and mine, your

MR. SIMMONS:

political destiny and mine. They are boozing it up, he says, to the point they do not know what they are doing. I understand, Mr. Speaker. He is only being critical. That is all, just being critical. He still wants to support them although he thinks they are a bunch of boozers. Then he goes on to say and I am quoting him, Mr. Speaker, "I think they just haven't got any sense." He is going to support them, Mr. Speaker, going to be a bit critical of them. They have not got any sense mind you, no sense he says but he is still going to support them. I would say, Mr. Speaker, it is time to question that man's sense, his sense of reasoning, his sense of what is proper.

He tells us in one mouthful he is just being a bit critical, still support them but they have no sense. How is that for a recommendation, Mr. Speaker. That is not enough though. He goes on and then he says, "They do not know what they are doing." They are boozing. They have no sense and they do not know what they are doing. But now you understand, Mr. Speaker, the spirit in which these comments are made. They are only criticisms. They are only mild criticisms, Mr. Speaker, just constructive criticism. No sense, do not know what they are doing and they are boozing it up to the point that they do not know what they are thinking. Mild criticisms!

Then the member for Kilbride (Mr. Wells) goes on, Mr. Speaker, and takes issue with a fairly basic policy of this administration. Because as I was saying in my few remarks last day one of the basic tenants of this administration was get rid of anything having to do with Smallwood. That was the first prong in their programme, the first item in their platform. And, Sir, when they come in they went hammer and tong into the Stephenville situation and they destroyed that beyond all recognition. Now the person who happened to be involved in that, Mr. Speaker, was one John C. Doyle and I made some reference to that last day. And they went after him on the grounds that he was a fugitive from justice and that kind of thing. Well I happen to believe that justice can well take care of its own concerns without the politicians

MR. SIMMONS:

getting involved in it. And I believe these days if you watch the goings on, Mr. Speaker, you will notice that justice is well taking care of even some concerns the politicians would not particularly want to have to take care of. Justice is looking after itself these days in admirable fashion, perhaps too admirable a fashion to please some of the hon. members opposite. But justice is well looking after its own and would have, Mr. Speaker, in the Stephenville situation.

Mr. Speaker, with all of that, with all their anxiety, their enthusiasm to get rid of Doyle here is one of their admirers, Mr. Speaker, one, the member for Kilbride now. Understand he does not swallow everything hook, line and sinker, Mr. Speaker, not this fellow. He has some mild criticisms. He tells them they are a bunch of boozers. He tells them they have no sense. He tells them they are so boozed up they do not know what they are thinking. He tells them they do not know what they are doing anymore. Then he also tells them that on the basic point in their whole programme, the get rid of Doyle move, they were wrong. You read the transcript between the member for Kilbride and Mr. Davidson, it is clear, Mr. Speaker, on page 3 I believe of the transcript that this member is very much in favour of Doyle's continuing involvement particularly in the Julianne Lake thing in Labrador. So he disagrees on that particular basic policy.

Then, Mr. Speaker, the language gets a little more colourful and again, Mr. Speaker, I must say that perhaps the member for Kilbride has a different yardstick because he again chided me today because I thought his language was a bit colourful and he said that I was making much ado about nothing. Well, Mr. Speaker, I have said before that people were filling their pockets. I have never said it, Mr. Speaker, in such dramatically colourful terms as this member has said it. That is the other criticism. Mr. Speaker, now understand it is just a mild criticism, just a mild criticism that they are filling their pockets he says. He is still with them. He still supports them. He thinks they booze it up to the point they do not know what they are thinking. He thinks they have no sense. He thinks they do not know what they are doing. He disagrees with their actions in respect

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MR. SIMMONS:

to Doyle in Labrador on the Julienne Lake and now he tells us they are filling their own so and so pockets. But that is okay, Mr. Speaker, he is only criticizing you know. He is just criticizing. That is all, just a mild criticism.

He also says there is no way to deal with them. Now, Mr. Speaker, there is no way to deal with them.

MR. SIMMONS:

How is that for a mild criticism? Imagine if you had it said of you, Mr. Speaker, that you are impossible to deal with, that you cannot be dealt with, there is no way to deal with you. That is coming from a friend now, Mr. Speaker, that is coming from one who supports you, someone who criticizes you only mildly but he cannot deal with you because he feels in his heart of hearts, his soul of souls there is no way to deal with you. How is that for a mild criticism?

Then, Mr. Speaker, another one of the almost a flagship, Mr. Speaker, of this administration was the Brinco takeover in Labrador, literally a flagship. It was sold to us as the ultimate salvation. Now how is this, Mr. Speaker, for just a mild criticism, Mr. Speaker. After all we are only talking about Brinco, only talking about an initial buy back cost of \$165 million. You know we are just talking a few bucks here, Mr. Speaker, just \$165 million of the taxpayers money, only just about twice as much what they had signed over to Dobbins in that deal we talked about last week. Remember the non-existent deal, Mr. Speaker, with the tentative signature from the Premier. Not the irrevocable, final signature, just the tentative signature, the \$80 million tentative signature. Well about twice that much, Mr. Speaker, \$165 million, that is all we are talking about, just a bit of loose change if you like, only about 18 per cent, 16 per cent or 17 per cent of the provincial budget for a year. That is all, just a little bit of loose change, \$165 million.

Now, Mr. Speaker, the member for Kilbride, what is his mild criticism on that one? Nothing except that he is against the whole thing. He is against it that is all. He says Brinco was a reputable company. He goes on to make a great case for Brinco and then he says, "They confiscated the blankety blank thing." Language a bit too rich for my parliamentary blood, Mr. Speaker.

MR. NEARY: What about putting him up in the cockpit of a 747?

MR. SIMMONS: Mr. Speaker, if it was not so serious it would be funny, that a member stands in his place and with serious face and eloquent phrase tells us all he is doing is what is his parliamentary



MR. SIMMONS:

right, criticizing to keep the boys in check. Now who is it he is keeping in check, Mr. Speaker? Well I will give you his own words. A bunch of boozers, so bombed out of their minds they do not know what they are thinking. A bunch of fellows who do not know what they are doing. Get him right now, Mr. Speaker. We better not misquote him, or we could have some more points of privilege. Who is it, Mr. Speaker, he is talking about? The people he wants to stay with, wants to be part of, wants to criticize mind you to keep them in line, in check. Who are they, Mr. Speaker? Let us understand them in his terms, in the terms of the member for Kilbride because he is very specific, Mr. Speaker, he is very insistent that you quote him correctly. So let us quote him correctly. Who is it we are talking about? We are talking about a bunch of boozers, so bombed out of their minds that they do not know what they are thinking. Those are his words. He used some colourful language to describe it mind you. But I will leave that to your bedtime reading tonight when you take these transcripts home, I am sure. People so boozed up they are bombed out of their minds, they do not know what they are thinking. That is who he is talking about. That is who he wants to keep in check, Mr. Speaker.

MR. W. ROWE: That is the government he joined subsequently.

MR. SIMMONS: Then people, Mr. Speaker, who in his words, "Just have not got any sense." He does not question their sense, Mr. Speaker. They have none.

Thirdly, they do not know what they are doing anymore. That is the group, Mr. Speaker, he is talking about. That is number three. Number four the people who make the decision about Doyle which he disagreed with. Number five, the people who are looking to fill their own blankety blank (insert colourful language here) pockets. That is the people he wants to be buddy buddy with. And six, Mr. Speaker, people that "There is no way to deal with them."

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MR. SIMMONS:

Now, Mr. Speaker, number seven, the people who made the Brinco decision which he scores, which he says is a wrong decision. It should never have happened, he said

MR. SIMMONS: notice, Mr. Speaker, on that one - Oh, the member is back. The government supporter -

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: Let it be understood, Mr. Speaker, I did not say all those things.

MR. R. WELLS: And we do not know for sure if I did.

MR. SIMMONS: Ah, well if the member would make up his mind. He was awful anxious to read them in the record. He was so relieved, Mr. Speaker, that this was not the transcript that he thought but he feared it might be. This was one of the other conversations. We have news for him, Mr. Speaker. There is more where this came from. I understand there is more where this came from. But, Mr. Speaker, let us deal with this one first, Mr. Speaker.

We are now talking, Mr. Speaker, of a man who would be a supporter of a government who in his words have boozed it up to the point they do not know what they are thinking, who in his words have no sense and who in his words do not know what they are doing. Who in his words are lining their own, his words, so and so pockets. Who in his words made bad decisions on Brinco and Doyle. Who in his words, Mr. Speaker, are a bunch of crooks. Now, Mr. Speaker, understand the compassion of this man, understand his open-mindedness on this one. They have no sense. They are a bunch of boozers, a bunch of crooks who do not know what they are doing, do not know what they are thinking, made a lot of wrong decisions, are lining their pockets but he is going to support them with some reservations.

MR. NEARY: It is like putting him in the cockpit of a 747 jumbo jet.

MR. SIMMONS: Well, Mr. Speaker, that one bothers the mind. If he handles it no better than he did in a down to earth situation here in the last two or three days I would not want him in the cockpit of anything. Mr. Speaker, he pulled a brave tactic yesterday and it backfired on him badly, backfired on him badly. The last thing he wanted, Mr. Speaker, was for this to become public knowledge so he said, I will take a brave dart at it, I will dare the Speaker and low and behold, Mr. Speaker,

MR. SIMMONS: you or your counterpart in the Chair were more than equal to the dare.

