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VERBATIM REPORT

MONDAY, MARCH 24, 1975

SPEAKER: THE HONOURABLE M. JAMES RUSSELL

The House met at 3:00 p.m.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

STATEMENTS BY MINISTERS:

MR. SPEAKER: The honourable Minister of Manpower and Industrial Relations.

HON. E. MAYNARD: Mr. Speaker, a short statement on the appointment of commissioners to the Workmen's Compensation Board. After the report of the O'Neill Royal Commission into the administration of the Workmen's Compensation Board had been received, the government proceeded to make certain changes in the structure, the top management of the Board. The first step taken was that the employment of the commissioners at that time was terminated and the temporary Board was appointed on the twelfth of August, 1974. The temporary Board consisted of Mr. W.J. May as Chairman. Mr. May was also at that time the Assistant Deputy Minister of Manpower. The commissioners appointed were Mr. Richard Fagan, a long time employee of the Board, and Mr. G.E. Malone, the Deputy Minister of Provincial Affairs and Environment.

This temporary Board of commissioners continued to administer the affairs until January, 1975, when Mr. May was confirmed as the permanent Chairman of the Board. I should point out that the temporary Board did a tremendous job in the administration of the agency during a very difficult period of time.

After the appointment of Mr. May as permanent Chairman, we proceeded to work out the future structure of the Board and to select candidates for permanent and part-time positions. The structure we are putting together now is somewhat new and it is a trial structure, I suppose. There were some indications that we should go with part-time commissioners only. However, we have decided against that and the future Board will consist of a permanent Chairman and two permanent commissioners.

As well, in order to give representation to labour and management, we are adding two part-time commissioners, one representative of labour and one representative of employers. It is envisioned that the permanent commissioners with the Chairman will administer the day to day operations, but the full Board will meet as often as necessary to formulate any policies and decide on any major issues.

The two permanent commissioners will be Mr. Richard Fagan and Mr. Andrew Rose. Mr. Fagan is a long time employee. He started his employment with the Board in 1951 in the accounting division. Since then he has held various posts and is now director of claims. He was also acting chief administrative officer since August, 1974. Mr. Rose is a native of St. John's who held various jobs in the accounting field from 1943 to 1958. Since 1958 he has held sales and managerial positions with major insurance firms. Mr. Rose has also been Chairman of the Minimum Wage Board since early 1973.

The two part-time commissioners will be, representing labour, Mr. William Woodford, a business representative of the Iron Workers' Union and representing employers, Mr. John Murphy, Manager of the Safety Division with the Iron Ore Company of Canada. Both these men are well known in their respective fields and surely will bring a wealth of experience to the Board.

All the appointments will become effective April 1, 1975. There is no doubt in my mind that these people will bring an era of good management and stability to one of the most important agencies of government. We are hoping to propose various amendments to the Workmen's Compensation Act during this year and one of the first tasks of the Board will be to scrutinize the present legislation and propose changes. The other major task is to revise the present

structure of the agency on the lower levels and then try to improve the morale of the employees which have been at a low point for some considerable time.

We wish them well in their endeavours and assure them of the full co-operation of government. Thank you.

MR. SPEAKER: The honourable Member for Bell Island.

MR. S. NEARY: Mr. Speaker, the minister in his few remarks when he announced the appointments to the Workmen's Compensation Board did not indicate to the House whether or not the minister going to make the O'Neill Royal Commission public or if he has made it public. I have not seen it myself. The minister did not indicate whether he was going to table the report in the House or not because I think it is very important that the minister table the report in view of his last remarks there about the morale of the employees. We would like to

see it in black and white rather than take the minister's word for it that the morale over there was as bad as the minister says.

Now, Sir, last year I think it was, we welcomed the appointment of Mr. May as Chairman of the Workmen's Compensation Board. I think this was a very good choice. Mr. May is a man who has had tremendous experience in dealing with people on various commissions and boards and so forth and he is a good civil servant. I think it is a good choice.

The minister did not indicate, Sir, either whether the other nominees to the Board or appointments to the Board were recommended by the Newfoundland Board of Trade or by the Newfoundland Federation of Labour. For instance in the case of Mr. Woodford, who is a part-time commissioner, the minister did not indicate whether Mr. Woodford was appointed on the recommendation of the Newfoundland Federation of Labour, for instance, or not.

Now as far as the other appointees, Sir, Mr. Fagan and Mr. Rose are concerned, the minister outlined some of the qualifications of Mr. Rose and I think probably, Sir, what he said is absolutely correct. But one thing the minister did not mention, Sir, in outlining the qualifications was that Mr. Andrew Rose, Esquire, sought the nomination for the Tory Party in 1971 in the Provincial Election in the district -

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please! The honourable Member for Bell Island appears to be debating the statement made by the honourable Minister of Manpower.

MR. ROBERTS: He would not do that would he?

MR. NEARY: Well, I must apologize to the Chair, but I have to add unsuccessfully, Your Honour, but the minister, Sir, really in his statement, did not really indicate to the House or convince the House that there was really any difference in the make-up of this board except they have two part-time commissioners now. But the minister did

not indicate whether there was any real difference and the minister did not indicate in his remarks to the House, whether or not Workmen's Compensation Board rates were going to be increased to enable people on Workmen's Compensation to cope with the high cost of living in this Province.

