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VERBATIM REPORT

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SPEAKER: THE HONOURABLE JAMES M. RUSSELL

The House met at 3:00 p.m.

Mr. Speaker in the Chair.

MR. SPEAKER: Order please!

PETITIONS:

MR. SPEAKER: The honourable Member for White Bay South:

MR. W.N. ROWE: Mr. Speaker, I beg leave of the House to present a petition I have received from well over two hundred residents of Westport in the District of White Bay South. I crave the particular indulgence of the House because, not wanting to mislead the House I should inform the House that strictly speaking the petition is out of order on two grounds; (1) it is asking for funds for a project over which this House really has no control, namely, a school in the community of Westport. Although we vote funds for the Denominational Educational Committees, Sir, we do not ourselves determine where the schools go.

Number (2) it is a copy of a petition, Sir, A copy of a petition which has been sent, numerous copies have been sent to the Department of Education, for example, the Denominational Educational Committee; Mr. William Rompkey, the Member of Parliament for Grand Falls-White Bay-Labrador, in Ottawa, and perhaps others as well. I do not know even if the original has been sent to any of these bodies or if the original was kept back and copies sent. I would assume that I have the leave and indulgence of the House to present this petition because it is a very important matter to the people concerned.

I will just read one or two excerpts, Sir, from the petition to give an idea of the feeling of the people, the tenor of the feeling of the people of Westport. They say: "We have all seen magnificent school building been erected all around our island. Millions of dollars spent for libraries, gymnasias, laboratories, equipment etc. but every time the smaller schools seem to be forgotten. They still stand but barely. They still provide cover for our children, but barely. They still withstand the pressures of increasing numbers without increasing space and they still strive to produce a product in the face of ever-increasing odds and difficulties created by

the widening gap of educational inequalities and the ever increasing problems of deterioration.

"Unless the provision of educational facilities is based on a more equitable formula than presently exists, then we are afraid that most of our small communities will be stymied in their search for improved educational opportunities for their children."

Sir, they go on to say: "When officials are presented with this expressed fear they respond with something like this. 'What can we do? Present legislation will not permit us to build improved structures in areas where small numbers of students exist.'" The petition goes on: "If this is indeed the case, we say; 'Change the legislation. Upgrade certainly but upgrade everyone. Why spend one million dollars in one place where one quarter of a million would have solved the problems? If \$500,000 can be spent on one hundred high school students in one community'" (referring to a central high school I believe in my own district) "surely \$50 thousand can be spent on one hundred students in some smaller community. We do not intend to be forgotten and we do not want to be left behind. We feel that our children are as important as any others and should have equal opportunity to an education."

Sir, with that preamble the petition then goes on and makes reference to several resolutions passed by the body of people in Westport. One of the resolutions: "Be it resolved that immediate steps be taken to construct a six-room school in Westport." Another resolution: "Be it resolved that a new school contain a gymnasium, a small library and a small laboratory." Another one: "Be it resolved that the Green Bay School Board make an immediate request to the Denominational Educational Committee for sufficient funds to complete a six-room school in Westport to contain facilities as described above and that this be done so that construction can begin as soon as it is possible."

Sir, the petition goes on to say that a general meeting of the people of Westport has shown that further action will have to be taken if positive results are not obtained from this petition. Having to pay forty dollars per year to the Green Bay School Tax Authority and seeing practically nothing returned to the community becomes very disappointing to all wage earners of Westport. It has been decided that if further action is required all support of the school tax authority (there is a bit of a threat here) will be withdrawn until such time as someone decides to do something about the matters raised by this appeal.

Sir, I am in full support of the burden of this petition. I realize that we in this House do not decide where schools are built. We decide how much money is granted under our Constitution to the Denominational Educational Committees and the Denominational Educational Committees in conjunction with the school boards decide where schools are built. I realize that, Sir, but I think it is also fair to say that it is certainly equitable to air this problem publicly in the people's forum, the people's House, and to make known as publicly as I know how the feelings of the people of Westport about the existing school facilities and the structure in which their children are now being taught.

I support it, Sir, wholeheartedly

MR SPEAKER: The honourable Member for Hermitage.

MR R. SIMMONS: Mr. Speaker, I certainly take pleasure in supporting the petition presented by my colleague, the Member for White Bay South.

Had we the time and this were the right place, I should certainly tell you something of the background and the seriousness of the problem to which the petition relates. Let me instead, Mr. Speaker, endorse and voice my support, completely, for the petition, for the burden of it.

To point again to the essential problem which underlies this to which the petition alludes, I believe that this has been a part of the building programme of the Green Bay School Board with which it was my pleasure to have been associated for some years and during the period when this matter became one of priority.

The dilemma here is one which is reflected in a number of parts of the province; so I rise to make the point again that the solution in Westport, the solution in Triton and Roberts Are, in Baie Verte and in a number of other communities which are on that priority list for new buildings, the solution lies with:

(1) An authorization of guaranteed, long-term financing by government over a twenty or twenty-five year period;

(2) The making available by government of a substantially increased amount of money for capital purposes in school construction.

I can only hope that both of these items will be announced when the budget is brought down in the next few days.

MR SPEAKER: The honourable Member for Green Bay.

MR. A. B. PECKFORD: Mr. Speaker, I should like to support the petition presented by the honourable Member for White Bay South. Being familiar with the Westport - Seal Cove Area as well as Fleur de Lys and Coachman's Cove, Ming's Bight etc. in the honourable member's district, I too would like to support the petition.

I support it in perhaps a different way than the honourable Member for Hermitage because it has been my contention, for the past year and a-half or so, that of the millions of dollars

that have been spent by the Green Bay Integrated School Board in the past number of years, in those communities that come under their jurisdiction, very little has been spent in the smaller communities to help alleviate some of the very pressing problems, not necessarily, Mr. Speaker, in the way of a totally new building but in the way of sufficient funds, whether they be \$10,000 or \$20,000 or \$30,000, to help bring the standards of educational facilities in these real small communities up to some decent level.

It gives me great pleasure to support this petition. I only hope that the board sees fit in the coming year to go along with the recommendations of that petition.

MR. SPEAKER: I would just like to make a note here, although honourable members are in agreement with presenting this petition, I do not think we should sort of take it as a precedent to accepting such petitions under circumstances pointed out by the honourable the Member for White Bay South, that it was asking for the expenditure of funds and it was a copy of the petition. I do not think we should allow such petitions to be accepted all of the time. Are there any other petitions?

MOTIONS

MR. SPEAKER: The Hon. Minister of Finance.

HON. J. C. CROSBIE: (MINISTER OF FINANCE): Mr. Speaker, I give notice that I will on tomorrow ask leave of the House to introduce a bill, "An Act To Repeal The Property Loss Reserve Fund Act."

MR. SPEAKER: The Hon. Minister of Municipal Affairs and Housing.

HON. H. R. V. EARLE: (MINISTER OF MUNICIPAL AFFAIRS AND HOUSING): Mr. Speaker, I give notice that I will on tomorrow ask leave to present to the House a bill, "An Act To Amend The Assessment Act," and furthermore, a bill "An Act To Amend The Department Of Municipal Affairs And Housing Act, 1973;" thirdly, a bill, "An Act To Amend The Community Councils Act, 1972."

QUESTIONS

MR. SPEAKER: The honourable Member for Bell Island.

MR. S. A. NEARY: Mr. Speaker, I have a couple of very mild questions for the Hon. the Premier. I am not going to ask him how the food is over at Memorial University. Sir, as the honourable House knows

that in the last few days an unexpected windfall will come to New-foundland as a result of the tax on Western oil.

oil, what I want to ask the Premier is will any of this unexpected revenue, this increase in the equalization grant for Newfoundland, will any of this money be used to help limit the cost of living for our people in this province by subsidizing milk or transportation or reducing the tax on heating fuel or gasoline?

MR. MOORES: Order Paper, Mr. Speaker.

MR. NEARY: Mr. Speaker, I do not know how to get a question like that on the Order Paper.

Sir, I wonder if the honourable the Premier would inform the House if there is anything new on the appointment of an ombudsman in this Province?

MR. SPEAKER: I think that is the sort of question which could very well be placed on the Order Paper.

MR. NEARY: The honourable Premier is going to answer, Mr. Speaker, I believe, "No."

MR. MARTIN: A question, Mr. Speaker, which I would like to direct to the honourable the Premier. A couple of days ago by way of explanation I would like to say that I sent a letter to the office of the Premier explaining the situation in several coastal Labrador communities relating to a shortage of gasoline. I am wondering if the honourable the Premier has received that communication and if any action has been taken.

MR. MOORES: Well, Mr. Speaker, no I have not but I certainly will look it up this afternoon and I will gladly pass on the answer to the honourable member from Labrador South as quickly as I can.

MR. NEARY: Mr. Speaker, about, oh last week, the early part of last week, I wired the honourable the Premier inviting him to attend a public meeting on Bell Island, to discuss the serious problems that are arising in the ferry service between Bell Island and the local mainland. Would the Premier indicate to me if he has received that wire and if so, when I can expect a reply?

MR. MOORES: I have received the wire, Mr. Speaker, and I have wired the member back.

MR. P. ROWE: Mr. Speaker, I would like to address a question to the Minister of Transportation and Communications. Would the minister undertake to table

the list of proposals that the Provincial Government has made to Ottawa for the expenditure of DREE funds for highway construction between Deer Lake and St. Anthony, in other words, the Great Northern Peninsula Highway?

MR. T.P. HICKEY (MINISTER OF TRANSPORTATION AND COMMUNICATIONS): Mr.

Speaker, I think I indicated the other day that we are not in the position to do that at this particular time. I do not know what the situation will be when the DREE Agreement is signed. Maybe the honourable member might wish to direct his question at that time.

MR. F. ROWE: A supplementary question, Mr. Speaker. Has the minister made specific motions to Ottawa for the expenditure of DREE funds for capital construction on the Great Northern Peninsula Highway?

MR. HICKEY: It is included, Mr. Speaker.

MR. F. ROWE: It is included.

Another question, to the Minister of Transportation and Communications, Mr. Speaker. Have the engineers of the minister's department drawn up a specific plan for a proposed highway through the district of St. Barbe North?

MR. HICKEY: Mr. Speaker, I will have to take that under advisement.

MR. MARTIN: I have another question, Mr. Speaker, which I would like to direct to the honourable the Premier. So as not to be shot down, I would like to have permission to give a couple of words of explanation.

Last year I asked the same question and since it is the beginning of the celebrations for the Twenty-fifth Anniversary I would like to ask whether or not it is now official policy that the name of the province be Newfoundland or Newfoundland and Labrador and what steps have been taken in this regard to put the proper name on celebration documents.

MR. MOORES: Mr. Speaker, as I understand it, the official name as it always has been and never was changed, is the Province of Newfoundland. However, this government, as the past government did and certainly it will be our intention that it be

"The Government of Newfoundland and Labrador."

MR. ROBERTS: Is that the policy of the administration?

MR. MOORES: That is what is on the letterheads, so I guess it is.

MR. ROBERTS: On some letterheads, a beautiful selection, different types of names, all on the same dates.

MR. MOORES: That is my position.

MR. ROBERTS: Okay. You might tell the Minister of Tourism as he is unaware.

ORDERS OF THE DAY:

MR. SPEAKER: The honourable member for Hermitage.

MR. SIMMONS: Mr. Speaker, last Friday I directed a question to the Premier which he took notice of, I wonder if he has the answer to the question. To refresh memories, the question related to the road construction which had begun at Gaultois, last November, and which was suspended about the middle of December. My question was: "What plans the Department of Rural Development or whatever other department of government has to continue with the construction in the spring?" Could he answer the question today?

MR. MOORES: Mr. Speaker, I have not got the answer yet. The Minister of Rural Development has been ill these last few days and as I said last week, as soon as I get the information I will gladly pass it on.

MR. SIMMONS: Thank you. Another question I would like to direct to the Minister of Transportation, Last week we were talking about the Conne Causeway, the proposed causeway to Conne that is, Conne River, At that time the minister indicated that approaches had been made to the federal government, I wonder would he indicate to the House what federal department his department is dealing with on this matter?

MR. HICKEY: Mr. Speaker, as I understand it, the Community of Conne River has a fair percentage of people who are Indian in one way or another, back a generation or so, and that the whole question of financial assistance from the federal government was pursued under the prospects of obtaining a ninety - ten per cent agreement with the federal government.

I indicated to the honourable member at the time that my department

and to my knowledge the government had not gone through the Department of Regional and Economic Expansion with regards to this project because of the fact that any agreement with the federal government under the Department of Indian Affairs certainly would be more beneficial to the province, obviously more beneficial to the community.

MR. SIMMONS: For clarification, his department is dealing with the Department of Indian and Northern Affairs on the matter, is that correct?

MR. HICKEY: No, Mr. Speaker, my department is not as such. The project constructing the bridge of course is a matter for my department but the matter in relation to whether the population or a sufficient percentage of the population is Indian and any agreement between Indian Affairs and the government of this province would be under another department as such.

MR. SIMMONS: Supplementary: Perhaps I will phrase my question another way. Mr. Speaker, is the province dealing on this matter with the Department of Indian and Northern Affairs, so far as the minister knows?

MR. HICKEY: It is my understanding that we are, Mr. Speaker, and as far as I know we cannot sit down and discuss actual dollars and cents or pay, cost-sharing arrangement until certain things are worked out.

MR. SPEAKER: The honourable member for Bell Island.

MR. NEARY: Mr. Speaker, I wonder if the Acting Minister of Social Services would inform the House if arrangements have been made to send out the social assistance cheques now in two installments or in one? Have the cheques already gone out? Will they be going out the middle of the month? What will be the amount of the social assistance cheque the middle of the month? Will it be half of the total or will it just be an installment? Would the minister care to inform the House just what is happening in this regard?

MR. OTTENHEIMER: Mr. Speaker, yes. Commencing this month, April, the cheques will be mailed out twice monthly. The actual dates, whether that will be the first and the middle or the middle and the end, that I am not in a position to say

MR. OTTENHEIMER: Did I say something? I am not used to being acting minister yet. Anyway, what dates they are being mailed out I am not sure of but they are going out twice monthly. I certainly presume it will be half the amount in each case - whatever the entitlement per month, it will be half of that.

MR. NEARY: Mr. Speaker, I wonder if the minister would tell us whether the cheques will be going out on the fifteenth and the last day of the month? Will it be the fifteenth and the last day? Is that the way it will be done?

MR. OTTENHEIMER: Mr. Speaker, I would have to check to be sure. I do not know what dates they are going out but I know they are going out twice per month. It will be either the first and the fifteenth or the fifteenth and the thirtieth. Which it is I do not know. Of course, it would only make a difference as far as I can see the first month. That is the only time it would make any difference.