Now, Mr. Speaker, look the member for Kilbride can attempt to make light of this all he wants. The fact is, Mr. Speaker, I have some difficulty at this point and time trying to rationalize his position giving the kinds of statements in this particular document. I mean it is horrendous what he is saying here. There is certainly nothing left for him to do but move his seat down in a corner. We will make room for him over here and not necessarily with us. He would have to apply to this caucus to get in, Mr. Speaker, and a man that inconsistent about what he says would have to have an awfully good lengthy well documented, well worded application to even be considered by this caucus let alone let in. But we will move our seats up a bit, Mr. Speaker, or we will sit him and that would be appropriate, Mr. Speaker, right behind the member for Port de Grave. There is room down there in that corner for him down there. That could not be misconstrued I hope, Mr. Speaker, that he is necessarily voting with us or supporting us because that kind of support, Mr. Speaker, we do not need. That kind of support we do not need but I will say to him as believers in the democratic system that if he wants to apply to the caucus I think my leader can authorize me to say that we will certainly consider the application. We will consider the application - Well the normal democratic procedures require that we would at least consider the application. I do not want to raise false hopes or lead him down the garden path, Mr. Speaker, but he would have to attach more than the transcripts for supporting documentation of his consistency and loyalty. We are big on loyalty over here, Mr. Speaker. We are short on weasel words, long on loyalty, very long on loyalty.

SOME HON. MEMBERS: Hear! Hear!

AN HON. MEMBER: Well said. Say it again.

MR. SIMMONS: We believe, Mr. Speaker, in principle but we do not think principle should be mouthed and manipulated carelessly. We do

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MR. SIMMONS: think, Mr. Speaker, we do not think for one second that because you make a speech about principle means you have the monopoly on principle. You have to do something about it other than say your colleagues are a bunch of drunks or a bunch of boozers or they do not know what they are doing or they do not know what they are thinking or they make all wrong decisions or they are a bunch of crooks. It is all here, Mr. Speaker, how they fill their own pockets. Words, Mr. Speaker, are not enough anymore for the member. He has to put his money where his mouth is. He has to

MR. SIMMONS: do something finally. The jig is up for him. The jig is clearly up. All the impressive language, colourful as it is, Mr. Speaker, unparliamentary but colourful, is not enough anymore.

MR. N. WINDSOR: It never is enough.

MR. LUSH: Get to the member (Inaudible).

MR. SIMMONS: No, the member for Mount Pearl Arena we will come to later.

MR. N. WINDSOR: On a point of order, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Collins): A point of order has come up.

MR. N. WINDSOR: The hon. member has been called to order several times and perhaps it bears repeating, that I be referred to by my district.

MR. SPEAKER (Collins): On that point of order, I could rule on that, that is quite a self evident point of order clearly. Hon. members should be referred to by their districts as hon. members are aware.

AN HON. MEMBER: Is that the Throne Speech or Budget Speech the hon. gentleman just read?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Collins): Order, please!

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

MR. SIMMONS: Now, Mr. Speaker, it is only fair that we give the member for Mount Pearl (Mr. N. Windsor) as is his rightful title, notwithstanding his association with an arena called the Mount Pearl Arena.

MR. W. ROWE: Close as it may be.

MR. SIMMONS: His close and questionable association with Mount Pearl arena I may add, notwithstanding that, his proper title is the member for Mount Pearl, but the questionable association is a matter that we will come to later, which we can well document, and it is difficult to think of him without thinking in that particular context. But that is another issue. I am all in favour

MR. SIMMONS: and I think my colleagues are too, with giving him every opportunity to speak in this House, even if it be brief one sentence interjections. Give him every opportunity we can to speak because he may not be with us much longer. He may not be with us much longer. So give every opportunity to the member for Mount Pearl (Mr. N. Windsor) to speak. Indeed I would yield to him now if he would like to make his Budget Speech.

MR. N. WINDSOR: If you would sit down for a minute.

MR. SIMMONS: Well, Mr. Speaker, so much could be said about the transcript that we have had tabled today. I believe though for the most part it speaks for itself. It is a very damaging indictment and I would hope in time that the member for Kilbride (Mr. Wells) will address himself to the substance of the issue which it raises. And the substance really can be summed up in one question, how can one support and oppose at the same time? How can one be for and against something? How can you be going in two directions at the same time? That is the issue. The sooner the member for Kilbride (Mr. Wells) addresses himself to that the better for the members of this House who are concerned about that particular issue.

But there are other ones, Mr. Speaker, I would like to talk about - before leaving this though, Mr. Speaker, the member has given notice today that he will refer the matter to the Committee on Elections and Privileges. There is some housekeeping he has to do of course. He would be in a very serious conflict of interest if he remained on that Committee since he is dealing with a matter directly affecting him. So I would hope that when he does put the motion down, he gave notice of the motion today, I hope when he puts the motion down he will at that time indicate to the House that he is tendering his resignation from the committee as would be appropriate and honourable in the circumstances.

MR. CALLAN: Or get the flick.

AN HON. MEMBER:

MR. SIMMONS: The member for Kilbride, the member for Kilbride is now referring -

AN HON. MEMBER: What committee?

MR. SIMMONS: He is a member of the committee. I hope the House understands that he is a member of this Committee on Elections and Privileges. He is just a member of the Committee now. The record should show that he was chairman of a similar committee for two or three years in this House, which never met. He never did convene the committee for two or three years.

AN HON. MEMBER: Who were the other members of that Committee?

MR. SIMMONS: The member for Trinity - Bay de Verde (Mr. F. Rowe), the member for the Straits of Belle Isle (Mr. E. M. Roberts), the member for Grand Falls (Mr. Lundrigan), and the member for St. John's East (Mr. Marshall). I believe the member for St. John's East (Mr. Marshall) was the first name and is therefore the Chairman of the Committee.

MR. CALLAN: - Humber Valley, I wondered why it was -

MR. SIMMONS: That is the old committee. What is the name of that other committee by the way? What is the name of that other committee 'Wils'?

AN HON. MEMBER:

MR. SIMMONS: I am sorry, Mr. Speaker, we are talking about two separate committee. The committee of which I just gave the membership, with the member for St. John's East (Mr. Marshall) as the Chairman of the Committee on Elections



MR. SIMMONS: and privileges. And then separately from that there was a committee on Standing Orders. That committee has been appointed since November, 1975 which is now nearly 2½ years ago - no, I am wrong, it was appointed in the Spring. The member for Green Bay (Mr. Peckford) was the Chairman of the Committee on committees. And at that time, I believe, probably April or May of 1976, he brought in his committee's recommendations which at the time were two, a recommendation that we set up a committee on Public Accounts with myself as chairman and a committee on Standing Orders with the member for Kilbride (Mr. Wells) as chairman. Now that has been existence - the House approved the minister's recommendation in about May, 1976 as I recollect, so we are talking two years ago, almost two years to the day, and to this day, Mr. Speaker, that committee headed up by the member for Kilbride, who is now big, Mr. Speaker, on privileges, big on issues relating to the order of the House, the dignity of the House, the decorum of the House, the need to change the rules as he so often talks about, he has been in the driver's seat for two years. For two whole years he has been chairman of a committee on Standing Orders and he has not even called the committee together. Well, I hope, Mr. Speaker, I hope for his sake that when he does put down the motion to have this document deferred to the committee on Elections and Privileges - I hope for the sake of the member for Kilbride that it will be much more expeditious with his requests than he has been with the request of the House that he do something about the Standing Orders of the House.

Now, Mr. Speaker, enough on the member for Kilbride. I want to talk about some other issues.

MR. SIMMONS: Mr. Speaker, Newfoundland Hydro. Newfoundland Hydro is an outfit or a company or a Crown corporation that we had better keep a very close eye on. That is an easy statement to make, because the fact of the matter is that Newfoundland Hydro is getting more and more out of our control - more and more out of the control of the House.

Now apart from the niceties of parliamentary control and so on, there is another deeper or just as important issue here and that is what that lack of control of Hydro by this House means to the taxpayer in dollars and cents.

I have just had a look at the latest report from Hydro. All kinds of questions come to mind, Mr. Speaker. This report has been circulated to members of the House.

I remember back in high school we used to always make a big to do of year books. They cost us a mint and they never looked nearly as pretty as this one. But then again, Mr. Speaker, we did not have access to the same photographers. Is that not a nice picture, Mr. Speaker? It should be nice, it cost twelve hundred bucks - something of that order - eleven hundred, twelve hundred bucks.