NOTICE OF MOTION:

MR. SPEAKER: The honourable Minister of Finance.

HON. H.R.V. EARLE, Minister of Finance: Mr. Speaker, I give notice that I will on tomorrow ask the House to resolve itself into a Committee of the Whole to consider certain resolutions for the granting of interim supply to Her Majesty, also I move the House into Committee of the Whole to consider a resolution in relation to the raising of loans on the credit of the Province and I also give notice that I will on tomorrow ask leave to move the House into Committee of the Whole to consider certain resolutions in relation to the granting of supplementary supply to Her Majesty for the financial year ending March 31, 1975.

ORAL QUESTIONS:

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: I thought the Minister of Fisheries was going to ask a question, Sir. I have a question for the Minister of Transportation and Communications, Sir, would the minister indicate to the House whether or not he or anybody in his department has received any representation from the people of North Harbour in the District of Placentia West concerning the conditions of the road, three-and-a-half miles of road leading into North Harbour, which is impassable at the moment, and if so would the minister indicate what his department is doing about it?

HON. L. BARRY, Minister of Mines and Energy: Mr. Speaker, if I could assist my honourable colleague in the answering of that -

MR. SPEAKER: Order, please!

MR. NEARY: On a point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

MR. NEARY: Point of order, Sir,

MR. SPEAKER: The honourable Member for Bell Island on a point of order.

MR. NEARY: Yes, Mr. Speaker, my question is directed to the Minister of Transportation and Communications, Sir, the minister responsible for highways, not the Minister of Mines and Energy.

MR. SPEAKER: The honourable Minister of Transportation and Communications.

HON. J. ROUSSEAU, Minister of Transportation and Communications: I was not in the House on Friday but I kept a close contact with what went on with respect to this department. I understand that a petition was tabled in the House of Assembly with respect to the three-and-a-half miles of road from North Harbour to the pavement. I have been also talking to my colleague as well to remind me that he had done that, in the event that I had missed it but that would not happen because these normally come down to my desk. I did have some calls from North Harbour as well, individuals, and I had a meeting this morning with officials of the department and certainly we intend to try and do everything we can to make the road passable. That and other roads across the province are not in a real good shape at the moment and we intend to provide the shale and the hard rock necessary right now during the next two, three weeks, maybe four weeks, We hope it will not be a long period of time in which the roads are soft and there are some problems down there and we are aware of it and we are trying to do what we can to upgrade the roads so that people can pass over without any difficulties.

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: A supplementary to the minister, Sir, and I can appreciate the minister for not being here this morning, and probably not having the information at his fingertips. But is the minister aware that at the moment nothing can get over that road including graders. They had to tow cars over it for a while, but now the graders cannot even get over it. Would the minister, could he be a little bit more specific, maybe not at this moment, but sometime this afternoon and tell the House precisely what is going to be done about this situation?

MR. SPEAKER: The Hon. Minister of Transportation and Communications.

MR. ROUSSEAU: I just told you, you know, as minister I am aware of the problem. I know it is as the honourable members says, and as my honourable colleague told me, and as calls I got from the area tell me too. I do not dispute the fact that the road is in bad condition. I issued an order this morning to the officials of the department to see what they could do to make the road more passable. I appreciate the problems the people have, I appreciate that they have work commitments over that road and we are doing everything that can be done. Instructions have been issued and I presume that nobody down the line is going to say, I am not going to do that. You know, once I issued the instructions I presume something is going to be done, and on that presumption I am willing to let the men in the field handle the road.

MR. NEARY: Mr. Speaker -

MR. SPEAKER: The Hon. Minister of Mines and Energy.

MR. BARRY: If I could just add, Mr. Speaker, to that. The honourable Member for Bell Island was here on Friday and knew that a petition was presented on Friday, Mr. Speaker. And this was directed to the Department of Transportation and Communications, but in addition, Mr. Speaker, I want to say that I have been personally in direct contact with the Clarendville Highways Depot which has the responsibility for the North Harbour Road, and I know that Mr. Brinston and the Highways Depot there are doing everything

possible. You have a situation where the vast amount of snow that has been experienced this year has built up around the roads, it is now melting, and the water is running onto the road and it is a question of just how much can be done in the meantime. There can be additional ballast laid there, possibly some work can be done on the ditches along the side of the road. But it is a bad problem, and I think everybody realizes that including the people of North Harbour.

MR. SPEAKER: Order, please! Before I recognize another honourable member with a question, I think it is most unusual perhaps that when a question is directed to a minister that after he has answered that question that another honourable minister rises, in essence, in support of it. I think that a question directed to a minister should be answered by that particular minister.

I would like to welcome to the galleries four students from the Seventh Day Adventist Academy here in St. John's, in Grade XI, with their teacher Mr. Morgan. And I certainly, on behalf of all honourable members, welcome you to the galleries and trust that your visit here is most interesting.

The Hon. Member for Bell Island.