MR. NEARY: Mr. Speaker, I must say that that was very enlightening. I am more confused now than when I asked the question. I wonder if the minister would undertake to get the information for the House? Because it is very important for them to understand what period they are getting paid for. Would the minister undertake to get that information?

MR. SPEAKER: Motion (1) is the motion moved by the honourable Member for St. John's East. Revising the Standing Orders:

MR. MARSHALL: Mr. Speaker, this is a motion that has been on the Order Paper for a long period of time and it is also a matter that has occupied the consideration of certain members of this House, also for quite a period of time.

In the first session of this Assembly, a committee was set up or constituted for the purpose of reviewing the procedures and rules and Standing Orders under which this House operates. Pursuant to the charge of the committee, there were five on the government side and three on the opposition side. We held several, not several, we held many meetings, actually six, seven or eight meetings of long

duration. We had certain papers prepared. Position papers they were called, with references to suggested changes and topics with respect to the rules.

This Standing Order here, then constitutes the sum total of the unanimous recommendations of the committee or what we feel are the unanimous recommendations. There was a certain amount of debate as to what were the unanimous recommendations, about two or three weeks ago or a month ago, when this session first started. I think that that has been resolved now or I would hope it has. Be that as it may, perhaps the best way to lead into this is to go through the Standing Orders themselves and explain them to the House. (That is the proposed changes.)

Some of them are consequential, some of them are not consequential. but I think it is probably necessary to explain, in a little bit of detail anyway, the changes that are going to be. The first one, the first change is an amendment to Standing Order 4(c) which is what I would call a routine change. It is a change that has been recommended by the members of the permanent staff here in the House of Assembly who attended these meetings, which is merely in Standing Order 4(c) to add between the words "intermission and if" the words "or at any such other hour that has been ordered by the House at a previous day's sitting for the commencement of business of the House on the following day."

What this does really, is that the Speaker of the House has to take the initiative with respect to a quorum of the House at three o'clock and eight o'clock. There have been some questions in times past, when the House has adjourned to a time other than three o'clock or eight o'clock in the afternoon for purposes of a funeral or what have you. That change is really not consequential but is necessary in order to give the Speaker the power to take the initiative in determining whether a quorum is present when, as happens very rarely, the House meets after the established hours.

Number (2) is one I think that should be welcomed. Standing

Order 4(d) reads; "That when the Speaker's attention has been directed to the fact that there has not been a quorum present, the Speaker shall cause the bells to be rung and shall cause the count to commence when three minutes have elapsed from the ringing of the bells. While the House is being counted the doors remain open and members can come in during the whole time occupied by the counting."

During our study .

of the Standing Orders, we had the benefit of the similar Standing Orders and rules of procedures in other Houses in Canada, in other provinces. Generally speaking, I think in just about every House this provision was there. As it presently exists right now, as everyone knows, it is almost like a charade where the permanent employees of the House, the clerk of the House or the assistant clerk, has to make the count and sometimes he has to go around and count it almost as if he is getting over a hangover while he is waiting for members to come in.

This is the way that it had been going on before. So, what we are going to do now is we are going to provide that the bells will ring and after three hours then the count will begin -

AN HONOURABLE MEMBER: Three minutes.

MR. MARSHALL: Three minutes, yes. Not a great inconsequential change but one which really probably makes the House a little more meaningful because of the present way it exists, it is not very satisfactory where the clerk has to get up and count in the indignant manner that he has to .

Similarly we are going to just amend Standing Order (5). If honourable members could refer to the Order (3), by putting the words, "Or may cause the House to be counted by one of the clerks of the House." As it presently exists, the Speaker, under that Standing Order, is the one who has to perform the count himself, under the rules. This has not been done so we are changing it to relate to practice, to custom and to convenience and to the most efficient manner.

Amend Standing Order 7 - Now I should prefer to refer back to this in a few moments when we come to the provisions with respect to the enlarged question period. This relates to the adjournment of the House at six o'clock on Thursday, the procedure of which has been changed to conform with a procedure we have with respect to the pursuit of questions which the Speaker rules to be not a matter of urgent public importance or the answer is not satisfactory. We will come to that in a moment because that is a matter of much more import than some of the other matters already referred to here.

Standing Order 14 is going to be amended (This concerns the daily routine of business) to conform with present practices. Now, the Speaker starts the proceedings by calling, "Presenting Petitions", "Notices of Motion", etc., and statements of ministers usually come in before petitions, as a matter of practice. So, we have changed that so that there will be a reasonable directive to members to know when the various items of routine business come in.

So, now it will be Statement of Ministers, Presenting of Petitions, Presenting Reports of Standing and Select Committees, Notice of Motion, Answers to Questions for which notice has been given and Oral Questions. In conformity with the practice that this government has adopted and which the opposition has given us credit for implementing since we have been in government, there has been an oral question period every day. We saw this in operation here today. It exists not formally under the rules, as it ought to exist. It exists really by sufferance I suppose one might say. But, this government made the decision that it, in its attempt to make the Legislature more meaningful, was going to allow an oral question period. The amendments to these rules deal to a large extent with the oral question period.

The next one, and taking them in order - they do not all relate to the same subject - Number 6, which is Standing Order 25. This relates to written answers to questions which have been placed on the Order Paper. They are to be printed in the verbatim report of Hansard - I suppose we call it Hansard of the day, so that there will be a ready reference to the answers to questions which are given.

Number 7 is one of some substance which I shall go into now. This is Standing Order 31. This is a new Standing Order. It provides that the oral question period which bear in mind did not exist in practice prior to the advent of this government on the scene, that the oral question period will not last more than thirty minutes, including supplementary questions and points of order. In these periods, questions on

matters of urgency may be addressed orally to Ministers of the Crown provided, however, that Mr. Speaker shall disallow any question which he does not consider urgent or of public importance;"(as he has the right to do right now under the application of Beauchesne and the principles of the House of Commons)"provided also that if in the opinion of the Minister to whom a question is addressed it requires a lengthy answer, he may require it to be placed on the Order Paper;" (this is similar to other jurisdictions as well) "and provided also that the Minister to whom a question is directed may take such oral question as notice to be answered orally at a later sitting, but where any such reserved question requires as its answer a lengthy statement, such statement shall be given under the ordinary daily routine proceeding "Statements by Ministers." This is to prevent blocking of the oral question period with answers from previous days.

I might say that this Section (31) is similar to the provisions adopted in the House of Commons but adapted to suit our purpose. Generally speaking, the form and substance of it is similar to that in the House of Commons.

Under (b): "Mr. Speaker, may allow a reasonable number of supplementary questions arising out of a Minister's reply to an oral question."

Under (c): "In putting any oral questions, no argument or opinion is to be offered nor any facts stated except as far as may be necessary to explain the same; and in answering any such question, the Minister is not to debate the matter to which it refers." This also is similar to the ruling under Beauchesne as we presently have for the answering of questions. It is to be engrafted in our Standing Orders in the same manner as it is in other jurisdictions.

Under (d): "Oral questions must not be prefaced by the reading of letters, telegrams, newspaper extracts or preambles of any kind." This again is similar.

Under (e): "A Minister may in his discretion decline to answer any question." This also is the same and perhaps it is not a rule that is generally known by all members of the honourable House. Sometimes

there appears to be a feeling that a minister must answer a question, but he may decline to answer here as he may decline to answer in any parliamentary body.

Under (f): "The Speaker's rulings relating to oral questions are not debatable or subject to appeal." Now this is going to be dealt with, though the members do have a protection. In the event that they do not agree with the Speaker's ruling or in the event that they do not like the fact that a minister declines to answer a question, they have a right, for a half an hour which we are going to implement here on every Thursday afternoon, which in other jurisdictions is sometimes called "The Late Show", to debate the failure to answer the question, the ruling that it is not a matter of urgent public importance or what have you. This is covered under (g).

Under (g): "A Member who is not satisfied with the response to an oral question or who has been told by Mr. Speaker that his question is not urgent or not of public importance, may give notice that he intends to raise the subject-matter of his question on the adjournment of the House. The notice referred to herein, whether or not it is given orally during the oral question period, must be given to the Speaker not later than 5:00 p.m. of the same day." In other words, during the question period, if somebody does not like the answer that he gets, if he receives an unsatisfactory answer or if he does not agree with Mr. Speaker's ruling that the question is a matter of urgency or of public importance, then he has to by 5:00 p.m. that same afternoon give notice in writing to the Speaker that he intends to raise the subject matter of his question at the adjournment of the House.

Under (h): "At 5:30 p.m. on every Thursday the Speaker may notwithstanding the provisions of Standing Order 14, deem that a motion to adjourn the House has been made and seconded, whereupon such motion shall be debatable for not more than thirty minutes." Now within this thirty minute time on Thursday afternoons a member is given five minutes within which to bring forth arguments with respect to the unsatisfactory

nature of the answer. The minister to whom it is directed is given five minutes in which to respond or similarly the member is given five minutes to debate as to why it is a matter of urgent public importance and the minister is given the opportunity to reply within five minutes. The Speaker then shall decide the order in which such matters are to be raised

and not later than 4:00 P.M. on any Thursday, the Speaker shall indicate the matter or matters to be raised at the time of the adjournment of that day. So this generally then is a new innovation in this House. It is not unknown in other jurisdictions. It is used quite effectively in the House of Commons. Where the question period has been instituted here, instituted from the point of view that it has been brought into practice, it is necessary, I think, in order to make a meaningful question period to have a half hour period in which members can really let off steam, in effect with respect to the nature of the answers given rather than, hopefully, to have the question period occupied throughout the whole time each day with points of order and with appeals of the Speaker's ruling and what have you.

So that then is a new innovation of the committee here and it is a procedure that I hope will be used in the House and should prove of benefit to the workings of the House of Assembly.

Then we come on to section - Order 43, section VIII. We revert, away now from the subject upon which we were engaged. Under section 43, this is not really of great consequence but one that could cause technical problems. "The Chairman of the Committees who shall also be Deputy-Speaker shall be elected at the commencement of every parliament." Now there was some discussion when we first assumed office as to whether or not the Deputy-Speaker could be elected at that time or whether we had to wait until the Address in Reply was completed. So, in order to avoid any difficulty with respect to this matter, we are providing that the Deputy-Speaker shall be elected at the commencement of each parliament, which seems to be the most sensible way.

Now the next one is one that caused a certain amount of debate, a fair amount of debate after it was decided by the committee that it would be implemented. I understand that the Opposition had subsequently, had certain observations with respect to it and had changed their minds, that is the Opposition members of the committee.

Under the present Standing Order 51 (b), the Speaker of this House or the Chairman of Committees if he is in the Chair, is only able to draw

a member to order for irrelevance, for not being relevant. In every other Standing Orders that we have research, with the exception of Quebec, the words "or needless repetition" were added. In other words Mr. Speaker or the Chairman, after having called the attention of the House or the committee to the conduct of a member who persists in irrelevance or needless repetition, may direct him to discontinue speaking.

The only machinery that the Speaker had in times past was to call a member to order, as I say, for not being relevant. I think it is quite obvious that it is also necessary for the same rule to be in as is in other jurisdiction to give the Speaker the right to call a member to order for needless repetition. I do not know how it happened to get dropped from the original draft of Order 51 (b) because obviously they are all copied from, originally I suppose from the British House of Commons but it could possibly be that the words "or needless repetition" were dropped because of inadvertence or what have you. But certainly it should go in in there.

The committee report that was made, that was filed in this House, indicates and I just quote that "Since the meetings of the committee, (meetings that occurred two years ago) the undernoted members have reassessed the proposed amendment to Order 5 (b) and feel that it ought not to be incorporated into the Standing Orders of the House of Assembly." They were signed by the three members of the Opposition, that they draw to issue with them at that time. I do not think that their reason was valid and I think it is a very necessary item to go into the Standing Orders. It is included in this motion, Mr. Speaker, because it is the sum total of the unanimous recommendations of the committee.

When the committee met we had the clerk of the House, who was in attendance as secretary. We had the law clerk, Mr. Harry Cummings, Q.C. who is now the Registrar of the Supreme Court, in session. We also had secretaries there to take

minutes and to record the proceedings of the committee. These minutes were subsequently typed and circulated to all members of the committee and this was on it and it was one of the unanimous recommendations of the committee.

Now, Standing Order 84 - this is under 10 - Standing Order 84 has been amended to provide the machinery for a much larger committee system than we presently have. The committees that we have presently under Standing Order 84 are both inadequate and archaic. They are the committees on privileges and elections which must be there, on Standing Orders and the library, (There is no real necessity for the library to be there.) on miscellaneous private bills and on municipal affairs. That was in the days - these rules were drafted in the days when local government was not a matter of - there was not much local government on the island so we had a committee of the House to deal with these matters of municipal affairs. It is obviously quite archaic now and I do not know if it had been appointed by the previous government in the past, which I have no doubt it actually was. We have not bothered to appoint such a committee. It only acted as a proforma committee because it certainly did not really, I believe, discharge any duties.

So, we are enlarging then the committees. The committees are going to be as follows. First of all, there are going to be three committees corresponding with the breakdown of the functions of government as determined by this government in its major successful restructuring programme. The Government Services Committee, a Social Services Committee and a Resource Committee. All three of these will consist of not more than seventeen members and not less than nine members. The Public Accounts Committee is also constituted here, formerly a Public Accounts Committee, which shall consist of seven members. Privileges and Elections Committee, that is a previous one that may come up from time to time. It has been sought to be used in recent times. It is to consist of five members. The Standing Orders Committee is to consist of five members. This will

be the successor to the present Rules Committee, of course. I guess one of the first jobs will be to rewrite the Standing Orders and edit the commentary on it.

Now, the Miscellaneous and Private Bills Committee is to consist of five members. I might state that the Private Bills Committee also has been rather archaic in practice because the practice has been, and one cannot quibble with the past government, of bringing in bills relating to private interests in with the government bills themselves. There should be a procedure here set up whereby a private organization has the opportunity to have its bill presented before the House. This is the reason for a Private Bills Committee.

Now, I do not think there is too much need to really go through all of the consequent changes although there were necessarily a number of consequented changes to Standing Orders following after that with respect to committee - except to say that these committees can sit, they are not select committees as such but they are committees that can sit while the House is in session or out of session and will die then when the assembly itself ends.

So, this is then the machinery to enlarge the committee system. How effective that can be will have to be determined in the future. The committee system is a very valuable organ of government, some people say. Others seem to indicate that it is not as useful as it has been trumped up to be. Certainly if these committees are to be of any utility at all, it is quite evident that there will have to be a great deal more staff available, for use of the committees as constituted, than there are.