Now I did not say, Mr. Speaker, that the others cost twelve hundred bucks, but you see, there is a difference, Mr. Speaker, in the two pictures. If you are just an ordinary vice-president - and God knows how many vice-presidents are down there, they change - I saw another announcement in the paper today - but there is an awful slew of vice-presidents down there for various things. And if you are only an ordinary \$30,000 a year

MR. SIMMONS:                   vice-president you have to go get your picture taken by one of those ordinary, stunned Newfoundland photographers, you see, but if you happen to be the president of the outfit you call in our special friend, our \$1,200 friend - we all know his name - and he takes this one, this one only. You have to be president for that, Mr. Speaker, and you have to have the taxpayers' money behind you. Now, Mr. Speaker, you say, 'Well, what difference? - twelve hundred bucks with a corporation that spends so many millions. And that is the problem, you see, that in that context \$1,200 is not an awful lot of money, but in the context of a group of people in McCallum, in my district, who need a well - not a water supply fed into every home but just a central well - one well is all they are asking - the Premier promised it nearly five years ago during the now famous Hermitage by-election, he promised it would be done that year before Christmas. They are still waiting for Christmas up there, Mr. Speaker. It has not come for them yet.

Hydro, Mr. Speaker, is an example of how our tax dollars are being unduly squandered.

Now if it could be argued, just coming back to my example - and it is only an example, I have nothing against Mr. Groom having a nice picture. He is

MR. SIMMONS:

about to leave us and he should have some souvenirs of his visit here other than his big fat life pension and his \$135,000 salary that he was getting while he was here. He should have one of two little souvenirs to take with him I suppose poor fellow. But, Mr. Speaker, if it is suggested that the reason for the expensive photography was that they had to present a good image to the world, and I suppose that will be the argument when the time comes, that this report is not only for us, for the eyes of us poor stunned Newfoundlanders but that it goes to some important people in New York who lend us money and other places. I suppose that will be the argument. If that is the case, Mr. Speaker, I wish in addition to getting a very nice picture of Mr. Groom they would also use the opportunity of the other pictures in the publication to reflect Newfoundland as it is. There is one picture there taken indoors so I cannot really tell if it is Summer or Winter. But all the other pictures are taken outdoors. For some reason they were all taken in the dead of Winter. I would not suggest that we wait for our one day of sunshine and take them all on that particular day and then suggest to the people in balmy New York that somehow this is the way it is up here all the time. But why they went to the trouble of waiting until Bay d'Espoir had five feet of snow before they took the picture, I do not know and so on right through the entire piece.

It is a point I make, Mr. Speaker, and it is not a big point. I want to get on to the cost involved. But just in passing it does not at all reflect a typical aspect of the Province. We do not have snow all the time nor are we without it all the time and I would not suggest we rig the pictures. But these must have been taken on a dingy day, Mr. Speaker, in January. If the people in New York are looking I am not sure they are terribly impressed particularly when they have that view of Newfoundland as being way up there somewhere anyway.

But I want to get back to the other issue because it is much

MR. SIMMONS:

more important to me. That is the financial issue, Hydro. Hydro is costing us an awful lot of money. Indeed everything you do through Hydro seems to cost you more than it would otherwise. I am of the impression, Mr. Speaker, that if you called Hydro in to change your light bulb they would send you a bill for \$100. If you called them in to change your light bulb they would send you a bill for \$100.

This whole matter of inspection is costing the average person not in terms of taxes, sales taxes or income taxes, not in the direct sense but indirectly - what is my buddy for St. John's Center (Mr. Murphy) up to over there?

AN HON. MEMBER: Talking sign language, himself and his buddy.

MR. SIMMONS: I see. All right. All right.

MR. MURPHY: The hon. member wants me to ask you to sit down.

AN HON. MEMBER: Now I will have to get nasty.

MR. SIMMONS: As soon as the love affair is over between the member for St. John's Center (Mr. Murphy) and the member for Baie Verte-White Bay (Mr. Rideout) we will go on because I want to talk about this inspection function of Hydro for a minute and what it is costing the average person, not in tax dollars collected as such, not in gasoline tax or in sales tax or in any of the normal conventional taxes but in direct out of pocket expenses, when you want a house hooked up, when you want a house inspected. You live in Bay d'Espoir for example you have to get an inspector to come from Bishop's Falls, drive 100 miles to St. Albans. If everything is not just right the guy goes back to Bishop's Falls and he comes back the following week, one week later. He only goes down there one day a week. If there is one house down there to inspect he drives 100 miles with the cost that is involved and he goes back home again. In the process he finds something that is just not quite right. For example, the person might have used a white covered wire or, I am sorry, a black covered wire instead of a white covered wire for his ground. All right. And that

MR. SIMMONS:

can have serious implications. I am not suggesting that. But I am just showing how specific the problem can be. And instead of getting some undertaking from the fellow to change it and then be hooked up he says, change it and I will come back later and inspect it again.

I talked to a fellow this morning in my office who had seven inspections from Hydro before he got hooked up. Now, Mr. Speaker, he himself - you want the punch line? - he himself worked as an electrician for Hydro and he had to have seven inspections before he could get a normal 200 amp service hooked up to this house, I believe, or his mother's house as the case may be. Now think of what that is costing the taxpayer in terms of tax dollars through Hydro but think also what it is costing that fellow if he has got a contractor standing by to begin plastering the walls but he needs heat on the building, that kind of a problem.

Now, I have a very simple suggestion to get out of

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MR. SIMONS: all that. How do we inspect motor vehicles? Do we need a great crown corporation that inspects vehicles every February or March so you can get your vehicle permit? Of course we do not. We go to private enterprise and we licence a number of people one or two in each of the small communities, several in the larger communities and up in the guy's window he just got a little sticker or sign which says that he licenced to inspect motor vehicles. Why cannot we do exactly the same thing for inspecting house, for electrical hookup? Why cannot we go to the communities and I take St. Alban's in my district there is a number of electricians there or Milltown? Why cannot we go in and designate one or two people in the Bay d' Espoir area? There is 6,000 population area there. Designate about two for example two people as electrical inspectors and then - I say two for this reason that if one - in a small area there is a limited number of people involved in electrical installation and it may be that if there is two fellows one of the has actually done the installation in your home, he has actually done the wiring. Well in that case do not ask him to inspect ask the other fellow in other words make a blanket rule that the fellow who actually installed the electrical service can also inspect his own work, that makes a lot of sense. But otherwise let us licence a group of people and I know there will be objections to it, Mr. Speaker, because as soon as you come with an idea as soon you suggest for a change the wall goes up and there is all kinds of reasons why it cannot be done. Now I am sure, Mr. Speaker, I could stand here for fifteen or twenty minutes and fight reasons why it cannot be done in bureaucratic terms. But what about some reasons why it should be done how about a few reasons why it needs to be done. And

MR. SIMONS: one reason is what it is costing the person who needs that home hooked up another reason is the cost that the taxpayer is paying through Hydro to get these expensive inspections done. Another reason is the way it is cluttering up Hydro, Hydro cannot do its regular work and its regular work by the way is not inspection at all. Hydro prime function is the distribution of electricity and let us allow it to get on with its primary function the generation and distribution of electricity that is its big job. And this other side function that is taken on to itself let us get rid of that let us farm it out to some competent private people. You might need special exams for these would be electrical inspectors I do not know what you do in the motor vehicle sense I do not know if the guy has to pass some kind of a test I think he has to answer certain qualifying questions he has to have certain equipment a certain kind of facility I do not know what the details would be and I do not think we should take the time of the House on the details.

But in principle, Mr. Speaker, the idea of getting that inspection function outside of Hydro altogether is a good idea and I think it should be looked into it will save the taxpayers money directly it will save the home owner money who wants a hookup it will save them a lot of time and inconvenience waiting around for the second or the third or the fourth or the fifth inspection. And even more important it will tend to declutter the Hydro operation which is becoming monstrosity in so many ways not only vice presidents coming out of your ears not only people involved in the generation function producing new sources or implementing new sources Hinds Lake and so on not only involved in distribution and all that in in terms of sticking new poles and stringing wires and that kind of thing but also this sub monstrosity called the Inspection Division. I would hope that can be gotten rid of and I have given



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PM - 3

MR. SIMMONS:

a suggestion and I hope it will be reacted to I hope it will be looked into before it is shot down as a crazy idea. Perhaps it is crazy perhaps there is no reason it can be done I happen to think from talking to some electrical people that it bears at least some looking into.

We have got, Mr. Speaker, no choice but to do something about Hydro while we have time. It is a monstrosity financially and its role, its ongoing role is out of all proportion to what ought to be given its assignment namely the generation to some degree and the distribution of electricity in various parts of the Province.

Mr. Speaker, no comment on the Budget or on this government's performance would be anything near complete

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MR. SIMMONS: without a look, Mr. Speaker, at the way they have mismanaged the capital funds of the Province, the way they have for example poured a couple of hundred million dollars into Linerboard in Stephenville. At the very time, Mr. Speaker, they knew privately that the name of the game was not to make it work but to pursue a personal vendetta and that was the overriding consideration.

The Premier made much today of the fact that he was in the House today. We will have to keep tabs from hereon in fellows, keep tabs.

I have some important things to say, Mr. Speaker, and I would love a quorum.

MR. SPEAKER: A quorum call. Call in the members.

I would ask the clerk to count the House.

A quorum is present. The hon. member for Burgeo-Bay d'Espoir.

MR. SIMMONS: Now, Mr. Speaker,

MR. SIMMONS: My crowd have not deserted me at all. It is the government's responsibility to keep a quorum in the House. It is not my fault that we have had to wait until just about the last day of May to discuss a Budget that was brought down about the middle of March. It is an insult. Anywhere else in the parliamentary world they bring in the Budget and a few days later we debate the Budget. We do not wait two full months, Mr. Speaker, before we get a crack at the Budget debate. Now I know this year why the strategy was involved, because it was such a bad Budget, it received such an overwhelming shock reaction around the Province, people who had the guts kicked out of them fiscally, financially speaking, economically speaking by this government when the Budget came down on the 17th day of March. I can understand why the government wanted to delay as long as they could before they had a word of comment from members of the House about it, because I think they were afraid that even some of their own members - not the member for Kilbride (Mr. Wells) mind you, he has a very mild way of stating his criticism - not him, but some of the other people over there might get up and on principle say what they felt, like the member for Grand Falls (Mr. Lundrigan) at the time he was making a statement about the Minister of Finance making a good undertaker. He was at that moment psyched up to say some fairly honest things about the Budget. Since then he has been doing some funny things, Mr. Speaker. I do not know if he will get up, if he will have the same enthusiasm to say what he feels or what he felt on the 17th day of March, Mr. Speaker, or what he said the day before that when he resigned from Cabinet. Perhaps the passage of time, Mr. Speaker, has worked for the Premier. He has literally

MR. SIMMONS: bought time and perhaps it has paid off for him in terms of his own colleagues. Certainly, two months later the public of this Province are no less affected, Mr. Speaker, but perhaps the shock has worn off somewhat - the shock of 11 per cent sales tax, the shock of a dental fee for youngsters, the shock of a hospital ward fee for patients. Perhaps the shock is somewhat worn off. The effect is no less adverse, but perhaps the two month delay and manipulating the parliamentary procedure, playing with the rules of this House, Mr. Speaker, to put off as long as possible debating the Budget - perhaps it has worked to some degree for the hon. the Premier and his hon. crowd. Let the records show, Mr. Speaker, and I hope we are all witness to this - these are not my words, these are the words of the Premier - he is in the House now; there he is - this is one of the days, Mr. Speaker, that he counts as being present. I hope we are all looking now, Mr. Speaker, he is there, believe me - he is over there. It is one of the days he is in the House - gets up and piously counts how many days he has been in the House. These, Mr. Speaker, are the days when he passed by the Chair on the way back to the 8th Floor or back to St. Pierre for lunch by helicopter or up to the lodge in Labrador or on the Gander River. These are the days he just passes by the Chair. I cannot remember, Mr. Speaker, and I am here fairly regularly - I cannot remember when the Premier has been in the House any more than an hour or an hour and a half any day. I know it will be argued the Premier is a busy person and that kind of thing. Well, of course, the way around that, Mr. Speaker, we can take a lead again from the Premier, I believe, of Nova Scotia, Mr. Regan. When he goes to a conference, Mr. Speaker, unlike the Premier

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MR. SIMMONS:                    who used conferences today as a reason for not being in the House - when Mr. Regan and his group go to a conference you know what they do? They recess the House. I have a clipping somewhere in my folder here of a case where the Minister of Finance for Nova Scotia, the Premier of Nova Scotia and one other Cabinet minister had to go off to Ottawa for two days of meetings, so the two days they were gone - just three ministers including the Premier - they put out a press release saying that because they were away the House would be closed for those two days. And therein, Mr. Speaker, lies the difference. The respect that one Premier of a Canadian province has for the House, the obligation that he feels to be present there and to participate in the legislative programme for his Province on the one hand, and on the other hand a man who fears the House, who finds every possible excuse he can to stay away from the House and even the days when he is officially in town, even the days when he is officially not at lunch on St. Pierre somewhere,

MR. SIMMONS: He manages to drag himself in here for about half the Question Period and then towards the end of the period just as you are getting all psyched up to ask him a question, just as it dawns on you over here that boy he is in an awfully bad mood today, as he is today by the way, just as it dawns on you that he is having another fight with the Minister of Finance as he was today you will notice -

AN HON. MEMBER: Minister of Tourism.

MR. SIMMONS: Well the fight with the Minister of Tourism is ongoing. There is only one reason he does not flick the Minister of Tourism out of the Cabinet, only one reason and the Minister of Fisheries will be interested in the reason. Only one reason that his Premier does not flick the Minister of Tourism out of the Cabinet, the Premier is afraid that with the Minister of Tourism gone the IQ of the Cabinet would be severely lowered, severely lowered if they flicked out the Minister of Tourism.

MR. NEARY: It is like another world -

MR. SIMMONS: I hope the Premier comes back eventually because I have three or four questions here for him but I do not know why we should be talking so often about the absent guest. Let us talk about the government, Mr. Speaker, nearly as absent, nearly as absent. A Minister of Environment who will not give you any answers about a matter that is going to effect the health of a lot of people, just will not give you the answers, it is not that he does not know them - that might be true too but he will not try to give them. A Premier who will not come to the House. A Minister of Tourism who will not play the parliamentary rules, who will not stay by the normal dictums of Cabinet solidarity. A member for Kilbride (Mr. Wells) who supports and opposes all at once and only he can do it so well. Mr. Speaker, what in total has this administration done? What has it done? Let us look at its record before we approve this billion dollar budget, before we lash it out to them again so that they can go out and spend it. What has this government done to date that deserves that we should vote for what is

MR. SIMMONS: contained in that document there, this billion dollar request? This bland cheque that they want from us so that they can rush off to Germany and borrow some more money or rush off to New York and float some more bonds. What have they done, Mr. Speaker? Well, Mr. Speaker, every government agency, every government agency, every board even the marriage license officials I am told, every conceivable appointment is so stacked, Mr. Speaker, with people whose first criterion are not that they are qualified - they maybe incidentally so, their first criterion, Mr. Speaker, is that they are bosom pals of this administration. Every agency, every board loaded with their buddies, Newfoundland Hydro, Public Service Commission, the Rural Authority - remember all the lectures of 1971, Mr. Speaker, how they were going to clean it up. They cleaned it up all right.

MR. WHITE: Cleaned it up and messed it up again.

MR. SIMMONS: And then, Mr. Speaker, as if that were not enough - I hope the Minister of Manpower comes back in his seat because I had a question too for him as well on the next subject. Every Tory contractor who could crawl or creep to the public treasury, every Tory contractor in the Province got his hand in the public till and if you believe, Mr. Speaker, if you believe the member for Kilbride (Mr. Wells) and he will save us the suspense at some point and tell us how authentic this conversation is, if you believe him, Mr. Speaker, not only has every contractor got their hand in the till but apparently some of his buddies in Cabinet have their hand in the till too. That is what he is saying. Every contractor, every Tory contractor, Mr. Speaker, with his hand in the public till at the public expense.

Now, Mr. Speaker, there is nothing wrong with some good old fashion patronage - I am a great believer in it myself, a great believer in it myself, I practice it every day with my friends and in my family. Always practice patronage it is a great dictum to follow because it really means that the devil you know is better than the devil you do not know. It basically means that you reward effort, it basically means that you are loyal to your friends and who is there among us, Mr.

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MR. SIMMONS: Speaker, who would be hypocritical enough to suggest that we would not be loyal to our friends? And, Mr. Speaker, to make an example, to make an example, if the Minister of Manpower who was once the Minister of Public Works, if he



MR. SIMMONS:

were today the Minister of Public Works, a good Tory Minister of Public Works and he wants \$10,000 worth of work done, he has got two choices, a good Liberal contractor who can do it for \$10,000 and do it competently or a good Tory contractor who can do it for \$10,000 and do it competently, he wants \$10,000 worth of work done, he has got two contractors, one Liberal and one Tory who could do it for the same amount of money equally well he would be an awful fool if he did not give it to the Tory. He would be an awful hypocrit, Mr. Speaker, if he did not give it to the devil he knew instead of the devil he did not know. That is patronage.

Now, Mr. Speaker, suppose that minister wanted \$10,000 worth of work done and he has got the two contractors and he is a good Tory Cabinet minister who wants \$10,000 worth of work done. The Liberal contractor can do it for \$10,000. The Tory contractor can do it just as well for \$30,000. Then, Mr. Speaker, if he gives it to the Tory contractor at a cost of three times the amount to the public treasury, that is not patronage. Let us not excuse that in the name of patronage, Mr. Speaker. That is highway robbery.

MR. WHITE: That is corruption.

MR. SIMMONS: That is corruption and that is where I draw the line. And a lot of the things I have had people say to me, ah if you were in Cabinet you would do the same thing.

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: I would say yes and no. I want the world to know that I would practice good old fashioned patronage the same as I practice it in my family today with my friends today and the organizations which I belong to. I practice good old fashioned patronage. IF I have a bit of information chances are I will give it to one of my buddies in this caucus before I will give it to one of my buddies in the other caucus because the fellows in this caucus have something extra going for them. They have the same label I have.

Now I am not excluding my good Liberal friends in the other caucus like the member for Mount Scio (Dr. Winsor), a Liberal if ever there was one, Mr. Speaker.

MR. F. WHITE: Hear, hear! Hear, hear!

MR. SIMMONS: He will be over here one of these days, Mr. Speaker.

MR. F. WHITE: They have got him tied on over there so he will not move.