However, I know that it is intended to slowly but surely, if you like, over a period of time; it is the present intention of the government to keep these committees as active as possible. Now, there are certain

ones here that, of course, will have to be and ought to be appointed very shortly; such as the Public Accounts Committee. The Public Accounts Committee, in this House I think should perhaps function very actively and certainly much more actively than it has in past years.

Then the final one there is Order 89, cur No. 15. I direct honourable members to the rest; No. 11, No.13 and No.14. Really if the honourable members should like me to go over them piecemeal, I shall; but really they only relate to the normal types of procedures for committees of this nature.

No.15 is Order 89: "The Clerk shall display in some conspicuous part of the House a list of the several standing and select committees."

Now, Mr. Speaker, this is the sum total of the unanimous recommendations of the committee. This committee was, I think, a very valuable committee which did a good deal of work in the time allotted to it.

I must say the Leader of the Opposition, when he was speaking in the Address in Reply, on February 7, made a few observations about the inconsequential nature of the recommendations and the committee itself.

I was tempted and as a matter of fact I have three or four or five pages here in reply to him; but I do not think there is any need to reply to him. One is almost tempted, when one hears statements such as that, to say that everyone contributed but the fellow who is talking; which is not true. In all fairness, every member of the committee made a contribution with the various papers they put in. They put a lot of long hours into it.

The committee could not come up with any recommendation with respect to time; that is unanimous agreement with respect to time. Obviously the committee, certainly on the government side, where we are all accustomed to discussing things and agreeing with things and coming out as one, could have come out with a recommendation on time in this committee itself.

We thought it only fair to confine the committee's recommendations to the unanimous findings of the committee itself. These are the unanimous findings.

I would like to thank all members of the committee

for their work, the honourable Member for White Bay South, the Hon. Leader of the Opposition, the honourable Member for St Barbe North; in the Opposition, and the Hon. Minister of Education, the Hon. Minister of Finance, the Hon. Minister of Mines and Energy and the honourable Member for St John's South. I do hope that the committee will continue.

I have to say one thing though: Even though this is the unanimous recommendation of the committee itself, there were a few things that the Hon. Leader of the Opposition referred to in his speech that I really cannot let go. Wait now! Where is it here? It is so hard to get through to read between the other types of observations; hard to read between the observations that are made.

He spent most of the afternoon talking about that great and illustrious firm of Marshall, White and Ottenheimer, that afternoon.

AN HONOURABLE MEMBER: Could the honourable member repeat that, Mr. Speaker?

MR MARSHALL: Well, let the advertising go; I do not think I will get too many clients from the other side of the House.

Anyway, he said that we had a very capable staff; which I have said. "Let the committee go back to work," he said in ringing tones, "but the real issue of this House is the issue of whether or not we should look at limiting debates." That is what the Leader of the Opposition said, I did not say it. It is here.

"Should we or should we not?" "We hear on the other side"(that is over here) "a number of complaints of how lengthy debate is."

I must say that on our side, from time to time we do find it hideous.

"Should we deal with that?" "Should we look elsewhere, to other jurisdictions?"

He goes off into the type of needless repetition that we are trying to avoid in our original motion. Then he goes on to say, after he gets through with that illustrious firm, "But it has come to nothing!"

"It has come to nothing!" That is not the firm, this is the committee. "We have laboured and laboured almost in vain. Indeed, Sir, the only substantive point in the report is one which we originally agreed on but on reflection and upon seeing the conduct of the Chairman of Committees decided we could not accept, and accordingly the report had an addendum noting our dissent on that point."

Chairman of Committees, we decided we could not accept; and accordingly the report had an addendum noting our dissent on that point."

In other words; I gather from that then that the Opposition is in favour of needless repetition.

In any event, Mr. Speaker, the Hon. Leader of the Opposition said that

government has not come to grips with the problem of limiting debate and I think in all fairness that this government has come to grips. Surely now the opposition does not think that a government that comes to grips with such weighty problems as regaining our hydro resources, the forestry management of this province, such weighty problems as the expulsion indeed of the honourable member for Bell Island, is going to leave such an idea as a matter of time to just rest in limbo without inviting this House to consider the matter of time which I will agree with the Leader of the Opposition, goes to the very essence of the problems in this House and is something that ought to be tackled by someone and obviously by the Legislature and obviously by this government which is giving the leadership in this Legislature. The government intends to do just that, to accept, not only to accept the invitation of the Leader of the Opposition but also to acquit its duty in this field as it does so adequately in others.

At the present time, in the interest of conviviality and anticipation of great support from the other side, this motion only relates I say again to the matter of the unanimous recommendations of the rules committee. I look forward to hearing what the opposition has to say about it. I would particularly hope, I do not see that there is any necessity of repeating the words that the Leader of the Opposition said on February 7 last, that I inadvertently read here, with respect to the Deputy Speaker, I think that that particular issue has now been settled for once and for all and I would not in closing the debate like to have to go into it but if I have to I shall because this happens to be a matter - the Deputy Speaker is a man who is obviously, as well as this matter, very close to my heart.

So in the interest in the nonpartisan attitude that was prevalent at the Colonial Building yesterday, in the interest of improving the rules of this House in the best manner possible, Mr. Speaker, I have much delight in presenting these unanimous recommendations of the committee and hope that eventually they will receive the wholehearted endorsement of this House as well as other motions, which may come up before

the sitting is up, with respect to other pressing matters that the Leader of the Opposition referred to.

AN HON. MEMBER: Inaudible.

MR. MARSHALL: Well I could not stand it. I could not stand it.

MR. SPEAKER (Mr. Stagg): The honourable member for White Bay South.

MR. WM. ROWE: Mr. Speaker, the honourable the Government House Leader may have to use his three pages of notes, vindictive, spleenful notes he has down on paper, before this debate draws to a close or when he clues it up.

Before we get into the substance of this, Sir, I do hope that somebody goes over the copy of these rules as provided for in the Order Paper and cleans up some of the grammatical errors, Sir, in it and some of the inconsistent language. For example, 7 (f) "The Speaker's ruling relating to oral questions are not debatable," you know that kind of grammatical ignorance. I do not know who drafted it, Mr. Speaker, it should be, "Speaker's rulings relating to oral questions are not debatable," or "The Speaker's ruling is not debatable." One or the other you know, I mean -

MR. MARSHALL: Inaudible.

MR. WM. ROWE: Well for the purpose of -

MR. MARSHALL: I can say that the rules were impeccably drafted by the best source that I could find.

MR. WM. ROWE: Himself.

MR. MARSHALL: But I could also indicate, Mr. Speaker, that they were also proofread by the second best source I could find, which is the honourable the member for White Bay South. So perhaps we can get together afterwards.

MR. WM. ROWE: Sir, when I proofread it, if the honourable House Leader is going to be completely truthful, that is not give one half the story. If he would care to table the draft which I sent back to him, with the annotations which I made showing the many elementary errors made in drafting, Sir, and the corrections suggested, I would have no objections whatsoever if he wanted to table that. I think this probably slipped through. It is probably a typing error.

Also, Sir, before I get into the main substance of this, throughout the rules as changed there is reference to standing committees. (That is okay.) There is reference to select committees and special committees. Now I do not know if they are meant to be one and the same, a select committee and a special committee or whether there is a difference in the terms of art used there. Maybe the honourable the House Leader can clarify that for us as well, Sir, when he clues up the debate, because I think the thing should be consistent one way or the other unless we are talking about three different kinds of committees. I do not see any references there now but it occurs time and time again here where there is a reference made to a select committee and then there is some reference made to a special committee. I mean to save

confusion or to spare us from confusion, Sir, I think there should be some consistency there. In any event, the House Leader, Sir, is considered these rules, from the talk we have heard outside the House and inside the House, prior to the meeting of the committee, during the meeting of the committee, subsequent to the meeting of the committee. He considers these rules to be the pinnacle, Sir, of his career.

These few paltry rules we have before us now are the pinnacle of the honourable House Leader's career. Talk about reach exceeding grasp, Mr. Speaker, I am sure he meant to do more when he waxed eloquent and at length on the matter of changing the rules of the House. Perhaps he hoped to achieve more but in any event, now he produces as the work of this committee, and I will go into the reason as to why these are only a few paltry rules, what he now produces is not very impressive. If it be the pinnacle of his career, Sir, it is like a man who grasped after the top of Mount Sinai and found himself flat on his back in the Dead Sea a thousand feet below sea level. Not a pinnacle, Sir, but a trough. The peak of the honourable member's career is one thousand feet below sea level.

The committee, Sir, did not grapple with any of the main points and problems affecting parliamentary discussion and rules. It did not go into any of the thorny problems at all, Sir. The committee, under the chairmanship of the honourable the House Leader and under his guidance and in spite of the fact that many good suggestions were made by my colleagues and colleagues on the other side of the House, whenever there was an argument or whenever there was a sign of dissent on the part of members, the matter was dropped in a hurry. If it occurred to the House Leader that it was a thorny problem, we did not really grapple with it. The House Leader stayed on the outer rim, Sir, of the basic issues. He stayed on the periphery, did not go into the centre of the problem at all.

Questions, for example, as have been raised by the Leader of the Opposition on time for debates, cutting off debates and that

includes, of course, questions like closure, whether there should be closure, guillotine provisions and all this kind of thing, Sir, remembering always that the Leader of the Opposition had not recommended that time be cut short for debates, debates generally or the amount of time for a person to speak, the honourable House Leader stayed away from all those questions. Questions like the whole matter of Supply, Committee of Supply and difficulties encountered there he did not go into at all although the Leader of the Opposition made some, I think, good suggestions that could have been looked at. Trade offs! A trade off situation! I do not remember the details now but I remember reading them at the time and being impressed with some and not impressed with others but we really did not go into it too much at all, Mr. Speaker, we stayed on the periphery, on the outer rim of the whole basic problem.

The only thing of any substance at all that there was unanimous consent on, Sir, and that was hurriedly agreed to, was the question of oral questions. I am pleased to say, Sir, in all humility, that it was your humble servant who submitted to the committee the provisions for, or most of the provisions there, they were altered somewhat in committee. not very much but in an inconsequential way they were altered somewhat.

The oral question period which provides formally for oral questions to be asked early in the day's proceedings, for a half-hour, and in the event of a member being dissatisfied, really, for any reason, there is a provision to debate the subject matter at another time. I think, Sir, that that was a salutary addition to the rules of this House. Although, Sir, there has been, contrary to what the House Leader said - I do not know where he was three or four years ago, Mr. Speaker, when he sat in this House but although the practice was not much utilized in the early days of Confederation for some reason or other, there has always been provision in our Standing Orders, implicitly if not explicitly, for oral questions to be asked on the Orders of the Day being called.

As a matter of fact, the honourable the Minister of Finance and Mr. Wells, who was then a member of the House, made great use of it when they sat on the opposition side. This was not anything brought in by this government, Mr. Speaker. I do not know why the House Leader thinks he has to take credit for everything good that ever happened and has to turn his back on anything bad that ever happened. Nobody looking at him or seeing his performance in this House or outside

would every mistake him for a saint or a martyr. He is an ordinary human, mortal Mr. Speaker. There is no need for him to carry on in a pious, pseudo-virtuous way, no need to do that. Things happened before he was born, I would venture to say. Things happened after he was born that were bad. He did not cure everything by being born and I would not say that he is completely spotless as a parliamentarian or as a member of the Government. By that I do not mean that he is guilty of any wrong-doing but he is certainly probably guilty of lapses in judgment and errors in judgment, Mr. Speaker.

He does not have to take upon himself credit for every good thing that has every happened since the world began. Oral questions were asked at great length before this Government ever got into power. The only thing that has happened now by unanimous consent of the committee and hopefully the House is that they will be formalized, certain formal procedures are set out which will allow oral questions to be asked.

Mr. Speaker, I do not think there is any need to spend much time on this, as the honourable House Leader said. There was unanimous consent on these matters. It is only too bad we did not spend more time at the call of the Chair dealing with things on which there was not immediate unanimous consent. We probably might have been able to iron out some of our difficulties and come in with some very substantive changes to the rules. But he did not see fit to do that, Mr. Speaker. So, there the matter rests.

There was one matter which I should deal with and that concerns Clause (9), I believe, of the proposed new amendment. "Mr. Speaker or the Chairman, after having called the attention of the House or of the committee, to the conduct of a member who persists in irrelevance or needless repetition may direct him to discontinue his speech and if the member continues the speech, Mr. Speaker may name him or if in committee the Chairman shall report him to the House."

In other words, Sir, if a member of the House persists in irrelevance or needless repetition, the Speaker may have him removed from the House or the Chairman may have him removed from the House presumably, by reporting

to the Speaker. The Speaker can name him then. We agreed with that at the time, Mr. Speaker. The honourable member for St. Barbe North and the Leader of the Opposition and myself, we agreed with that provision at the time because, Sir, at the time we were naive, I would say stunned about what was going to happen in this House.

AN HONOURABLE MEMBER: Lapse of judgment.

MR. W.M. ROWE: Not a lapse of judgment because we did not know certain facts, you see. It was not a lapse of judgment. A lapse of judgment would be where you had the facts there and you make a stupid decision based on those facts, but at the time we made the decision, Mr. Speaker, we did not have all the facts. For example, we did not know that perhaps, we did not realize that perhaps all occupants of the Speaker's Chair or the Chairman's Chair might not view that position with the impartiality and dignity to which the Chair, that Chair or anyone occupying it, deserves. He must, of course, pass upon it himself.

We had an occasion last year where we had to move during private members day a motion of censure on a Speaker who shall remain nameless. Now, that never came up for discussion nor vote, Mr. Speaker. I do not know what would have been said at the time. It never came up because we never got that far along in private members' day before the House itself adjourned until the next session. So, it never came up for debate but it certainly occurred to us then that because there may be lapses in a Speaker's judgment, not necessarily Your Honour or the Speaker, not necessarily Your Honour, who is the Chairman and Deputy Speaker, or the Speaker himself, but there may be a person in that Chair, Sir, who may not have the same judgment, the same maturity as someone else, may not have all the judgment and maturity necessary to equitably and objectively and in a non-partisan fashion acquit himself of his duties in that Chair.

We had good reason, I believe, to doubt or to believe what I just said and to doubt whether in fact some persons always have the capacity to be completely impartial and non-partisan. We did not want, Sir, a Speaker who might on occasion freak out, so to speak, on a particular issue, using an additional club or weapon to beat down the minority members

of the House. The Government is okay, Sir, because they always have the force of the majority. They can appeal the Speaker's ruling and have it overturned.