MR. SIMMONS: I will practice, and I hope everybody on the other side will practice good old-fashioned patronage in government, in their homes, in their family situations, in their organizations, in their communities among their friends, because anybody who tells me he does not is a hypocrite. Anybody who pretends to me he does not look after his friends more than he does his enemies he is trying to tell me more than I can swallow. Anybody who tells me that he will go out, if he is a Tory and do more for a Liberal than he would a Tory he is telling me a lot of nonsense. Patronage, Mr. Speaker, is one thing. Highway robbery is quite a different thing altogether, highway robbery.

Now why did I use the example of the Minister of Public Works as he then was and now the Minister of Manpower? And why did I use the three to one example? Why? Well, Mr. Speaker, we all know of a couple of buildings, one, for example, just for example, just mention it in passing, the Torbay Hangar job, where a job that should have cost \$100,000 cost \$300,000. Now that is highway robbery. That is highway robbery. Am I suggesting that the present Minister of Manpower farmed it out knowingly? I am not suggesting that, but I am suggesting something else to him. He is then, Sir, rushing to a conclusion so fast on that particular case that I believe it is time that he made another statement. I believe it is time he told the House where he stands on that one, whether he is for it or against it.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: What happened at Torbay Hangar No. 3. The minister has never said that until now.

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: The minister has never told us what he thinks of the despicable practice that went on over an extended period of time

MR. ROUSSEAU: I assume that (inaudible).

MR. SIMMONS: Pardon?

MR. ROUSSEAU: I assume that goes with (inaudible).

MR. SIMMONS: Oh, Mr. Speaker, normally you could assume that, but when you read the minister's statement where he was going to come clean on, I think, March 10 of last year, where he was going to come clean. I find it very difficult, Mr. Speaker, and I say to him now that he knew more than he put in that statement on March 10, 1977. He did not tell the House all of the facts at that time. He just did not.

MR. ROUSSEAU: All the facts he had at that time.

MR. SIMMONS: There is no way, Mr. Speaker, -

MR. ROUSSEAU: I will update the statement.

MR. SIMMONS: There is no way, Mr. Speaker, that a Minister of Public Works, be it the present Minister of Manpower, the present Minister of Industrial Development, the two men involved during most of the period, no way, Mr. Speaker, that that kind of

MR. SIMMONS: nonsense, nonsense is too kind a term. That kind of skulduggery could have gone on for the four years it did and would still be going on if it were not uncovered by the way. No way it could have gone on -

MR. F. WHITE: With some effort.

MR. SIMMONS: Yes and with some effort, Mr. Speaker. Yes where are the critics now, Mr. Speaker? Where are the members now who are writing the press releases for the member for Mount Scio (Dr. R. Winsor)? He did not write them. But where are the people now who wrote the press releases for the member for Mount Scio last August, last June, last January, who said that I was making some cheap politics, making some cheap politics, Mr. Speaker, on this Torbay hangar job. And I do not blame the member for Mount Scio very directly. I do not think he knew what he was reading. I do not mean he is stunned. I am sorry if that is the indication. What I am saying is that I do not think he realized at that time the implications of what was involved here when he read those statements, when he said I was playing some cheap politics last January and last August, regatta day. He will remember.

I do not think he knew what he was reading when somebody wrote the statement and rushed him on the air and down to The Telegram on regatta day to deliver it. I do not think he knew fully that he was being a pawn like so many on that side are being pawns, unwitting pawns, Mr. Speaker, member of principle like the member for Mount Scio, men of real principle, who are being manipulated by a few people that the member for Kilbride (Mr. Wells) and being rushed out in the name of party loyalty, party unity, to make statements. And what better ploy than accuse old Simmons of some cheap political tricks. That will get him off base. That will get him off. So I had to charge, I had the Minister of Finance as he then was, the now Minister of

MR. SIMMONS: Transportation, come after me in January and threaten the law on me and do everything in the world to obfuscate and to confuse, because I was about to ask some questions. And then later on in the Spring I had people, very directly, attempt to get us off this issue, this whole issue of the Torbay hangar job, the expenses and the Fisheries College.

Millions of dollars, Mr. Speaker, perhaps as much as \$15 million or \$20 million without any public tender at all, given out to the friends of Tory contractors. And now here we are, Mr. Speaker, more than a year since the Minister of Manpower made a statement to the House and not a solitary word since. I will tell you what, Mr. Speaker, if I were even peripherally associated with these events, innocently, peripherally associated with these events, if I were the former Minister of Public Works, the now Minister of Industrial Development, I would be out making a full statement. If I were the Minister of Manpower I would be making a full statement about everything I knew about my period in Public Works, everything. And these are not the only two, Mr. Speaker, who have to make statements. The people who were so anxious to protect, the people who were so anxious to obfuscate, the people who were so anxious to confuse last Spring to get me off track last Spring and my colleague from Lewisport (Mr. F. White), and my colleague from Carbonear (Mr. R. Moores), the people who were so anxious to get us off track and tell us we were talking nonsense, and we were playing cheap tricks, I will tell you how cheap they were, Mr. Speaker, they were \$20 million tricks, \$20 million, \$15 million to \$20 million at the taxpayers expense.

It started the day that the present Minister of Industrial Development took office, by his own admission he gave out a list. It was followed and it went right through until - I was going to say until the Auditor General Report but it went

MR. SIMMONS:           on after that because the day the Auditor General reported the famous companies A, B and C it was laughed off, and then we began digging in Committee. Well first of all with questions in the House and then in Committee and we were told all the cheap trick we were playing. And that was the Spring of '77. It went through '72, '73, '74, '75, '76, and '77, five fiscal years, Mr. Speaker, and it would have gone on beyond that I submit had the lid not been taken off her by the Public Accounts Committee.

                          Now, Mr. Speaker, if you are the minister and there are two men in this room right now who were the ministers in turn respectively during almost that entire period, the present Minister of Industrial Development, the Present Minister of Manpower. These are two men, Mr. Speaker, that at the very least are victims of circumstance, at the very least they are victims of circumstance. They are men in a position at a very unfortunate time in terms of subsequent events, and not a word, Mr. Speaker, not a solitary word at any time, nothing to the House, which voted the \$20 million in the first place, not a single word. You can

MR. SIMMONS: draw all kinds of conclusions from it, I mean, is silence consent? Is the absence of a statement from the minister from Labrador West- Menihek - is it grudging consent? It certainly cannot be willing consent.

We are talking a lot of money, we are talking a lot of wrongdoing, and I would hope, Mr. Speaker, that these matters would take precedence over any concern for party loyalties or party unity. We are into a bigger issue here, Mr. Speaker, a very big issue, and the sooner some people level with the House on this one, the sooner they come clean on this one the better for all concerned. What does the minister from Menihek know about the situation? Does he know any more than he told us last March? Is he telling us that he was in that department all that while and did not know this was going on? - had no idea it was going on? - or did he know it was going on and think it was okay? No answers.

MR. WHITE: They will come. Nobody will get the answers, old buddy.

MR. SIMMONS: Yes, but the thing that frightens me about the Mahoney inquiry is the thing that frightened me about the whole investigation. Some people are buying time, Mr. Speaker, very valuable time. And, Mr. Speaker, there had to be accomplices here, there had to be people who were engaged in wrongdoing, and it is giving these people time to cover their tracks, perhaps to get off scot-free. And what better scenario, Mr. Speaker - you are orchestrating the whole piece - what better scenario, Mr. Speaker, to find some person, some contractor - I will not name names because of a court proceeding - find some contractor, Mr. Speaker, who could be an unwitting pawn, could be a scapegoat for the

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MR. SIMMONS: whole thing?

MR. NEARY: What is the Minister of Justice so concerned about? That is not unparliamentary.

MR. HICKMAN: (Inaudible)

MR. SIMMONS: Yes, I am aware of that, Mr. Speaker.

MR. NEARY: So we are also talking about - and I guess my hon. friend is also referring to contractors mentioned in the Auditor General's report.

MR. WHITE: The government policy generally, you know.

AN HON. MEMBER: (Inaudible)

MR. SIMMONS: Well, you know, Mr. Speaker, they are going to be back eventually. I am in good voice and I will talk until they come back. That is a good idea, you know. Eventually they will come back to see if the House is adjourned. That is a good idea. I shall therefore get out my Public Accounts file and talk about some other contractors. I could understand if the Minister of Justice for some reason can only think of one, but there are others, there are a lot of others. One was first on the list - there is a court proceeding involving that one so I will not comment; Noel's is second on the list - this is the -

AN HON. MEMBER: - or electrical?

MR. SIMMONS: Well, I am looking at the electrical just now. Noel's made both lists, as did the Walsh company.

MR. NEARY: I understand that Noel's mechanical is doing all kinds of work without public tender for the Newfoundland and Labrador Housing Corporation, inspecting houses. No tenders.



MR. SIMMONS: Now perhaps the Minister of Municipal Affairs in time, will tell us what is going on down in Newfoundland and Labrador Housing -

MR. NEARY: That is right.

MR. SIMMONS: And is it true or not that Mr. Vivian has overstepped down there and that he is not talking to the Minister of Municipal Affairs and he is about to get the flick?

AN HON. MEMBER: (Inaudible)

MR. SIMMONS: Yes, and they have also gone so far as to discuss who is going to replace Mr. Vivian. What is going on down there? Is it true that they went several million dollars over budget last year without any reference to the minister at all? Is that why they are not on speaking terms down there? Is it because they are farming out work without tender to Noel's Mechanical? Is that the reason?

AN HON. MEMBER: They are - wholesale.

MR. SIMMONS: Mr. Speaker, this whole matter of the Public Works scandal would have come to a conclusion months ago if we did not have people sitting on the information.

MR. SIMMONS: if the members of this administration had been willing to co-operate, had been willing to bring this thing to light, after all if we are all hon. men and women, if this is wrong doing let us ferret it out. Let us get rid of the people who are monkeying up the process. Let us get rid of them. Let us bring them to court. Let us put them in jail. Let us have justice done. But all we have got, Mr. Speaker, and right to this day, Newfoundland and Labrador Housing I just mentioned, thanks to my colleague, another can of worms. I was going through the minister's list, the list that the minister ordered his civil servants to use when he came into office, the member for Humber East (Dr. T. Farrell), A.B. Walsh Electric, Noel's Electrical, G.J. Cahill, Gaulton Electric. Gaulton Electric, that is the company down on Signal Hill Road if you remember, the fire down there the same day as the Elizabeth Towers fire, four hours after as a matter of fact. Four hours after the Elizabeth Towers fire this other fire on Signal Hill Road where the Gaulton Electric, number four on the minister's list -

MR. MORGAN:

MR. NEARY: Yes electric.

MR. SIMMONS: The Minister of Tourism is not telling me he did not know that before? Now he knows what I meant the other day why he is not in the clique. They do not tell you these things either 'Jim'. You would get more information over here 'Jim', more information over here, loads of it and we are not that unwilling to give it either, Mr. Speaker. We are not that unwilling to give it. I have given a fair amount of information to the member for Mount Scio (Dr. R. Winsor) on a continuing basis. I gave him a fair amount of information on a continuing basis. Indeed I say to him, without getting into too much detail, and I gave him a piece of information in confidence, it came back to me last night, and I will talk to him about that later,

MR. SIMMONS: But by and large he keeps his counsel, plays his cards very close to his chest and if he will promise not to lash out any more cheap press releases that he does not write himself until he knows whereof he speaks, then I might trade him another bit of information in the not too distant future.

Mr. Speaker, while we are on the subject of the Public Accounts Committee and while my friend from Mount Scio (Dr. R. Winsor) is in his place, unfortunately the other members are not here, my colleague from Baie-Verte - White Bay (Mr. Rideout) a new member of the Committee is here, and the member for Ferryland (Mr. C. Power) is here, my colleague from Lewisporte (Mr. Simmons) who continues on the Committee is here, and the other two membes are not here right now, the member for Mount Pearl (Mr. N. Windsor), and the member for Pleasantville (Mr. Dinn), and that makes up the entire committee with myself. But while the rest of us are here perhaps it is a good time to air a bit of a problem, Mr. Speaker, a bit of a problem. I think the House should know about this. The House should know, Mr. Speaker, that I am having a bit of a problem as the Chairman of the Public Accounts Committee.

MR. NEARY: Getting a meeting you mean?

MR. SIMMONS: I cannot get the fellows to meet.

AN HON. MEMBER: What?

MR. SIMMONS: I cannot get the fellow to meet. They will not meet, Mr. Speaker. Now I got two or three ways around that and as a matter of fact I think I know how I am going to handle it -

MR. NEARY: Do you have to -

MR. SIMMONS: Well all I have to do really, Mr. Speaker, is just convene a meeting. But I wanted to give reasonable time. When I first approached members I was told by some members that they would wait for the estimates to be over. Well that has been some time now. And now I am told, Mr. Speaker, that we should wait

MR. SIMMONS: until the House closes.

MR. NEARY: Why do you not wait until the end of the world?

MR. SIMMONS: Mr. Speaker, last year you remember that ten or eleven of our meetings were held when the House was in session, not when it was physically sitting usually but in the morning or on a day when the House was not sitting or on afternoon if the House sat in the morning, we used to meet. And we got a lot of work done. It was last Spring we ferrated this whole Walsh thing. Indeed the Walsh thing came to a head with the - I should not say the Walsh thing, the hangar job came to a head with the investigation on the 27th. or 28th. of May, the House was still sitting then. As a matter of fact the House sat for another two weeks. The public enquiry was appointed while the House was still in session, which means that most of the Committee's effective work was done last year when the House was in session, albeit when we were busy, when we had estimates, when we had budget debates, when we had all that going for us, nonetheless we found time to do a very productive job, we seven members, found time to do a very productive job with the Public Accounts Committee, meeting two hours here and three hours there, and

Mr. Simmons: I say to my good friend the member for Mount Scio (Dr. Winsor), as I said privately to him already, I think, Mr. Speaker, he is again being used for a bit of a pawn. I can understand after the revelations that came out of it last Spring that there are members in the government who never want this Public Accounts Committee to meet again. Never again. Because you see the next argument that they are going to put to my colleague from Mount Scio is, look, tell Simmons he needs a few holidays. Em, the middle of June now, surely you are not going to have meetings of the Committee in July and August. September is a bad month for gearing up, so why not wait until October? And then in October they will tell me, you know, the Premier is thinking of a Fall sitting, so let us wait until we are sure of a Fall sitting before we set a meeting of the Committee.

MR. NEARY: In the meantime they hope we will have a tidal wave.

MR. SIMMONS: Now look, Mr. Speaker, -

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: Okay. No. In case I am misquoting the member perhaps he should -

MR. WHITE: Stand up and tell the -

MR. SIMMONS: No in fairness though, if I -

DR. R. WINSOR: (Inaudible) in the Hansard people just cannot cope with the extra work, not with the night sittings.

MR. SIMMONS: Well that is - yes, okay, the member mentioned the problem of Hansard.

AN HON. MEMBER: They need more staff.

MR. SIMMONS: And we have had approval, Mr. Speaker, as the Vice-Chairman will know from the very beginning, we had the choice earlier on to get outside people to transcribe our records or to have it done by Hansard, and last we had elected to have it done by Hansard. The fact is that Hansard is not keeping up anyway, and this is not meant to be a criticism, but just a statement of information for the House. That I went looking as late as 11:30 A.M. this morning for the rough transcript of last Thursday's debate and it was not available for last Thursday. So in terms of its original intent, namely, providing

Mr. Simmons: a rough transcript for the House the following day that is not working any more because of short staff they have fallen behind. And at 11:30 this morning I could not get a transcript for last Thursday. So they are already Thursday, Friday, Monday, they are already three days at least behind there. I do not think Hansard is a big problem, but if so we have authority I understand, Mr. Speaker, to get somebody transcribing from outside the public service altogether or from outside of the Hansard Office. So that, of course, has never been put to me, I think, the member for Mount Scio (Dr. R. Winsor) will agree as the major reason.

And I raise it now, and I raise it in all kindness, and I raise it in all seriousness that the House has been given the Auditor General's Report the end of January, February, March, April, May, went on four months since the House has been given the report four full months, and the House Committee is responsible has not even deliberated on the issues raised in the Auditor General's Report, four months after. And the report itself is for the period that ended last March, March of 1977. So it is now sixteen months, and if you like, twenty-eight months, I am sorry, fourteen months and twelve, twenty-six months, it is now twenty-six months since the beginning of that fiscal year, and the next thing we are going to be told is that it is so outdated that things have changed and that kind of an argument.

So I am intending, I give the Committee members and the House notice now that I am intending to convene a meeting of the Committee. I know some members are willing to come. And if we cannot get a quorum, well then I guess we cannot get a quorum.

MR. F. WHITE: I am sure we will get a quorum.

MR. SIMMONS: We had to do this once last year, Mr. Speaker, -

MR. F. WHITE: There are three here -

MR. SIMMONS: - the day Mr. Smallwood resigned from the House, we had to do this very thing, and we did get a quorum. So we will probably get a quorum this time. At least I have faith that the members no matter -

MR. NEARY: You do not need any number for quorum.

MR. SIMMONS: Four.

MR. NEARY: You need four.

MR. SIMMONS: Yes. We need four. We need four

MR. WHITE: There are only three of us.

MR. SIMMONS: - members for a quorum. I will be there, and I know at least two other members of the Committee have told me they will be there.

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: And I dare say we can get another member who is not too busy, who is not volved with estimates now and who will come as well. But we have got to do it, Mr. Speaker. I have an obligation of the House. I cannot be cast on the role of the member for Kilbride (Mr. Wells) who has been Chairman of the Committee for two years and has not met and called it together. And at some point, Mr. Speaker, the House is going to look at me and say that they are not doing their job. And I can give him all of the reasons, and I have given you some today but just to cover my own tracks because I have tried, I have had seven or eight conversations with the Vice-Chairman who has consulted with his Caucus members and I with mine. And so far we have been unable to work out a date for the meeting. I do not think he disagrees with anything I have said on that particular point.