Well, it is the minorities in the House, the Opposition, for example, the leader of the New Labrador Party any other minority parties, groups or individuals in the House who need protection from the tyranny of the majority and perhaps from the fact that a Speaker on occasion may not be completely impartial and may in fact, as I mentioned before, may freak out on a certain issue.

Now, Sir, if you look at this proposed amendment which we agreed to at one time but which subsequent facts convinced us that we should not agree to - if you look at this you will see that it gives the Speaker or the Chairman really the power to decide who is persisting in irrelevance or needless repetition. He decides that of his own volition, his own judgment. He decided that in his own discretion, be that discretion good or bad, be his judgment good or bad. He decides that. He decides if a man who is trying to emphasize a point and make sure that his point is being driven home, the Speaker decided whether that man is persisting, that member is persisting in irrelevance or needless repetition. That is a very strong power, Mr. Speaker, for a Speaker to have.

It can be appealed to the majority of the House. The Speaker, Sir, let us not be foolish and naive, the Speaker is chosen by the majority of this House, usually chosen unanimously because everyone wants to look dignified and everything, a Speaker by the majority of the House. The majority is the Government party in the House. The Speaker is invariably chosen from among the partisans of the majority side of the House, the Government side of the House. He is elected as a P.C. or a Liberal and which ever one forms the Government they, in effect, name the Speaker, the Premier names the Speaker. That is what happens, Mr. Speaker. Let us not be silly about it and pretend that the Speaker is someone who descends from Mount Olympus with all judgment, non-partisan, completely objective and reposes in Your Honour's Chair and metes out objective

judgment on every point that is raised.

The Speaker under our system is a partisan figure. Hopefully, when he gets in the Chair he is not quite so partisan as he was when he was running for election and got elected, hopefully. But we are dealing with human nature and we know that there will be a tendency on the Speaker's part not to antagonize the party to which he belongs and the government which he ran for or for which he ran during an election. So, that Speaker

who was before going on the Chair a partisan figure involved in the acrimony of party politics, the bitterness of campaigns and in the case of the deputy speaker, may in fact get involved in acrimonious debate in this House and become annoyed and bitter at what is said in the House and takes strong exception to what is said by a member or the personality of a certain member. That man finds himself in the Speaker's Chair on occasion as Your Honour does and then is called upon to mete out objective judgements when points of order are raised or to be completely objective. That same man is the man who decides what is irrelevant or needless repetition.

Mr. Speaker, on reflection and because of certain consequences, certain acts, certain facts, events which have occurred in this House, we think that that is too strong a power for a Speaker to have, to decide who is persisting in irrelevancy or needless repetition and may direct him to discontinue his speech and name him, which means, of course, that he would have to leave the House, presumably until some motion is brought in to decide what is to be done with him.

So, Sir, we do not agree with that and that is why we subscribed our names to the report as unanimously in favour of all other provisions except this one which we were in favour of before hand. Because of certain actions in this House we are not talking theory, we are not talking about what could happen. We are talking, Sir, I would submit about what in fact did happen in the House and what happened outside the House by a person occupying the Speaker's Chair.

We do not think a Speaker should have that kind of power. Therefore, Sir, we shall use whatever procedure is available to us. I do not know if we go through all of these clauses, clause by clause or whether we have to put in an amendment. I understand that a two-third majority is necessary to get this passed. So, I do not know what amendment - I must confess, Sir, I have not looked up all the procedures involved but whatever is the procedure we would like to see that particular clause deleted from the proposed amendments to the rules of this House. All of the other ones, Sir, with this exception we can go along with

this, certainly the committee unanimously agreed with it.

Now, Sir, one or two other matters: The honourable government House Leader referred ominously to the fact that perhaps other things are going to come into the House later on. Now, I am wondering if the House Leader is listening. I am surprised he is not in his seat listening to the debate, Mr. Speaker. If the House Leader is listening, perhaps he would like to inform the House what he meant when he said that other matters might be brought into the House, other rules. Was he referring to what the Finance Minister had to say when he said, they are not going to bother with the usual procedures for amending the rules of the House, Mr. Speaker, whereby a two-thirds majority is, I believe, required. What they are going to do is bring in a bill, a government sponsored bill, and ram it through the House, changing the rules, to cut down on debate, to muzzle opposition spokesmen, to stifle questions and debate. Mr. Speaker, That is what the Minister of Finance had to say.

Now, will the House Leader tell us, when he speaks, is that what he intends to do? Or as in so many other situations, was the Minister of Finance once more on a frolic of his own, differing completely from the government policy and the government position on a particular issue? As we have seen, Sir, in the field of recreation, for example, where the Minister of Finance said there was no more money for recreation down in the honourable member's district, and nearly caused an uproar.

Then the Premier came out several days later and said, "I do not care what anybody says" - and he looked at the Minister of Finance who was on the same stage I believe - "I do not care what anybody says, we are going to spend money on recreation." So, here we have a complete conflict and contrary situation between two members of the same government. Now, is this the same thing happening now? Will the House Leader tell us what the government's policy is? Is the government's policy to bring in a bill and ram it through the House in a partisan fashion as the Minister of Finance already has said publicly, they will do? Or was the Minister of Finance once more out on a limb, once more on a frolic of his own? Could the House Leader now tell us whether they are once more going to disown the

Minister of Finance on this particular issue?

For example, another example - you know, I know whereof I speak, Sir. I will only give two examples. When the Leader of the Opposition brought a motion into this House to commend Joey Smallwood for his role in Confederation, seconded by the Leader of the government, who presumably was giving the government's position only to have it destroyed, the government's position destroyed by the Minister of Finance once more, and one or two other members of the House who once more said, Mr. Speaker, "No, I will not go along with this." Was there, you know, a conflict again, a contrary situation between two members of the same government? In both cases, one the Premier and one the Minister of Finance.

So, I would ask the House Leader to clear up that situation. Is it government policy to bring a bill into this House, ram it through the House and by a simple majority, in a partisan fashion stifle debate, muzzle debate, stymie questions being asked? Is that the policy of the government, as indicated by the Minister of Finance?

Sir, I do not know how many other members wanted to speak on this particular issue. I will soon sit down. I think we have made most of the points that we have, we desired to make. One only question remains, Sir, when does the - If the House Leader would not mind listening every now and then, Sir, it would be a great pleasure, I must say. The House Leader, Sir, you know he is piously, virtuously gives the impression: "Oh! Everybody is going to be listened to in the House, take all shades of opinion," etc. and he is a no more disinterested man, I would say, aside from what he himself has already decided or the government has decided.

I would ask the minister when he hopes to have the Standing Orders printed, which presumably will be passed by this House this afternoon? Hopefully if we are going to adhere to some of the provisions, especially the oral questions period which, while not complicated, will warrant some perusal by members to see exactly what they have to do. Does he intend to have these amendments incorporated into the Standing Orders and printed in the similar booklet to this one as soon as possible or

is he going to wait until the Minister of Finance brings in his bill, the bill to stymie debate, to cut off questions or what? What is the situation there, Mr. Speaker?

So, Sir, I think that is probably the main burden of what we have to say. I would say to the House Leader, the government House Leader, that if he intends to carry on with

a further amendments to the rules, good amendments to the rules, then I think they should get to work on it as soon as possible. Members of this side of the House are eager and willing and anxious even to sit down to try to come up with good rules on our own initiative and volition or to look at some of the better rules passed by other Houses in Canada, Great Britain and so on that have stood the test of time, that are good rules, that do not stifle debate but which expedite business and efficiency in the House but allow the necessary leeway for questioning and debate of issues, questioning the ministers of the government, questioning and criticizing the government by opposition members. As long as rules can provide those two often conflicting requirements; namely, the need for debate and questioning and also the need for some expedition, some efficiency in getting business through the House, Sir, we on this side will have no objections. Indeed, Sir, we will recommend some ourselves.

I would commend to the House Leader the suggestion that we do get together once more and try to grapple with some of the real issues affecting the business of this House, not these peripheral ones, not these sort of outer circled recommendations which while in a way helping somewhat, do not really go to the real problem.

Sir, with those few remarks, I can say with pleasure that we agree with all the provisions, with all the proposals here except the one already adverted to; namely, that we do not think that the Speaker should have the power to say that a member is needlessly and irrelevantly being repetitious. He should not have that power and then have the power consequently to have the member removed from the House

MR. F. B. ROWE: Mr. Speaker, the Hon. the House Leader on the opposition side has I think made the major points that have to be made concerning this particular motion. However, Sir, I would like to refer to Section (5) and (6) of this motion and solicit an answer to a couple of questions that I wish to put to the Hon. House Leader on the government side.

I would like to refer first to Section (5) (e), which states: "Answers to Questions for which notice has been given." In Section (6) (e): "The Clerk of the House shall cause written answers to questions which had been placed upon the Order Paper to be printed in the Verbatim Report of the day on which such answers are tabled unless such answers are of a lengthy or a large nature in which case the Clerk shall make them a Return."

Now the question I would like to put to the House Leader is really this: Does this mean that the answers to all questions will be written or can such answers be delivered orally by the minister in question? Could the Hon. House Leader just indicate the answer to that question now?

MR. MARSHALL: Obviously, if the questions are asked orally during the oral question period, the answers are going to appear in the Verbatim Report of Hansard anyway. If they are answered at a subsequent day, they are going to be in a subsequent days - that is orally answered. If they are written answers, they are to appear in it also. What happens now is that where there are written answers and when you get the Verbatim Report, you can go over the oral question period but nobody really knows the answers to questions that have occurred on the Order Paper.

MR. F. B. ROWE: Yes, Mr. Speaker. Well the point is that the ministers can still answer the questions orally, that is to written questions placed on the Order Paper.

Mr. Speaker, I would like to suggest that probably with reference to Section (5) in the motion, 14 (e), that we add in brackets to "Answers to Questions for which notice has been given," that we put in brackets, "except on Wednesday" or "except on Private Members' Day." Now, Sir, the reason why I make that suggestion should be obvious to this honourable House.

Mr. Speaker, last year we had a number of occasions on which we were debating a Private Members' Bill, moved by some honourable members on this particular side of the House and the Minister of Finance, I submit, Sir, abused the rules or used the

rules and regulations of this House to spend an hour or two answering questions that had been placed on the Order Paper by members of the opposition. In other words, Sir, the Minister of Finance had taken thirty or forty questions from the Order Paper and coincidentally or accidentally decided to answer these questions at long length on Private Members' Day thus reducing the time that could be spent on Private Members' Resolutions, coming from this side of the House, Sir. I would submit that this is legal and technical but an unfair method of stifling debate on Private Members' Resolutions.

Mr. Speaker, I would make the suggestion to the Hon. House Leader on the government side that in 14(e) that he add, in brackets, "except on Private Members' Day." I think, Sir, that that is a reasonable and fair request, that Private Members' Day not be used and abused by honourable ministers on the government side answering questions that had been placed on the Order Paper.

Now one other reference, Sir, to Private Members' Day. I admit quite readily, Sir, that while I was serving on that committee, I did not make this point that I am about to make now nor the point that I just made that is simply a function of the fact that I did not cease to think after the last meeting of the committee. Sir, I would submit that it might be an idea if the Government House Leader (I do not know what particular clause to refer to in the motion, Sir) give some consideration to splitting Private Members' Day right down the centre and giving one-half of the time, in other words, one and one-half hours, to Private Members on the government side and then the other half of Private Members' Day to Private Members on the opposition side.

Sir, the reason I suggest that is that I think that either side of the House can stack the Order Paper with Private Members' Resolutions. Nine members on this side of the House can walk in during the very first sitting and place nine Private Members' Resolutions on the Order Paper. I would submit, Sir, if history is to repeat itself, it is very unlikely

that we will get to the eighth or ninth Private Members' Resolution. This would mean that honourable private members on the other side of the House would not have an opportunity to have their particular bill or resolution debated. The same thing can occur from the other side of the House. If the government should wish to

stifle debate, they can stack the Order Paper on the very first day by throwing down thirteen or fourteen Private Members' Resolutions. I think the only protection, Sir, against this type of a situation is to take Private Members' Day and make one-half of Private Members' Day available for backbenchers on the government side and one-half to Private Members' Day available for debate by opposition members, however many parties we may have on the opposition side of the House. I think this is only fair, Sir.

Of course, if indeed there are no Private Members' Resolutions from one or other side of the House, that the Private Members' Resolutions that are on the Order Paper will be debated for the full three hours, of Private Members' Day.

So, Sir, I would like the honourable House Leader to take these couple of points or suggestions that have occurred to me since the last meeting of the committee into serious consideration. I would like, of course, for the minister to accept the recommendations or the suggestions. I do not know what we would have to do in order, whether we would have to move amendments to this particular motion or what is necessary. Probably the honourable House Leader on the government side could move amendments themselves when this is going through at committee stage or whatever stage it goes through. This is just debated and passed here, is that correct?

MR. MARSHALL: The honourable member might be aware this is a resolution -

MR. ROWE, F. B. Right.

MR. MARSHALL: It is being debated as a resolution as such and will not be going into committee like an ordinary bill.

MR. ROWE, F. B. So may I ask the honourable House Leader what strategy or what technique could be used? Would not amendments at this stage be necessary to alter some of these clauses?

AN HON. MEMBER: Amendments.

MR. ROWE, F. B. Amendments, okay.

Well I would suggest, Mr. Speaker, that the honourable the House Leader take these two points into consideration (1) add to 14 (e) "except

on Private Members' Day" and, secondly, that where the appropriate clause comes in that equal time be given to both side of the House on Private Members' Day for the debate of Private Members' Resolutions. That is all I have to say on this particular motion, Mr. Speaker.

MR. SPEAKER: The honourable Member for Bell Island.

MR. S. A. NEARY: Mr. Speaker, I do not intend to speak at any length on this resolution. My colleague the Member for White Bay South, Sir, put the position of the opposition very well indeed. My only contribution to the debate, Sir, is to make a few general observations while we have the opportunity under the resolution to discuss the rules of the House, the decorum of the House and all the other things that we have heard the House Leader on the government side mention so often both inside and outside of this House over the past couple of years.

Sir, there is something in this resolution that I really cannot put my finger on. There is something sinister about this resolution, Sir. Not that I distrust the minister who brought it in, Sir, but there is something about this resolution, Sir, that leads me to believe, maybe rightly or wrongly, that the minister and the government, the minister is speaking on behalf of the government in this particular resolution, that the government somehow or other, Sir, are attempting in a kind of a cute sort of way to restrict the activities of members of this honourable House. I get that impression, Sir, rightly or wrongly.

I would submit, Your Honour, it is rightly and my colleague the Member for White Bay South put his finger on a very, very important matter, Sir, that of the part dealing with repetition and tedious remarks by members of this honourable House to be decided by the Speaker. All the House Leader has to do is snap his finger, say to Your Honour, "The Member for White Bay South is being tedious and repetitious. The Member for Labrador South is being tedious."

MR. W. N. ROWE: If you persist, the Speaker names you.

MR. NEARY: If you persists, you are named.

Mr. Speaker, I do not know where I got the impression, but I certainly got it somewhere that this House like all other Houses in Canada and the House of Commons in Ottawa patterns itself after the Mother of Parliament, Sir. Westminster, the House of Commons in Westminster, in the United Kingdom.

How many times in this honourable House, Mr. Speaker, have we been reminded of that. Well, Sir, they would not dare attempt to restrict the activities of members in the House of Commons in England, as Your Honour knows. They would not dare. The House of Commons is suppose to be a free institution, freewheeling debates, say what you want to say, get it off your chest, ask all the questions you want to ask, cross-examine ministers if you want to.

You know, Your Honour did a course in the House of Commons, I understand, in Westminster, did a course over there for three, four or five weeks. I am sure that Your Honour if he could speak in this debate and inform the honourable minister and members on the government benches that they would hang their heads in shame if they heard some of the recommendations that are made in this resolution. We are suppose to pattern our Legislature after Westminster. What a joke, Mr. Speaker! What a joke!

We have heard a lot of chaw from the minister on radio and television about the wonderful improvements they were going to make in the rules of this honourable House. We have heard a lot of lip from the Premier, in two campaigns and over the past couple of years, about this House was going to function under the committee system. This is the first evidence we have had of it now; a weak attempt in my opinion, Sir, very, very weak, very feeble.

They talk about a Revenue and Audit Committee. They do not spell out -

AN HON. MEMBER: Inaudible.

MR. NEARY: A Public Accounts Committee. They do not spell out, Mr. Speaker, if that committee will be entitled to hire staff, to hire legal counsel, to employ the services of a firm of chartered accounts if it were to be necessary.

You cannot do it right now, Sir, I happen to be on a committee two years ago in this honourable House; the auditors were appointed, Sir, but under duress, Mr. Speaker, under severe objections from the Minister of Finance. That committee should be free to send for civil servants, Sir, to send for officials of this government, to send for documents, to subpoena witnesses if they want to. Then all we get in this resolution is just a very feeble reference to the public accounts committee.

So as I say, Mr. Speaker, and Your Honour was there and saw it, if we are going to boast about the fact that we pattern ourselves after the Mother of Parliaments, the House of Commons in Westminster, Sir, then I hope we practice what we preach. Mr. Speaker, in the House of Commons in Westminster (and I had the privilege, Sir, of sitting in the public galleries.) members are free. This is what made the British Empire famous, Sir, throughout the world. This is what made the British Empire so great, that the House of Commons is free. Members could go in feeling that there were no restrictions placed on them. There was no hatchet hanging over their head. Nobody sitting on the government benches waiting to whistle the knife in between their ribs, or stab them in the back, none of that, Sir. When you walk into that House of Commons, Mr. Speaker, you get the feeling of freedom. It is in the air. It is all over the place. But not in this honourable House, Sir, not in this honourable House.

I have seen situations in the House of Commons in England - and Your Honour knows that they have benches over there. They do not have comfortable chairs and seats and desks like we have in this honourable House. Why the Leader of the Opposition is so close to the Prime Minister that he can almost reach out and touch him on the tip of the nose. If he wanted to give him a punch in the mouth he could probably reach out and do it, they are so close to one another.

If all the members of the House of Commons, Sir, in England, came on the same day, there would not be enough room in the House to accommodate them all. Your Honour knows that is because they are working

under the committee system. It is generally felt that they would not all be in the House, they would not be all present on the same day, but if they did there would be standing room only, they would not be able to sit down.

Mr. Speaker, I have seen, we talk about the decorum of this honourable House, Sir, I have seen members in the House of Commons in England come in, take out their newspaper, kick their feet up on the bench in front of them, and all they have is long benches, the Prime Minister even does it, kicks his feet upon the table. There is a table in between him and the Leader of the Opposition. He puts his feet upon it, and I have seen members come in, read their newspaper and then lie down on the benches, sprawl out, stretch out on the bench, put the newspaper over their faces and go to sleep, in the House of Commons in England, and we pattern ourselves after the Mother of Parliament.

Then, Mr. Speaker, we hear so much chaw, so much lip about the decorum of this honourable House, yet we take our example from Westminster. There is not the chance of a snowball, Sir, in - no I cannot say it h-e-l-l, to change the feeling in the House of Commons in Westminster, because they are free. They feel free and they can say and do as they please without any restrictions and as a matter of fact, Mr. Speaker, during the oral question period in the House of Commons, most of the questions come from the private members on the government side of the House, the most embarrassing questions come from members on the government side of the House. You would not dare do that here, Sir.

Why are we so timid in this honourable House? Why are we so afraid to speak out? Why, Sir? Because you always have that feeling that the majority on the government benches, maybe not all of them but some of them, Sir, are ready to drive in the dagger, bury the axe down in your skull. I only wish that members, all members of this honourable House, I know Your Honour has been there, I wish that all members could

just go over and take a look and see what is going on, see the freedom they have, more so I would say than down on Hyde Park corner and God only knows they have freedom enough down there, as Your Honour probably knows. They are protected, protected by law and yet in this honourable House we see the Minister without Portfolio coming in with a resolution to restrict the activities of members of this honourable House where all he has to do is lift his finger and say to Your Honour, "The member for Fogo is tedious and repetitious," Your Honour will rise in his place and say, "Yes, that is so." What recourse does the honourable member have? He cannot even appeal Your Honour's ruling and if he persists in trying to make his point the best way he can he is named by Your Honour and flung out of the House. What kind of nonsense is this, Sir? It could be for fourteen days.

We saw something that is unprecedented in British Parliamentary history happen in this honourable House last week, unprecedented, Mr. Speaker.

MR. MARSHALL: Would the honourable member permit a question?

MR. NEARY: No, the honourable minister will have his chance to get up and speak when I finish.

MR. MARSHALL: Inaudible.

MR. NEARY: There you go, Mr. Speaker. That is the kind of sarcasm you would expect from the honourable minister, the kind of snide remark that the minister is becoming noted for, get his little dart in whenever he can. Go outside the House and get on radio and television, talking about the great reforms that we are going to have in the House of Assembly, the great reforms we are going to have.

Sir, this resolution is certainly nothing to boast about. The committee has laboured long, Sir, and has brought forth a nit in my opinion. One matter that the honourable minister did not refer to at all, Sir, that is a matter that has been of some concern to me for some time passed and I noticed it more, Mr. Speaker, when I was sitting in the public galleries for four days, when I had a chance to

observe close-up, with my own eyes, the proceedings of this honourable House. The very first thing that strikes a stranger coming into the public galleries of this House, Sir,

the very first thing is the number of seats that are vacant on the government benches. Now, Sir, the first day - I did not keep a record of attendance but I observed it very closely for four days. At 3:30 P.M. one afternoon, Mr. Speaker, there were twenty-two vacant seats on the government benches. How many are over there now? There are twenty-three vacant seats there now, Sir. This is not just today, Mr. Speaker, this applies every day. The absenteeism in this honourable House, Sir, is terrible. It is the worst that I have seen in thirteen years. I have been sitting in this honourable House for thirteen years. At least when former Premier Smallwood was over there, he never left his seat, Mr. Speaker. He never left his seat. We sometimes wondered if his kidneys were functioning at all. He had a good bladder, Sir. He never left that seat, Sir, never left it. Now we have a Premier who never sits in it.

AN HON. MEMBER: (Inaudible).

MR. NEARY: Who is the only speaker in the House?

AN HON. MEMBER: (Inaudible).

MR. NEARY: Mr. Speaker, I heard that honourable gentleman last night at the Confederate Banquet and I would say that he is in better shape; he is in better shape today at age seventy-three than the Hon. Premier. He is in better shape. Exhausted, he says. We had a man who sat in this House seventy-one years of age and who never left his seat and gave some leadership in this honourable House. He worked eighteen hours a day and negotiated with some pretty tough birds and some pretty tough companies.

Mr. Speaker, the absenteeism is really, really terrible. It is shameful, Sir. I am not suggesting that we keep a record of attendance in this honourable House but, Sir, honourable members are being paid a good stipend, they get good pay for representing their various districts, Sir. The ministers get good, fat cheques twice a month, plus their House of Assembly pay. I am not denying it to them, Sir. At least, we should give the taxpayers who are footing the bills

some appearance in this House of Assembly. We, as Members of the House of Assembly, are doing something in their best interests. The leadership has to come from the leader of the party, Sir. He has to lay down the law. We are not children. We are not in kindergarten. The Hon. Leader of the Government Benches should lay down the law and say, "Look, you were elected not to go down on the eighth floor, not to go down on the fifth, sixth or seventh floor, down to your office, you were elected as a Member of the House of Assembly and your first duty is in that honourable House." Does not anybody understand that? It is not the first time it has been said in this honourable House. I am not going to give members a lecture but we are not children. Certainly, we do not have to start keeping attendance records or punching a clock.

Sir, it is a very, very grave problem. It is one of the first things I noticed when I was sitting in the Public Galleries. At 3:30 P.M. in the afternoon, twenty-three members disappeared. Mr. Speaker, the only day that they hung around at all, even out in the corridors or out having a coffee, Sir, the only day they hung around is the day the Premier was scheduled to make his announcement on BRINCO. The corridors and the Common Room on the government side were buzzing with activity. Members were all over the place. As soon as the Premier came in and took his place, they all rushed in. Mr. Speaker, no sooner had he made that statement, when there were twenty-two vacant seats. Within seconds, they had all disappeared.

Mr. Speaker, some pretty important matters are being discussed - well I would not say in this session because we have not had very many important matters. Once in awhile, Sir, the government will introduce a measure that is considered in my opinion to be a pretty serious and a pretty important matter, especially when we are dealing with the estimates, Sir, the spending of the taxpayers' money. Members, Sir, do not have the patience or the courtesy or the interest to sit in their seats and listen to the debates. Maybe they do not like

what we are saying on this side; maybe they do not like what some of their own members are saying. Maybe the secret, Sir, in this honourable House is to be able to sleep with your eyes open. If they do not like the debate, Sir, they can go and buy earplugs. Mr. Speaker, it is their duty and responsibility to be in this honourable House, unless they are out of the province, on government business, or ill.

Mr. Speaker, never, never in thirteen sittings of the House that I have had the privilege to attend, have I seen the attendance so bad. Mr. Speaker, do you know who the biggest culprit is? The biggest culprit is none other than the Hon. Premier who should be in this honourable House every second of his time, giving leadership, introducing measures that are in the best interest of the people. What we have before us today, Sir, is another one of these measures because we have nothing any more important to discuss, nothing important, nothing important on the Order Paper. People are looking to the House of Assembly to try to come up with a solution to the high cost of living in this province and the high cost of furnace oil. What do we get? We spent a whole afternoon, on a day that bread increases are announced in Newfoundland, last week it was milk, today it was bread, discussing a resolution that will put no bread on the tables of the people in this province. Mr. Speaker, if this motion that the honourable minister thinks is so important to him, is going to make his name, if this motion is passed, it will not do one single thing for the people of this province. That is why I am speaking on it.

Mr. Speaker, the Hon. Member for Bonavista South says, "Why waste the time of the House." Mr. Speaker, what would we discuss on the Order Paper if we were not discussing this? There is nothing there of any interest or any benefit to the people of this province. There is nothing there, Sir. I never saw the Order Paper so barren of good

legislation. I never saw it so bad. Why? I wish somebody would tell us, Sir. We have been sitting here now since the last week in January, January 28. Here it is the first week in April and we have not done a single thing that will benefit the people of this province.

AN HON. MEMBER: Thirty-four sitting days.

MR. NEARY: Thirty-four sitting days.

Now the Minister of Finance told us the budget would be brought down the middle of March and here it is the first week in April. All we are doing Mr. Speaker, is punching in time and do you know why? Because there is no leadership; there is no sense of priorities on that honourable side of the House.

Mr. Speaker, on a number of occasions in the last year or so the Minister without Portfolio and the Minister of Finance and the honourable Premier have talked about diplomatic immunity in this honourable House. The honourable minister, I will remind him of a few things he forgot and I have been challenged, Sir, on more than one occasion to make the same statements outside of the House that I made in this honourable House.

Well, Sir, a couple of days ago, a couple of days ago, we made statements outside of this honourable House that we made in this honourable House and I dare the Minister of Finance or anybody over there to put it to the test. But, Sir, that is not the point I want to make. The point I want to make is this, Sir, that if the Government in their wisdom wanted to change the immunity of members of this honourable House they have it in their hands now to do so. They can do it, the majority, the Government can do it, Sir. I am not recommending that they do it, not recommending it, Sir, but Mr. Speaker, if they do not do it, if they do not dare to do it, I hope, Sir, that they will never shove this across the House at us again. "Repeat it outside the House", as we hear the Minister of Finance say so often. Now they have the opportunity and I am inviting them. I am inviting them. I am not suggesting, Sir, that they do it. I think it would be a mistake.

Mr. Speaker, I do not want to sound like a lecturer over at Memorial University, but every honourable member of this House, Sir, should know why we have immunity in this honourable House. Maybe some of the new members on the Government benches do not understand why, Sir. Maybe they should have a seminar and explain to the honourable members what this honourable House is all about. It is a debating society, Sir, and now we find the minister trying to restrict our debating and refer to the comments

of the Leader of the Opposition, Sir, by saying that it might be a good thing, he quoted the Leader of the Opposition as stating that it might be a good thing because we get rather browned off over here too.

Well, Sir, I say to the House leader on the Government side of the House, in all sincerity, and the minister already stated they were not going to change the time limit, that any man, any man who stands in his place in this honourable House whether it be for fifteen minutes, twenty minutes or the full ninety minutes which he is allowed under the rules, then, Sir, that man in his own way, in his own style can say exactly what he pleases providing it is not slander or providing it is not libelous, Sir, providing it is not an attack on any of the members, He should be allowed. If it be tedious, if it be repetitious, I say, so what? Maybe the member cannot do any better and I do know members of this honourable House, Sir, who are not debaters, who have to come in with prepared scripts. I am not one of these honourable members, Sir. Sometimes I use a script when I have to, when the matter is a very serious matter, I will make notes. I will not necessarily stick to the notes.