So I would appeal to him and to his members, Sir, to all of our members to get our heads together on that one, because we ought to have a meeting fairly soon. We produced a lot last year, Mr. Speaker. I can understand that there members on the government side, the member for Mount Scio (Dr. R. Winsor) is not one of these who would like that the Committee never met again, never ever again, but that cannot be, Mr. Speaker. The parliamentary function must be ongoing, and if there are other things to be ferreted out we are going to ferret it out, but that as important as it is, is an aside to what I was saying about Public Works.

MR. SIMMONS: I was talking, Mr. Speaker, about what this government has done since it came into power and I got off on the Public Works issue somewhat because I was saying that every Tory contractor in this Province and if we believe the member for Kilbride (Mr. Wells) some people right in government and that, Mr. Speaker, is a very serious charge and he should not be skating over it as mild criticism. Somewhere along the line the Premier should come in or somebody should tell us exactly what he means when he says they are lining their own so and so pockets. What does the member for Kilbride (Mr. Wells) mean? Is he telling us that he is party to information, that people in that Cabinet are actually breaking the law? Is that what he is telling us? That his own colleagues whom he mildly criticizes are in breach of the law, are lining their pockets at the taxpayers expense. Is that what he means? I only know his words, Mr. Speaker, I only know what he told us in his conversation which he so proudly read into the record today. What is he saying? Lining their own so and so pockets he said. Are there people over there? Is the Minister of Fisheries not concerned? He is not one of the click. I have said that for the record before. I have a list of those in the click, Mr. Speaker. I better not read it I might have to table it.

AN HON. MEMBER: (Inaudible)

MR. SIMMONS: He is not in the click but he must be concerned. He must be concerned either as a innocent party who is going to be hurt when this all comes out or as the man who will lead this mottley host. He had better be aware of what it is he is leading before he aspires to lead it. Imagine trying to lead a crowd, Mr. Speaker, who are lining their own pockets according to the member for Kilbride (Mr. Wells).

AN HON. MEMBER: (Imagine)

MR. SIMMONS: That is what your friends say about you, you are lining your pockets.

MR. NEARY: We have not even been that cruel.

MR. SIMMONS: That is what your friends say that you are



MR. SIMMONS: lining your pockets. Imagine if I were allowed to be descriptive in the House, Mr. Speaker, if they would suspend the parliamentary rules just for a minute how succinctly I could put what the member for Kilbride (Mr. Wells) has put another way. Your friends say you are lining your pockets. Your friend who sits behind you and just over your right shoulder says that you have been boozing it up so badly that you do not know what you are thinking. Your friend and colleague only mildly criticizes you, says you do not know what you are doing. Your friend and colleague says you do not have any sense left anymore. Those are your friends. Your friend from Kilbride (Mr. Wells) tells you that you made a lousy decision on Brinco and on Doyle. -the Premier keeps dragging in Doyle. Shakespear had something to say about that - I am not much on Shakespear and my friend from St. John's North (Mr. Carter) is here but a rough paraphrase of Shakespear, Mr. Speaker. When I hear the Premier protesting so often about Doyle and whose friend he is and who is his spokesman and that kind of thing a rough paraphrase of Shakespear comes to mind, Mr. Speaker. "He thinks the Premier doth protest to much" Why is he so caught up on this Doyle thing? Why is he so obsessed with that? Is it because Crosbie put the blocks to him - I do not mean Doyle either, is it because Crosbie put the blocks to him on Stephenville because the Premier and his group were sucked in unwittingly on the Stephenville thing, told it was in the interest of democracy and to save mankind that they were going to take over the Linerboard? He found out after the fact or well into the fact that the only mankind he was saving was one of the John C's

MR. NEARY: You know the first bill that Crosbie paid when he became Minister of Finance do you not?

MR. SIMMONS: What was that?

MR. NEARY: The first bill he paid was to his own firm.

AN HON MEMBER: The first ship to come in was a Crosbie ship.

MR. NEARY: That is right.

MR. SIMMONS: Why, Mr. Speaker? The Premier's ship is going

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MR. SIMMONS: to come in one of those days.

MR. NEARY: With the logging operation equipment they bought  
down there.

MR. SIMMONS: All the tree harvesters we talked about a few  
days ago. Why is the Premier so obsessed with this Doyle situation?  
Why does he dispatch the Minister of Industrial Development for a week  
in the sunny South? Imagine, Mr. Speaker, just imagine going into a  
hotel, Mr. Speaker,

MR. SIMMONS: staying a week - keeping the expenses down, mind you - only run up nine hundred bucks in a week, and then you walk out, Mr. Speaker, and forget to pay your bill - actually forget to pay the bill - not that you paid it in the cheque bounced because you had forgotten to put some in the savings account, not that you had written it with the wrong bank account number and the cheque came back, not that you were out of cheques and you wrote it on somebody else's cheque and forgot to change his bank name, not that you were only carrying Canadian funny money and they would not accept it down there - none of these reasons. You forgot. When I go to Holiday Inn, Mr. Speaker, and order a cup of tea - go over to the washroom, they chase me to make sure I do not go out the main door without paying. But apparently, I am told, there are some hotels you can walk in, you can live it up for a week and you can walk out and forget to pay the bill and nobody jogs your memory. And not only that, Mr. Speaker, not only in that moment do you forget when you are preoccupied with getting a taxi or catching the helicopter or whatever the case may be, but you continue to forget. At no point does it ever come across your mind, 'My God, you know I forgot to pay that bill. Why do I have these extra \$900 in my pocket that I should not have? Where do they come from?' You never remember ever that you did not pay that bill until one day it becomes extremely convenient to remember.

Why does the Premier protest so much about Doyle, Mr. Speaker? Why? Or does everybody on that side know the answer, Mr. Speaker, but will not say?

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MR. SIMMONS:

Mr. Speaker, the Minister of Labour and Manpower is gone now, but he is nearby. I hope he will perhaps when I am finished or at some point - I would be pleased to give him an opportunity here - I hope he will tell us what he knows about Public Works.

I had a chat, Mr. Speaker, not too long ago, the last few days with somebody close to the administration, and I am actually predicting now, Mr. Speaker, we are going to see a few statements fairly soon, a few statements from people in the administration - close to the administration - a few statements telling where they stand. They would be well advised to do it. I understand at least one member over there already has his statement in draft form, has already had a meeting with the Premier in which he laid it on the line to the Premier, and it comes down to his own reputation or party solidarity. He has his mind made up already and he has his statement drafted.

You see, Mr. Speaker, in the public mind the issues of the last three or four weeks are still hanging there. The Scrivener thing has not been resolved. It took a further step today somewhat with this insight into Mr. Davidson, or more important, this very colourful insight into the member for Kilbride. But it is still hanging there in the public eye, the Scrivener affair, the Dobbin affair. You see, the public does not necessarily believe that black is white because the Premier says black is white. They do not necessarily believe, Mr. Speaker, that a signature is not a signature just because the Premier says so, any more, Mr. Speaker, than they did not believe the member for Kilbride when

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MR. SIMMONS:

he said he hardly knew

Mr. Davidson. Did you notice all the 'Andys' today? -

MR. SIMMONS: Andy this and Andy that. Now Andy and Bob. Would it not make quite a primer, Mr. Speaker? Not see Dick run. See Bob squirm. Look! Look! See Bob. See Bob squirm.

Then, Mr. Speaker, remember the teachers among us who remember that after you had the See Dick run and then you had what we used to call the more series, m-o-r-e, one o, and after you would have the See Bob, see Bob squirm then the next in the series would be, Look! Look! See Frank squirm more. So you would have your more series. And then of course, you can insert who you will here, you would have the third in a series, Look! Look! See Blank squirm, see Blank squirm even more than Frank and Bob.

Awfully funny, Mr. Speaker, awfully funny, Mr. Speaker, except the text books and all that they be written about will have been financed by the taxpayers of this Province. The \$80 million squirm, otherwise known as the Dobbin deal, the \$165 million squirm, otherwise known as the Brinco deal, the multi-million dollar Stephenville squirm, alternately known as the Doyle deal or the Crosbie deal, one more accurate than the other. The Public Works squirm, that would have to be a series, Mr. Speaker, see them all squirm, or see several of them squirm.

The Minister of Fisheries has nothing to squirm about, at the moment. At the moment he has nothing to squirm about. But, Mr. Speaker, silence is consent. And if he sticks around much longer without baring his chest on this one he is going to have plenty to squirm about, plenty to squirm about. Because you see, Mr. Speaker, unless these fellows over there are not on speaking terms, I cannot fathom

MR. SIMMONS: for a second how this could mushroom into such desperate and major proportions without the Minister of Fisheries picking up something even incidentally.

I never understood, Mr. Speaker. I never understood, Mr. Speaker.

AN HON. MEMBER: 'Bozer' you have got them squirming now.

MR. SIMMONS: He is not the fellow who was talking to the Premier the other day about the draft of his speech. He is not that fellow. But I would say he is smart enough to have his speech drafted. He is smart enough to have it drafted, Mr. Speaker, and I say to him that just might be the thing that catches the imagination of all the good St. John's Tories who are grumbling aloud about this administration, who cannot wait to get rid of the Premier, that might be his cue card. If he will promise those St. John's Tories that he is really going to clean up the act this time, they were led down the garden path once, like the people in Newfoundland were in 1971, but perhaps if he could come up with a major initiative now, lay his cards on the table, on this whole squirming I have been talking about, perhaps he could kill two or three birds with the one shot. He could put an end to the skulduggery. He could ease the mind of the member for Kilbride (Mr. Wells) who talks about people lining their pockets, put an end to all that, at the same time he could be the knight in shining armour who leads the new regime,

MR. F. ROWE: He would then be a few percentage points ahead of the member for Grand Falls (Mr. Lundrigan).