Sir, all members of this honourable House are not debaters. We all do not have the ability to get up and speak off the cuff and off the top of our heads. Mr. Speaker, why can a member not, in his own way, express himself whether it be about a problem in his own district or something concerning the Province as a whole? Why not? If he repeat himself, Mr. Speaker, I say, so what? If the honourable members do not like it, buy ear plugs or quit politics all together. Nobody is forcing the honourable members to be here. Nobody is forcing them to be in politics. If they do not like it, they can give up their big fat salaries and go on about their business, go down down and practice law, go back teaching, go back to the construction business, but if they are going to stay here, Sir, take it seriously, be serious about it. Do not try to restrict a man because he does not have the ability to get up and get his message across without repeating himself or because of his voice droning on putting people asleep. I say, so what? Many speeches I slept through

in this honourable House. Sir, the Minister of Justice is not the liveliest speaker in this honourable House.

Mr. Speaker, I am not saying that, Sir, as an insult to the honourable minister. The honourable minister is not the liveliest speaker in this House. As a matter of fact, I find it very tedious and boring to listen to the honourable Minister of Justice, Sir. The minister is indecisive, seems most times uncertain and nervous and like all other ministers on the opposite side, Sir, most times uninformed because they have not got their civil servants there, their officials to give them the answers. They get up in the House when they are questioned during the question period and they are very nervous.

Sir, if that be the style of the Minister of Justice, so be it! I would say, if I do not like it I can leave and go out, I can go to the men's room. So why, why all the hullabaloo, Mr. Speaker, about repetition and tedious remarks?

Why, Mr. Speaker? Because it is a devious and sly way to restrict debating in this honourable House. Mark my words, Mr. Speaker, that Your Honour sitting in the Chair and myself have not always seen eye to eye in this honourable House. Well, I respect the Chair. Your Honour has not had too many occasions to ask me in this honourable House in the last couple of years to withdraw the statements that I have made.

If this goes through, Mr. Speaker, this resolution passes in its present form, I am afraid that Your Honour will be used as a tool in this honourable House by members on the government benches. We are getting closer, Sir, to tyranny all the time in this honourable province and we heard so much yaking, so much bellyaching about the dictatorial attitude of this House for twenty-three years. It is nothing, nothing, Mr. Speaker, compared to what we are seeing happen here now.

Mr. Speaker, let me raise another matter, another matter that the honourable minister did not mention: What about the question, Sir, that the honourable Premier raised in two provincial elections and the honourable Premier talked about so much over the last couple of years? What about televising, Mr. Speaker, the proceedings of this honourable House? What about that? Did not the committee get an opportunity to discuss whether or not it is feasible, whether or not it is practical to televise the proceedings of this honourable House, Sir? Maybe they did. I would like for the minister when he is closing this debate to tell us whether they did or not, Sir, because if they did, Mr. Speaker, if the proceedings of this House were televised, we would have a better informed people in this honourable province, Sir.

It is something that I would suggest that the minister and his colleagues give very serious consideration to. I am not talking about televising only parts of the House, Sir. That I would be opposed to. I would not put that power in the hands of any media, to be able to edit and take out and put in whatever they felt right. If we allow the proceedings of the House to be televised, then all the proceedings, Sir, both sides of the story would have to be televised.

Mr. Speaker, what a rude awakening the people of this province would get if we ever allowed the proceedings of this House to be televised, what a rude awakening, Sir. Then they would see if their elected representatives are in there fighting for them or not or fighting for Newfoundland or debating the real needs of the people of this province. Then they would be able to see, Mr. Speaker, what happens during the oral question period in this honourable House, the question period that is going to be expanded, I think for the better. I hope I never hear my colleague from White Bay South raise this point.

The honourable Minister without Portfolio, the government House Leader, keeps repeating over and over again, Sir, that before this administration took over there was no oral question period in this honourable House. That is not true, Sir. I cannot say it is a lie but it is not true.

You know, Mr. Speaker, one of the members in the opposition at the time who put more questions to government ministers than any other member that I know apart from the honourable W.J. Brown, was the minister himself. He had more elbow room and more freedom, Sir, than any other member that I have seen in this honourable House. His colleagues put oral questions to the ministers. Maybe they did not get the answers, Sir, and I tell you, Mr. Speaker, that if they did not, if they did not cross-examine, if they did not question ministers of the government, it was their own fault, they were too lazy to do their homework.

There are members of this honourable House, Sir, who take their work very seriously. I do my homework. When I walk in here I have a question or two every day. I do not always get the answers that I want, Mr. Speaker, but that privilege, Sir, has always existed. It was always there.

The minister is nodding his head, no. It was always there, Sir, and the minister knows the difference of that. So, let us not hear any more ranting and raving on television and radio, Mr. Speaker, about the great reforms we are going to bring in in the rules of this honourable House. I remember the minister talking about the great reforms this government were

going to bring in and they think in order of priorities the Newfoundland Liquor Commission was going to be a great reform and the Newfoundland -
AN HONOURABLE MEMBER: They were going to end the bulletin first.

MR. NEARY: Yes, they were going to end the bulletin first and then the Newfoundland Liquor Commission. Mr. Speaker, this -

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

The honourable member is certainly stretching the bounds of relevancy now. I ask the honourable member to get back to the motion under discussion.

MR. NEARY: Mr. Speaker, this resolution, Sir, is no more important than some of the other great reforms that the minister talked about, Sir, I want to draw the minister's attention to page 12 of the Standing Rules of this honourable House,

Page 12, Rule No. 14 (d) Asking and Answering Questions. What does that mean? It did not exist before. How long have these Standing Orders of the House of Assembly been in effect, Sir? They were adopted on May 8, 1951, less than three years after Confederation or after the government was formed after Confederation. The minister tells us there was no such thing as oral questions. Well I must have been hearing things, Sir.

I sat over on that honourable side for eleven years. Mr. Speaker, was there a man, was there ever a man born in this province that asked more questions than the Hon. W. J. Browne in this honourable House? You could not keep him off his feet, and rightly so. Mr. Speaker, how much did I admire and respect the man for doing his duty in this honourable House! I did not respect his politics but he did his duty, Sir. That is what we should be doing. We should not be wasting our time, Mr. Speaker, trying to bring in little bits and pieces of resolutions and amendments to Standing Orders to restrict the activities of the members. What we should be doing, Mr. Speaker, is to try and bring a little bit of democracy back to this honourable House and make it a kind of a place where a member feels at home and is not afraid and not ashamed to stand up and say what is exactly on his mind and know that he is not going to be named by Your Honour, the Speaker. This is the kind of reforms we want to see in this honourable House, Sir, not this tripe we have before us here today.

HON. E. M. ROBERTS: (LEADER OF THE OPPOSITION): Mr. Speaker, if there is nobody else on the other side who wants - if there is I would gladly defer because we seem to have been, as always, vocal and articulate on this side of the House. Is there nobody on the other side who wishes to speak, Sir? As far as I know I will be the last member on this side who wants to take part in the debate.

Well that being so, Mr. Speaker, let me say a few words to add to our position on this, because I think it has been exceptionally well stated by my friends and colleagues, our House Leader, and the gentleman for Bell Island and the gentleman for St. Barbe North. I do not wish to add anything to what they have said because I think they

have said all that need be said, effectively and with great force and conviction.

I only want to make a number of very important points but points which I hope to be made briefly and then I assume the House Leader on the other side, the gentleman for St. John's East, will reply and presumably we will pass these rules this day and that will be it.

I should say, I am not yet moving it, I do wish to move an amendment, I believe my colleague for White Bay South has the amendment written out but the effect of it will be basically to delete one part of the rules, the suggested rules that we find offensive, and that is the needless repetition part. I will come back to that but within due course I shall be moving an amendment on that and we will hopefully have that amendment accepted and the rules can go forward without any question.

The main point I think which I wish to make, Sir, has been touched upon by a number of speakers on this side and that point is this; that the motion before us which represents the report of a select committee, a committee of which I was a member, does not, in my view and our view, deal with the main issues with which that committee should have dealt.

The report itself, as I have said before in the House, Mr. Speaker, is quite acceptable to us with one exception and that has been dealt with and I shall be dealing with it briefly in an amendment and therefore, I do not have to say any more.

But, Sir, the report is essentially, essentially a misdirection of effort. A committee was struck, a motion was put to the House, I believe it was adopted without debate. Ah! those were the days, Sir, when we could have motions that were adopted without debate. This one was not even seconded by the Premier but be that as it may. Maybe that was why it was adopted. A committee was struck and I would venture to suggest, Sir, that committee had on it quite a good representation of the members of this House and indeed had on it men on each side who tend to become involved in procedural arguments. The men who have made a bit of a study of parliamentary practice and who are consequently

trying to advise, Your Honour, or to misadvise, Your Honour, on the various points which are raised for decision.

That is fair enough because not every member involves himself in the intricacies of parliament procedure or makes a bit of a study of it, not every member should. Some of us do and some of us are interested. I, for one, am interested because the rules of the House are after all the basic rules of the debate, the basic rules by which the work of the House is conducted. I believe that a member who does not master the rules is not able to be as an effective a member as he should be. One can master the rules without becoming an expert on them but one should have a basic knowledge of a set of rules which after all, Mr. Speaker, as Your Honour knows are unique to the British Parliament System.

Comparable rules do not exist in the American jurisdictions, they exist only in the Legislative form that we have in Newfoundland, that we have across Canada, that we have modelled on Westminster.

They are good rules, other rules can be just as good, but they are very good rules and they have served well. They go back, some of them, as Your Honour knows 500, 600 and 700 years.

The problem with our rules in this House, Sir, the problem with which we have not dealt is that the rules were drawn up in an age when the amount of business to come before the House was much more limited than it is today, when the pace of life in Newfoundland was very much slower than it was today, when the communications, the means of communicating information to the people of Newfoundland were vastly different and, I submit, vastly inferior to those

which we have today. I have not researched the point intensively, Mr. Speaker, but I understand that our rules basically were drawn in the early years of this century and the present rules of the House which were adopted in 1951 following two or three days of debate were drawn by a select committee but that select committee was heavily influenced by the rules which had been in effect in this House of Assembly before the suspension of responsible government in 1934, before the coming of commission.

Accordingly when the committee was struck, I welcomed it and I know that my colleagues the gentleman from St. Barbe North and my friend and colleague the gentleman from White Bay South, who is our House Leader and a bit of a recognized expert on procedural matters, that we felt that here was an opportunity to do major work. If this report that we are debating today, Mr. Speaker, were a first report it would be a very good piece of work but unfortunately the government, deliberately and by design, let the committee drop and I can only assume from that, and I do so with regret, that the government have no real desire to reform the procedures of this House, to improve them, to bring them up to date, to enable this House to function effectively in 1974.

We have ample precedent, Mr. Speaker. We looked at rule changes in Saskatchewan and the House of Commons in Ottawa on which our procedures are based and to which we refer as the authority when our own precedents and rules are silent, they have undergone very major revision to their rules in the last few years. Ontario as well, the Legislative Assembly there have made major changes. So we have ample precedence. Unfortunately the committee would not come to grips with it and for that the majority must take the responsibility. My colleagues and I were and stand ready now to deal with this problem.

Now, Sir, the House Leader I believe has referred to this. I was not in the Chamber when he made his remarks but I believe that he did say, and if he did say he said so accurately, that on the committee I had

submitted a proposal to come to grips, to deal in a very real way with the central problem of this House, the problem that all of us, Sir, are allowed too much time. I listened with great care to what my friend from Bell Island had to say and I agree with him, a member should be allowed to make his point as he wishes and if I have been critical of Your Honour at times in the past it is because Your Honour does not allow members, in my view, sufficient leeway. Your Honour interrupted to bring to order my colleague from Bell Island on the grounds that he was being irrelevant and so be it! but let me say that I think Your Honour was too quick. I think that Your Honour would be wiser to exercise a little more discretion to allow a man to make his point by way of example, and example in my view is not irrelevant.

MR. WM. ROWE: And comparison.

MR. ROBERTS: And comparison equally is not irrelevant. I merely proffer that in a friendly way to Your Honour as a member of the House. We are all duty bound to advise and assist Your Honour and accordingly I do so as best I can. But we all have different styles of speaking. It would be a very dull House indeed, Mr. Speaker, if we did not. It would be a very dull assembly if we all made points in exactly the same way.

We have in the House our schoolboy debaters and we have our schoolboy debater grown five years older, the gentleman from St. John's East. We have persons who can be eloquent, and while I agree the Minister of Justice is not a very lively speaker I heard him make at least one speech in this House that was one of the most eloquent speeches I have ever heard. I think it was probably his maiden speech, like so many men he should have quit while he was ahead but he did make an extremely eloquent speech; most of the House were genuinely moved and quite close to showing their emotion with tears. They were genuinely moved when he was, as I recall it, describing the plight of the Banks fishermen who had sailed from his native Town of Grand Bank, the men who had sailed and not returned. Like so many of the speeches, Sir, that was a very great speech

but to read it today it does not, the printed word does not convey the essence of the House.

We all have our different style, Sir. The gentleman from Bay de Verde has a style all his own and I may add he is welcome to it, but he does have a style all his own and he should have the right to make his points as best he can in his own way.

But, Sir, I do not think we need as much time as we are allowed. I say that with the full knowledge that I have been known to speak for more than five or ten minutes in this House on occasion. But I say, Mr. Speaker, that if we could cut down the length of the speeches, provided it were done fairly, I would suggest the work of this House would proceed more effectively, I would suggest the business of the people would be done more expeditiously, I would suggest that each of us would still be equally able to make his points effectively and with force and with conviction.

You know there is a very old joke and it is possibly apocryphal but the point is sufficiently relevant and it is worth making: It is the story of a man who went to President Wilson, the President of the United States, at the time he was President and said, "Mr. President, if our organization were to ask you to speak to us and we were to ask you to speak for fifteen minutes how much advance notice would you need?" The President thought, and President Wilson, as Your Honour knows, was an extremely eloquent speaker, he made some great speeches. He thought and he said, "Well for a fifteen minute speech, I would need a month's advance notice to prepare that." "Well," the fellow said, "We have not got a month but supposing I were to ask you to speak for half an hour?" (obviously figuring the President would need more time.) "Oh no," said the President, "For a half an hour's speech I would only need a week's notice." "I see," said his questioner. "Tell me, Mr. President, if I were to tell you you could speak for two hours, how much lead time would you need to prepare?" "When would you like me to start?"

Well, Sir, there is a lot of truth in that. There is a lot of truth in it that a member knowing he has ninety minutes

does not have the same degree of concentration brought to bear. I venture to suggest that the Leader of the Opposition or the Leader of the Government, each of whom has unlimited time, does not have quite the same need to hone his points to a consistency. I venture to suggest that a minister introducing a bill on that principal opposition, a spokesman in reply thereto, each of whom has unlimited time, again, Sir, does not have the constraints that he should have. I say that as Leader of the Opposition. I say that I made, I deliberately chose that subject when we divided up the committee, the study areas. I deliberately took that one because I thought it was appropriate, Sir, that if any moves were made they should come from me, not necessarily speaking for my colleagues. We did not sit there as Opposition and as Government, we sat there as eight members of the House, eight members interested in a problem, eight members wanting to deal with a problem.

Why I? It is obvious, I think, Mr. Speaker, but let it be said if the Government had made a move, there could have been cheap politics played to say that the Government had tried to limit the Opposition's rights. Well, I at times feel this Government try to limit the Opposition's rights but I do not think such a move, if done probably, would do so, and accordingly I was prepared and I did submit a plan.

Well, it got nowhere. Why? It got nowhere because the Government did not want to come to grips with it because they were not willing to deal with it. I regret that and I resent it, Mr. Speaker. We have now been in this House, this is the thirty-fourth day that we have sat, and on some days we have had more than one sitting, and we have not done enough work, Sir, to justify us being here one week let alone thirty-four sitting days. That is the fault of the Government. It is the Government's job to bring matters before the House. If Your Honour were to look at the Order Paper, Your Honour should have to agree that there is little if anything of any relevance or importance to the people of Newfoundland now before this House.

There was a mass meeting in Northeast Crouse, in my constituency, the other night, Sir, to pass a motion to condemn, I am sorry, to commend

not to condemn, rather to commend the Government for bringing in such legislation for which there has been a wide public appeal as the one that stands, for example, Order Number (18), An Act to Amend the Communicable Diseases Act. There has been a widespread outcry in favour of this, Mr. Speaker, right from Cape Race to Cape Ray to Cape Bauld and all through to Labrador. There have been bonfires lit by the people gathering to demand of their elected House to deal with this. There has been quite an outcry as well, Sir, to deal with an Act to Amend the Interpretation Act and that happens to be an important one in a legal sense but there has been a very widespread demand.

Mr. Speaker, I am not saying that the House does not have to deal with minor matters. There are some matters that only the House can deal with, be they major or minor we must deal with them but, Mr. Speaker, we do not have to act the way we do in this House now. The House, at times this year - this could have been said of every session, Mr. Speaker, in the 140 years that we have had Houses in Newfoundland, less the fifteen years of the commission interregnum - the House at times has not been worthy of the title of the honourable House or the dignity of being members of the elected legislature.

Sir, more than anything else, that is the fault of the Government. Part of it is the heat of debate, and I am as guilty as any man here but Sir, this Government has not brought before this House any meat. They have not given us any real work to do and the proof of that is that here today after thirty-four sitting days we are still playing in the debate on the Address-in-Reply, the first opposition amendment thereto.

So, the suggestion which I made to the committee and I make again now, indeed, I will go so far as to ask the Government to set up another committee to deal with the rules of this House, not just with the few minor points that stand in the motion we are now debating. The suggestion which I make, Mr. Speaker, is that we should look at the practice of almost every legislative body in Canada and that is we can do two things: We can either limit individual debate or, preferable to that, we can limit

the time spans of debates.

The House of Commons in Ottawa, Sir, at the end of the eighth day the motion is put, the motion is put and the debate ends. The Government of Ontario, the legislature of Ontario, has a procedure, the House of Commons has a similar one, whereby the estimates are put at the end of a given number of hours. I think it is 190 or maybe it is ninety but it is a stated number of hours and so the House decides for itself how the debate goes and they have the interest in this matter to show the Government's commitment to reform.

There are on this side, of the nine men who sit on this side, Mr. Speaker, there are five of us here. The gentleman from Labrador North is not here because he is ill. The gentleman from Hermitage is travelling. He is going to Corner Brook to help to raise the Rumber districts. On the Government side we have the spectacle of two, four, six, seven men. As a matter of fact, we do not even have a quorum. I think we will have a quorum call to start with, Sir.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Mr. Speaker, a quorum has been called, you have to act immediately.

MR. SPEAKER: We have a quorum.

MR. ROBERTS: Thank you, Mr. Speaker. I think it is an important point that the rules of this House say that fourteen members must be in their seats and if the crowd on the other side do not care

enough about the rules of this House then I have no hesitation in calling quorum calls. I think it is our duty to call them. As I was saying, five out of the nine of us were present. The gentleman from Labrador South is present, a hundred per cent of his party's representation in the Legislature. The gentleman is usually in a position that when he enters the room it is like somebody has left it. The gentlemen on the other side, Sir - there were seven here out of thirty odd of them, a pretty sad spectacle, a pretty sad performance.

SOME HONOURABLE MEMBERS: Inaudible.

MR. ROBERTS: Mr. Speaker, I do not intend to engage in a dialogue with gentlemen such as the gentleman from Bonavista South or the gentleman from Burgeo and La Poile. Their performance on last Friday in this House revealed them for what they really are.

MR. EVANS: Inaudible.

MR. ROBERTS: Mr. Speaker -

AN HONOURABLE MEMBER: The Burgeo Burp.

MR. ROBERTS: What do you do with him. I mean you cannot take him out and shoot him because there is a law against shooting dumb animals. What can you do with him? I mean if he will not observe the rules -

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

I ask all honourable members that they accord one another the courtesies that honourable members should accord other honourable members, especially the courtesy of allowing the member who has the floor to be heard in silence.

MR. ROBERTS: Thank you, Mr. Speaker.

As I was saying, Sir, the point is that we are not dealing with the major issue which we should be dealing with on rules. We have still in this House, if these rules go through - I am prepared to support all of them with the exception of the one point we dissented within the committee report. My colleagues feel the same way, that that will not make this House function any better. If the people of Newfoundland, listening on the television and radios tonight and reading their newspapers

in the morning think that somehow the government have acted, the House has acted and everything will be better and that it will end all of this undesirable stuff that has been going on, then they are not getting the correct impression.

I again say now that I ask the government on behalf of us all to set up a committee, another committee, to do the work that the previous committee did not do because the government would not have it done. I suggest that we look at the question of making speeches. I am not sure that they should be shorter. It must be done in the Throne Speech, but certainly we do not need ninety minutes on everything. Maybe we could look at other procedures.

AN HONOURABLE MEMBER: We do not need thirty-four days on the Throne Speech.

MR. ROBERTS: We do not need thirty-four days on the Throne Speech. That is quite true. Maybe we should have eight or ten or twelve or fourteen days providing there were provision for back and forth, for each side being stated. I am not sure that we need the spectacle that we have seen on the estimates of this House being forced in the dead of the night in an endurance contest. I think that is wrong. I think that is no way to treat the public business in the expenditure of millions of dollars.

Both sides get their backs up. The government say, "Oh, well, we will show them. They are filibustering." We say, "We are not filibustering. We are not going to be pushed around." So, we have the ridiculous and degrading and shameful spectacle of all-night sittings. They are not uncommon in England, Sir, but they have 600 members in the House of Commons, 600 members and they do not have them on the estimates, Sir. There they refer their estimates to committees.

We are a little small. We have only forty-two men. We will have fifty-one if the redistribution bill ever surfaces from the depths of the political hatchet job that is being done on it. We only have forty-two at present, Sir, not enough really to allow a number of Committees to be struck and to function. So, we do it in Committee of

the Whole.

Why not bring in a motion for ninety hours of debate? Let the opposition call the order of the estimates with the great understanding that if they want to talk on eighty-nine hours on one department, the other departments go through like that. It is the oppositions job to question and to function. What can be lost there?

Why not do what is being done in Ottawa or what is being done in Ontario, allow a set number of days for opposition motions? A day? I think in Ottawa it is one day or maybe two and a question is put down at the end of that time, be it one day or two. The vote is put but it is a chance for the government to test the House and for the House to test the government. The opposition are accorded the privilege, which is a right to choose the subject for debate.

When any side states its case, do we need the spectacle we need here of every one of the forty-two members trying to get in. Really, Mr. Chairman, after the first six or seven men have spoken in any debate, I submit there are no new points made - all we get is the same rehash, the same going over, the same points. There is no point in that, no point at all.

When we were on the government side, Sir, we used to say to ourselves; "Why does each one of the gentlemen (who were then over here) stand and have to parade his weary words before the House on a bill? Now, that we are over here, on a temporary basis, we make it a point that one or two of us state the position we have taken. When that has been done, the only thing then is if somebody hold back in case somebody on the other side by a miracle should make a point that needs rebuttal. Then one of our men speaks, Sir.

We do not need the spectacle. There may be cases where every man would want to state his position. I can remember the debate when the present gentleman for St. John's West and Mr. Clyde Wells who was then the member from Humber East decided they had to cross the floor of the House and they took their seats about where the gentleman from Bonavista

North now is. There was a motion of confidence put down. Every man in the House spoke that night.

I think we ended the debate at two or two-thirty or three o'clock. That is the latest sitting I can remember during my eight years in the House other than the spectacles of the vindictive and honourable gentleman from St. John's East determined to use his majority. Well, he has a majority for the time being. He will use it as he thinks best but he will answer for it.

So, I make the plea, Mr. Speaker, I make the plea for the constitution of a committee with an order, a mandate from the House, a directive from the House to get down to it and come to grips, not to cut the rights of the opposition or the rights of any member but to have a look at our rules with a view to seeing if we can find better procedures. I believe we can. I say to the government that we for our part, Sir, will take part in that. We have no desire to delay the business of the House. We have every desire to make sure it goes forth expeditiously.

We do intend to state our position and that is our duty. We are quite prepared to and we shall do so. We do not need the sort of rules we have now, Sir. These rules were drawn up in another age and another era. I say that if the government really have a genuine commitment to reform, they will accept my suggestion and act upon it. You know, I used to believe,

Mr. Speaker, that this government would be different. I would say without qualification, without shame that when my colleagues and I were part of the government we were not perfect. There were many things done that we did not consider, I am sorry, that cannot be considered to be the best, looking back. At the time I think we believed them to be the best course of action. But we have made mistakes, of course we did and we will make others.

I genuinely believed and I welcomed it that the present administration coming in, as it were a new broom, somewhat tattered but a new broom, would deal with some of these problems, that we would have a public accounts committee. We had one in the first year. The Chairman, the gentleman for Labrador North, called a meeting and the members on this side appeared, the gentleman for Fortune Bay who was then a backbencher distinguished himself by his lack of attendance.

MR. EARLE: That is not correct.

MR. ROBERTS: That is correct, Mr. Speaker. That is a correct statement.

MR. W. N. ROWE: They were there to the first meeting.

MR. ROBERTS: They were to the first meeting and they were not there for the others. As I said, he distinguished himself in his usual way by his lack of attendance. I forget - who was the other government member on the committee?

AN HON. MEMBER: Inaudible.

MR. ROBERTS: It did not work because they would not allow it to work.

Last year we had no committee on public accounts at all. This year there has been a motion on the Order Paper, it happens to be standing in my name. It has been there, if this House has been sitting for thirty-four days, Sir, that motion has been there for about thirty or thirty-one days, that a committee on the public accounts be appointed. Are the government willing to do that? No, Sir, they could have called that motion at any time and it would have gone through. I say in behalf of us now, without debate.

But this government, Sir, have no genuine commitment. They are fraudulent. It is a sham. It is just an effort to entice people or to try and fool them. There have been no commitments to legislative reform.

I have held off, I have not said that for the past two years. Questions: We put 400, 500, 600 or 700 questions on the Order Paper this year, I am sorry, last year. Very few of them were answered, Sir, I do not have the figures but less than half were answered in any way. We have hundreds this year we could put on the Order Paper. I do not know whether we should or not - the attitude of this government. They used to talk about making information public. Well then, when they got into the government we see what they do.

They are worse than we ever were. The arrogance! Joe Smallwood at his worst never forced the House to sit the clock around, never.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Never.

I agree there are no questions on there -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: There has only been one question put down this year, by the gentleman for Labrador South. As far as I know, that has not been answered. I have not put any down. I have asked my colleagues not to put any down because I think it is a waste of time. We have several hundred that would be in the Clerk's office by tomorrow morning. Questions are taken as notice. No reply is made. No reply is made. When a minister says, Mr. Speaker, I shall take that question as notice, he is honour bound to give the information. That has been the exception. I think even the gentleman for Labrador South will agree that at times asking questions have been taken as notice.

The Premier thinks that he can evade a question by taking it as notice and hoping we will forget about it. Well, Sir, that is not good enough. This should not be a partisan matter. But the government have failed. They have not brought in the reforms. They have not moved to have a public accounts committee. How I can hear honourable

gentlemen, who were formerly on this side and will be here again, talking about a public accounts committee and how it was the last bulwark of democracy.

Sir, we have had three years now, this is the third session of this General Assembly, and here is the thirty-fourth sitting day and there has been no motion to appoint a public accounts committee, even though our present Standing Orders say there shall be one.

Mr. Speaker, it is a sad - if it were not such a serious matter it would be a comical performance by a government. If they wonder why people all over Newfoundland are disillusioned, disappointed in them, it is because there is no provision for a public accounts committee in the Standing Orders. Is there? Hum, there is not? Well then I correct myself. -

AN HON. MEMBER: Tradition.

MR. ROBERTS: There is! Well I am not even sure there is a tradition but I will correct myself on the point.

MR. ROWE, W.N. The Minister of Justice

MR. ROBERTS: Yes, the Minister of Justice used to drag himself to his feet and vote against it, as did the Minister of Municipal Affairs, as did the Minister of Finance because it was a party -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Yes, but after a number of years of voting against it, because it was a party decision, on our side when we were over there, not to have it. Be it right or wrong, it was a party decision, just as it is a party decision now not to have an investigation of the curious

feat of William Saunders, Esq., former member for Bay de Verde. There will be a vote on that in due course and we shall let honourable gentlemen record themselves publicly and for the record. That is another story. We will come back to that.

The point remains, Sir, that this government came in holding themselves out as the knights in shining armor, the men on the white horses, and instead, Sir, they have become riding on an ass. As I recall it, an ass has no pride of parentage and no hope of descendants. That is what they have become, Sir. They are a great disappointment, a great, great disappointment to all of the people of this province. Why? Because on their record they have not done what they have said they would do. No Public Accounts Committee, no meaningful reform of the rules of the House, no real question period. Oh sure honourable gentlemen are allowed to get to their feet and ask a question. Even when it is in order - and Your Honour quite properly rules them out of order when they are out of order - there is no answer. I do not think one per cent of the oral questions have been answered. Not one per cent has been answered.

AN HONOURABLE MEMBER: Frauds.