MR. SIMMONS: Oh yes, he would be well ahead then of the member for Grand Falls (Mr. Lundrigan) and what is more then, Mr. Speaker, if he led the new regime I would say to him, I might be able to make a deal to get him up to Burgeo with me. Perhaps we could go to Burgeo then. As the head of the new regime he would be able to second the helicopters and we would have no trouble getting to Burgeo for a meeting.

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MR. NEARY: Take a Canso, you can put the lobsters  
in the belly area.



AN HON. MEMBER: (Inaudible).

MR. SIMMONS: That is only if we take the Minister of Transportation, he was the one fascinated by the lobster and the belly idea.

It is easy, Mr. Speaker, to treat this subject likely because it gives you a certain at once comic relief, and it gives you also some respite from the very serious situation we are involved in here. And all we are getting from the government is a stonewall reaction, an absolute stonewall reaction. And what are we talking about, Mr. Speaker? The misuse -

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: Who does not know?

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: Oh I know.

MR. NEARY: Get him to tell us about Noel's Mechanical -

MR. SIMMONS: I know I say to the Minister of Municipal Affairs, I say to him I know as I knew last Spring, and before making any charges I wanted to ferret out the information. I know whereof I speak right now very much. It is only so much you can say in the parliamentary sense, there is only so much you can say in terms of fairness to all involved. Mr. Speaker, the onus is on all of us to be fair, and I say that in particular, the two ministers who were Ministers of Public Works, the present Minister of Manpower and the Minister of Industrial Development have not been very fair with the House on this issue, not been very fair at all. And we should have had something more from them. Something should have been forthcoming, some statement of what they know about this particular issue. And the longer they remain silent on the question, the longer the guessing goes on, and the guessing is not all very kind I say to them, not very kind at all.

Now in the name of God, Mr. Speaker, can you take a \$30,000 fire in a Fisheries College and blow it up into a \$616,000 expenditure? But they did it. A \$30,000 fire and it goes to a \$616,000 expenditure. I have been asking, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. DOODY: Would you mind repeating that?

MR. SIMMONS: There was a fire -

AN HON. MEMBER: When was that?

MR. SIMMONS: September 1974 there was a fire over in  
The Fisheries College -

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: - in the Fisheries College, the Annex, what  
we used to call during University days the old USO Building. All right?

MR. DOODY: That will do.

MR. NEARY: Do you know who the contractor was?

MR. SIMMONS: Oh yes we will come to that. We will come to  
that. And an official of the minister's department, the Minister of  
Public Workers Department went down a couple of days after the fire -  
well first of all, Mr. Speaker, the fire took place on September 12, 1974,  
and I have in front of me the report of the Fire Captain of the St. John's  
Fire Department, and he reported that they got a call at 12:20 to go  
to the Fisheries College, on arrival at the scene we discovered the  
kitchen at the front of the building to be well alight with smoke and  
flames issuing from the window along with heavy smoke issuing from  
the roof ventilators. Three lines of two and one half inch hose  
consisting of 3,100 feet were taken from hydrants etc. etc.

The next paragraph, fire damage was confined to the  
kitchen, which was extensively damaged. And then it says Central  
Fire Station appliances return to station at 2:25. The fire  
was sufficiently contained, Mr. Speaker, that it only took the people  
two hours and five minutes from the time they got the call, they got  
their equipment out of the station down around the corner, just around  
the corner to the building, had the fire put out and had dispatched the  
equipment back to the station.

MR. WHITE: Two hours?

MR. SIMMONS: Two hours flat. That is how big the fire was.  
Obviously it was not much of a fire. But let us not interpret - let us

Mr. Simmons: go to a report made up by a Mr. Rees, Angus Rees in the Department of Public Works on September 25, and he did an estimate, Mr. Speaker, he did an estimate. The total estimate for fire damage was \$103,000. Let us be clear on the figures here. The total estimate for fire damage is \$103,200.

AN HON. MEMBER: (Inaudible).

MR. SIMMONS: That was broken down into structural, mechanical, painting, and electrical.

The electrical part is what I want to talk about, the electrical part of the fire was estimated to cost \$30,000, \$30,000. That is a fair expense for one kitchen, but just let us assume that it did cost - perhaps it burned up the panel or perhaps the electricity backed up, I do not know. But the total

MR. SIMMONS: cost and this was not a rush affair, this was done two weeks after they had time to have a look at it and he reported that it would cost \$30,000 in electrical expenditures to repair the damage done by that fire, \$30,000, that was in September, 1974.

Mr. Speaker, a contractor was called in and he began to do some work on the building. I had a breakdown by year, Mr. Speaker, because it was an expensive fire. The fire that was to have cost \$30,000 in electrical cost a number of dollars in the rest of that fiscal year, until March '75, then so much more up to March '76, and so much more up to March '77 and indeed in that thirty month period, without a single tender being called, they managed to pay out, Mr. Speaker, a bit more than \$30,000, a bit more. As a matter of fact more than \$40,000 or \$50,000, more than twice that much, more than \$60,000, more than twice that much \$120,000, more than twice that much \$240,000, and more than twice that much \$480,000, and even a bit more than that again, on a fire that was to cost \$30,000 in electrical expenditures, they finally lashed out \$616,000.

MR. FLIGHT: What? - million.

AN HON. MEMBER: On just that?

MR. SIMMONS: Yes. The Auditor General has affirmed that - not the Auditor General but the figures from the department affirm that it is matters related to the fire. Now the minister is splitting hairs. I will tell you how he is splitting hairs. At the time the expenditure was approved, the gentleman in the department used, as the documentation will show, the justification for the expenditure as the fire. After the fact, after he had said in Committee by the way, that it was all related to the fire, it then got broken down, I will tell you why it got broken down, because some

MR. SIMMONS: of the work orders which affirmed that this was related to the fire, were actually work orders for work over in another building, work orders for the old Adult Education Building, that two story building there which is not even physically attached to the USO building.

And so expenditures that they were getting approval for on the argument that it was to repair damage done by a fire, was then allocated to work in another building altogether. And the difference I am making, why I said splitting hairs, perhaps the minister is not, I will make the point this way -

MR. HICKMAN: It worked out.

MR. SIMMONS: Well again if I answer that I will be commenting on a court case.

MR. NEARY: No, that is not before the court, only hangar three is before the court.

MR. SIMMONS: Well we do not know that. We do not know that. We do know that the totals involved, the total pay out I say to my colleague in relation to hangar three, the total disbursement for the public accounts for the hangar job was \$305,000 and the amounts involved in the charges are more than that. So one can assume there is more involved.

MR. SPEAKER: Order, please! I must point out to the hon. gentleman that he is specifically now getting into matters before the courts.

MR. SIMMONS: Okay, all right.

MR. W. ROWE: Who was the minister who had all this going on?

MR. SIMMONS: The Minister of Public Works, who is now the Minister of Manpower who had for much of the time, also the minister who is now the Minister of Industrial Development

MR. NEARY: Who signs the work orders, who signs the invoices by the way? Somebody has to certify the work.

MR. SIMMONS: The electrical inspector - Well the problem was we found that there was no system in place for having the work certified.

MR. NEARY: What?

MR. SIMMONS: They took the contractor's word usually. They took the contractor's word, that was the usual procedure.

AN HON. MEMBER: Did they charge anything?

MR. NEARY: You mean Treasury Board was paying bills without having it certified with somebody in -

MR. SIMMONS: Well the electrical inspector would certify it but he told the Committee that he did it without first hand knowledge, without an inspection. Indeed he approved - for example he approved a payment for St. Anthony on the basis of a telephone call with the contractor.

MR. FLIGHT: Who signed the work orders?

MR. SIMMONS: Usually the electrical or the appropriate inspector, but the electrical inspector in most cases -

MR. NEARY: Who would ask to have the work done? In the case of hangar three who would ask to have the work done?

MR. SIMMONS: Well the electrical inspector would, not only in hangar three, but let us take it generally, take the LeMarchant Road building, or take the Fisheries College or take the fire hall or take the court houses, take any of those or take the Vocational School in St. Anthony, what would happen is that the inspector, in this case if it were electrical work the electrical inspector, would issue a work order, either

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MR. SIMMONS: and perhaps this will carry us over until 8:00 P.M. - we also know, Mr. Speaker, that something strange was going on in terms of the ire that one person was being jumped over, that the acting deputy minister was being told very little and a lot of the orders were coming from the minister of the day to people further down the line. He was jumping two positions and giving orders directly to a person - two or three.

MR. W. ROWE: A chain of command.

MR. SIMMONS: They were jumping the chain of command and he had his own chain of command in place, for whatever reason it will come out, I suppose, and that is why I would like the ministers concerned to make some kind of a statement, because we are talking a lot of money.

Mr. Speaker, it being 6:00 P.M.,

I move the adjournment of the debate.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I leave the Chair until 8:00 P.M.