MR. ROBERTS: I do not know if I can call them a fraud but if it is parliamentary to call them fraudulent, Sir, I say this government are being fraudulent in their approach to giving the people of Newfoundland information.

Royal commissions, how we used to hear about the need for royal commission reports to be made public. They have had the Task Force on Forestry Report for over a year. They had undertook weeks ago to make it public. Where is it? Still locked up in the recesses of this building somewhere.

The Royal Commission on Labrador, well. they are reading that. They are reading that. The Task Force on Education, the Minister of Education a year and half past said it would be out last August. It is still in the gestation period. Even an elephant only takes eighteen months to produce its young. The minister's Task Force Report is longer.

AN HONOURABLE MEMBER: I am not writing it.

MR. ROBERTS: Well, obviously. I would suggest the minister would have difficulty even reading it let alone writing it.

AN HONOURABLE MEMBER: Depends on how it is written.

MR. ROBERTS: Yes, it will certainly depend. If it be written in nice, simple one hundred word sort of thing my three year old daughter gets at Nursery School, the minister would be right at home. But, Mr. Speaker, they have not made public the information.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Well, I do not know. If the honourable gentleman, Sir, says he has not got my erudition and my intelligence, I accept his word for it but I have not said that. I would have thought he had a great deal of erudition and a great deal of intelligence. All he is lacking is some common sense and some courtesy. Hopefully he will acquire both of those in time and allow me to carry on, without trying to be another schoolboy debater.

If the honourable Minister of Education, Mr. Speaker, wish to enter into this debate, he has the same right as does any other honourable gentleman. The honourable gentleman (Witch Hunt) can have anything he wants on record, Sir. He is quite entitled to have anything on record including who sent the Mounted Police in to investigate and all these things, all on the record.

MR. MORGAN: Did they raid Joey's banquet?

MR. ROBERTS: I am sorry, the gentleman from Bonavista South, Sir?

MR. MORGAN: Last night's banquet.

MR. ROBERTS: Last night's banquet there was a bigger crowd at, paying at eight dollars each, than there was wining and dining at the expense of Her Majesty the Queen, a bigger crowd and a more courteous crowd and men and women who recognize the contribution that Joey Smallwood has made.

How about the honourable, hypocritical member from Bonavista South blocking a motion in the House and then skulking down to his district and saying, "Oh, I am all for Joey"?

MR. SPEAKER: Order, please!

MR. ROBERTS: Am I being irrelevant?

MR. SPEAKER: Order please! Order, please!

AN HONOURABLE MEMBER: On the wine last night.

AN HONOURABLE MEMBER: It was not screech.

MR. SPEAKER: Order, please!

AN HONOURABLE MEMBER: We paid for it anyway.

MR. SPEAKER: Honourable members on both sides seem to insist on chattering back and forth when the Chair has called to order. I trust it shall not continue, otherwise the Chair shall not hesitate to name members on either side of this honourable House.

Some debate has gone on between honourable members which I do not think is relevant to this particular resolution. I would remind honourable members that when one is speaking he does have the right to be heard in silence.

MR. ROBERTS: Thank you, Mr. Speaker. I am very grateful to Your Honour for protecting me

MR. THOMS: Inaudible.

MR. ROBERTS: Now, now, now, he cannot appreciate it. It is pearls before swine to try to educate him, so do not.

The point I am making, Mr. Speaker, is that this government have not done what they said they would do. That is really all I am saying. I may be saying it at some length. I may be saying it in my own peculiar stylistic way but that is all I am saying.

I would like nothing better than to hear the House Leader when he rises on the other side to say that while they might not agree with my approach to things and while they feel that the Smallwood Administration

was the worst administration ever, that sort of thing and the usual thing he gets off with, a substitute for analysis and for thought, has nothing better to say than we will take the Opposition up on their challenge and if they will set up a select committee. If he does that, I say more power to him. If he does not do that, I say he will be regarded by all on the facts as having been politically a fraud. A select committee to examine the rule, to do the job that was not done, to do the job that was not done by the committee which the minister chaired, to do the job which was not done by the committee that the minister -

AN HONOURABLE MEMBER: He would not call any meetings

MR. ROBERTS: The committee met six or seven times only and over a year went by without any meeting at all of the committee and the committee adjourned at the call of the Chair. But I mean a working committee, a committee that will come to grips with the problems. I would love nothing better, Sir, and quite prepared, if Your Honour names me to it, to do my share on the committee, to take part in it, quite prepared to, anxious to. I think it would be a very good thing, Sir. I think it would help the business of this House to go forward and to go forward quickly and effectively.

Mr. Speaker, I do want to move an amendment. I have it written out here. I do not propose to debate it. Are we going to clean this up by six o'clock this night? Well, I would like to get on to speak but what I want to know is whether we are going to meet this evening or not.

AN HONOURABLE MEMBER: No.

MR. ROBERTS: No, well then what I will do, I will move the amendment, sit down and then, I do not know whether we need to -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Fine. Well, the amendment has been well spoken to by my colleague, Sir. We propose to amend Clause (5) by adding after the words (e) and the Order Paper is not numbered but it is page four of the Order Paper, adding after Clause (e) the words - they now read,

"Answers to questions for which notice have been given", we wish to add the words, "Except on private members' day." I think that is a reasonable request. It is one which was suggested by the gentleman from St. Barbe North and I think it speaks for itself. Secondly, Mr. Speaker, it is part of the amendment. I think it is in order to move the two at once but if Your Honour wish we will move them separately, to drop Clause (9). Clause (9) is the one that adds the words, we find offensive, the only words in the whole suggestion.

The effect of of Clause (9) will be to add to that rule 51 (b) the words, "or needless repetition". As my colleagues have said, we think that that is quite unnecessary. We do not propose to go along with it. We propose to fight it.

AN HONOURABLE MEMBER: In other words, Order 51 (b) remains ..Inaudible...

MR. ROBERTS: The effect of the amendment if carried will be that Order 51 (b) stands exactly as it is now and I think Order 51 (b) over the years has been shown to be a very good order. The Chairman has the power when he choses to exercise it. We have had long debates on estimates but Sir, we have not had too long debates on estimates by any means. The Chairman, under 51 (b), as it now stands, has the power to call members to order if they are irrelevant. Therefore, I would think he should have no greater power and so I move the amendment.

Having said that, Mr. Speaker, let me say that I shall support the rules, hopefully as amended, and that I do hope - I have said some hard words about the Government and I mean them. They say some hard words about us and they mean them too. - I do hope that we shall see the appointment of another committee. I do hope that we will see the appointment of a public accountant committee. If one be appointed, I should be happy to ask leave to withdraw my motion and that it does not need to be debated and the Order Paper is cleared, but I do hope we will see one because I think it is time that we had one.

I suspect I voted against the motion in the past. I have not checked it out but -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: I am sorry. The amendments again are to add to (5) the words 5(e), the words, "Except on private members' day". The effect of that would be that answers to questions, written questions would not be answered on private members' day. The danger, you know, look, those guys can do it to us now, We can do it to them in a couple of years, you know, pointless really. It is not the way the House should be approached.

Secondly, the other amendment would be to drop Clause 9 and to leave Rule 51 (b) as it now stands.

Having said that, Mr. Speaker, I thank Your Honour for Your Honour's protection afforded me throughout the debate. At times I felt the need of it and I am grateful to you. Thank you!

MR. W. MARSHALL: Mr. Speaker, first of all, we are now speaking on the amendment proposed by the honourable the Leader of the Opposition.

MR. SPEAKER: Order please!

First of all I think we should put these amendments separately. I do not think we should put them close together. The amendments are: "That Clause (5) be amended by adding after the words, (e), "Answers to Questions for which notice has been given" the following words, "except on Private Members' Day," and that Clause (9) be deleted." I find the amendments to be structurally in order.

MR. MARSHALL: Your Honour, I realize it should not be put as one but we would certainly be prepared to give leave of the House to put both of them together.

MR. SPEAKER: Is leave granted to put both of these amendments together? Agreed? Agreed.

MR. MARSHALL: Very briefly, Mr. Speaker. The first one moved by the Leader of the Opposition that arose from observations made by the Member for St. Barbe North, when he was speaking, which in effect what it wishes to do is to suspend the answering of questions on Private Members' Day: I refer to a situation which apparently arose last year where a very complicated question was asked and it consumed a fair amount of time during the day. I think the position is that if a question be important enough to be asked by the opposition, it surely must be important enough to be answered on any day of sitting. I do not think, as a matter of fact I am quite sure that we should not change the established practice.

Mr. Speaker, the point that the Hon. Member for St. Barbe North made, I would like to have seen his reaction had he been here, I believe in 1971, when for about two or three or four Private Members' Day that this was done with impunity. It certainly has not been done by this government.

Now on the other point, this business of needless repetition where the opposition is for and wishes to be able to have needless repetition which is really what it amounts to, they refer

to the satisfactory nature of Standing Order 52 (b) but it has not been satisfactory, Mr. Speaker. I refer to the House of Commons, Rule 34 (2), they can take you to task for needless repetition. The procedural rules of the House in Saskatchewan, 25 (2), needless repetition is there. In British Columbia, irrelevance and needless repetition is there in 43.

MR. ROBERTS: I remind the honourable gentleman that the last backbencher thrown out for that was Dave Barrett who afterwards won the election.

MR. MARSHALL: Well that is a -

MR. ROBERTS: It is a precedent that I shall remember.

MR. MARSHALL: In Alberta, 31 (2), needless repetition; just repetition alone in New Brunswick in 34 (1); in Ontario, 16 (a), paragraph 3, needless repetition; Nova Scotia, in Standing Order 20, needless repetition; in Prince Edward Island, Standing Order 34 (1), repetition; unqualified. I am being repetitious now by referring to the fact that needless repetition is in so many Standing Orders. It is obvious that it should be in. I do not know why it was deleted, whether it was taken by the draftsmen in 1951 and not put in or in 1949 when they incorporated the rules and put them in the Standing Orders or whether it is because it would have perhaps been a bit offensive to the previous leader of the government who was quite adept at repetition. In any event it is a rule that ought to go in here. It is most necessary and I think we have to vote against the amendment.

MR. SPEAKER: Those in favour of the amendment, "aye." Those against the amendment, "nay." The "nay's" have it. The amendments are defeated.

MR. MARSHALL: Mr. Speaker, there are many points that I want to cover in connection with this particular debate because there were certain things said that briefly have to be touched on. For instance, the Hon. Leader of the Opposition, when he referred to - there was no public accounts committee. First of all I think he said that there was provision in our Standing Orders already for a public accounts committee and subsequently corrected himself, there is none. The fact of the matter is that we are

setting up the procedure of a Standing Committee on Public Accounts which when appointed will last for the entire term of the Assembly. When we came in we made a very concerted effort to appoint a Public Accounts Committee. It was one of the first acts that we did. We afforded at the time, contrary to what the Member for Bell Island says, proper professional help in the persons of Messrs. Baird and Baird, Chartered Accountants. The Chairman of the Public Accounts Committee was the honourable Member for Labrador North, since it is traditional and it will remain traditional in this House for the Chairman of the Public Accounts Committee to be from the Opposition. He was the Chairman of it, the fact that it did not meet, it was given as much as we could at the time. I think we will have to ask the Member for Labrador North, who is not here, why it has not been.

But these rules are very beneficial in that they meet the very observation that the Leader of the Opposition was referring to. It establishes a Standing Committee on the Public Accounts.

Now there were many things said by the Opposition and I am going backwards now in order of speaking. The Leader of the Opposition I am glad to see has agreed that we do need - does not think that we need as much time as has been allowed. I have indicated that it is the intention of the government to bring in provisions on a separate motion apart from this particular motion to deal with the matter of time; of which notice will be given very shortly.

What we did here was we attempted to take the Standing Orders and to amend them in this motion in a way in which we thought had the unanimous agreement from the committee. The committee met some six, seven or eight times, some time ago. It was felt that this was a new House of Assembly and it was better to see the House in operation for a period of time before we actually brought them in. We do not regret this decision.

As for the business of time and the consideration of it by the committee, the committee considered time, could come to no agreement. I remember distinctly the last meeting that we had in the Labour Hearings Room where we had them, and the Leader of the Opposition made some

comment at the time, I believe something to the effect and he brought up about time, that the government are trying to muzzle the opposition. It appeared that we were not getting anywhere. While the Leader of the Opposition agrees with timeliness, I think he wants the time limit to be much different than the procedure which we are going to recommend.

He mentions the fact about appointing a select committee. Now Mr. Speaker, these rules have been on the Order Paper for a long period of time. I think it was the first motion brought in, in this House, in the hopes that the members would read, study and inwardly digest them, the contents of the Standing Orders of the motion. The Leader of the Opposition was on the committee, faithfully attended the meetings. Somewhat rather surprised - he makes that statement because included in here is a Committee on Standing Orders, a Standing Orders Committee to consist of five members. So it is already in there. It is going to continue on. I hope that nobody presumes either on what the government are going to be giving notice of with respect to the time limit nor in respect of this report that it is all-inclusive and the changes have to go on from time to time.

Mr. Speaker, the time is getting up to six o'clock. We will be adjourning debate in a few moments but I think in all fairness that I should state to the House that it is our intention now when this debate is adjourned today to proceed to leave it on the Order Paper and to then give notice of the second motion with respect to the changes in the rules, with respect to time, which is a government motion.

Now the reason we did not bring it in, because obviously we got as much of a consensus as we could and I think we did get a good consensus in the committee but the matter of rules are a matter to be considered by -

AN HON. MEMBER: Inaudible.

MR. MARSHALL: Okay! Yes, that is a government motion. It emanates entirely, this one emanates from the Rules Committee but the other one is going to be emanating from the government itself. You know, we talk about a committee considering the limitation of time. I would

suggest to Your Honour that it will not be in committee, it will be before the whole House, that items with respect to limitation of time are really so important that I think the opposition will agree that it ought to be considered by the whole house rather than by a committee of the House.

MR. W. N. ROWE: To be considered by the whole House; do not be ridiculous.

MR. MARSHALL: Well this, but the formulation of the rules are going -

MR. WM. ROWE: Inaudible.

MR. MARSHALL: The formulation of the rules, with respect to time, are going to be considered by the whole House rather than in committee with people putting up their hands and saying "Marshall, you are trying to muzzle the committee," etc., etc.," or the opposition."

So it now being six o'clock, Mr. Speaker, I move the adjournment of this debate which will resume again after we consider the government motion, notice of which will be given tomorrow.

Mr. Speaker, I move the House at its rising do adjourn until tomorrow, Wednesday at three o'clock and that this House do now adjourn.

On motion that the House at its rising adjourn until tomorrow, Wednesday, at three o'clock, Mr. Speaker left the Chair.