MR. NEARY: Mr. Speaker, we do not begrudge the minister trying to get a little mileage, Sir. I have another question for the Minister of Transportation and Communications. Would the minister indicate to the House what action he or his department is taking on the road situation in Markland where school buses cannot even get over that piece of road over there. Would the minister indicate if he has had representation from the people in the Whitbourne - Markland area, and what he is doing about it?

MR. SPEAKER: The Hon. Minister of Transportation and Communications.

MR. ROUSSEAU: I am sure the honourable member will not mind if I answer that question a little more broadly than the Markland situation. I think we must appreciate this time of the year that we are getting a runoff in various areas, not only in Markland. For example, this morning or some time today we should have a half load limit I guess on all the roads between the Terra Nova Park and Baie Verte in the

Grand Falls district, and as well on the East Coast. We have had a problem this winter where we have used a lot of salt. The salt has melted the snow, and the water resulting has stayed on the road, and, of course, more snow has come on top of that and we had the same situation. So we have a lot of water on the snow. The rain today, the officials tell me this morning it should help it because it will wash it away. We have almost no frost in the ground. And we are aware of the problem in Markland, and in many other areas. I have had a number of phone calls this morning. We are going around now with our benkelman sticks across the Trans Canada, and as well in other areas attempting to find out just how bad the roads are, and to institute the half load limits. You know, what else can be said. It is going to be-

AN HON. MEMBER: What kind of a stick ?

MR. ROUSSEAU: Benkelman stick, It is something that tells you the stress and strain on the road, and just how much it can hold up.

AN HON. MEMBER: Inaudible.

MR. ROUSSEAU: But it is - well half road limits - what in effect I am saying is when half load limits are imposed, they are not done arbitrarily when you have these pressures at a certain level, and the half load limits are imposed. And at Markland and any other area of the Province we are going to have the same problem. I am going to be answering the same question about two or three times a day probably for the next couple of weeks. All I can say we are doing all we can. We have -

AN HON. MEMBER: Inaudible.

MR. ROUSSEAU: Right. Oh well,

MR. NEARY: You cannot depend on the members -

MR. ROUSSEAU: And rightfully so, but I am just trying to give an overview of the answer right now. We are trying to stay with it. We have to get some shale or some crushed rock or so on to keep these roads passable. The silt which is in abundance across the province is not satisfactory to keep the roads in good condition. All we can say is that we will stay with it and try to get the roads as passable as soon as possible.

MR. SPEAKER: The Hon. Member for St. Barbe North.

MR. F. ROWE: Mr. Speaker, in the absence of the Premier, I would like to direct a question to the Minister of Education. In view of the announcement made by the Premier during the weekend concerning a College of Mining for the Province, in the area of Green Bay, Sir, would the minister indicate what studies or commissions or research have been undertaken to set up such a College of Mining in this Province?

MR. SPEAKER: The Hon. Minister of Education.

HON. G. OTTENHEIMER (Minister of Education): Mr. Speaker, actually I did not hear the announcement, but for some time there has been a study given with respect to a closed mine in the Springdale district, a mine which was closed there, and a number of people have been looking into the possibility of putting courses in mining technology, using that facility for courses in mining technology. This, no doubt, is what the Premier was referring to. This is still under study, the possibility of using these abandoned or no longer in use mine premises for courses in mining technology.

MR. F. ROWE: A supplementary, Mr. Speaker.

AN HON. MEMBER: (Inaudible).

MR. SPEAKER: Order, please!

MR. BARRY: Mr. Speaker, to a point of order.

MR. SPEAKER: The Hon. Minister of Mines and Energy on a point of order.

MR. BARRY: This is to avoid problems with, Your Honour, I do not mean to be in conflict with your ruling, Your Honour, but I believe it has been the practice that where a member of government, any minister, can supplement information given by a colleague in response to a question opposite, that this has been the practice. Now it is a question of whether the honourable members opposite, when they ask a question, want the information or whether they are just doing it, of course, for political -

MR. F. ROWE: Look, on a point of order.

SOME HON. MEMBERS: (Inaudible).

MR. SPEAKER: Order, please!

MR. BARRY: Mr. Speaker, what I am suggesting -

MR. THOMS: He is out of order, Mr. Speaker.

MR. SPEAKER: Order, please!

MR. BARRY: What I am submitting, Mr. Speaker, is that I have additional information that I can supply on this point, but I hesitate to do so because of Your Honour's ruling, but I will commence to give it, Mr. Speaker. I just thought I should have forewarned you that I was about to do this. And the additional information, Mr. Speaker -

MR. ROBERTS: Mr. Speaker, to a point of order, is the honourable -

MR. SPEAKER: Order, please! The Chair has recognized the Hon. Minister of Mines and Energy on a point of order.

MR. F. ROWE: Okay, state your point of order.

MR. BARRY: The point of order, Mr. Speaker, was that I am about to commence giving additional supplementary information, additional to that given by my colleague, the Minister of Education, and I did not want to do this, Mr. Speaker, ignoring - I do not think it was really a ruling of Your Honour, but it was an indication by Your Honour so that if Your Honour considers it to be unacceptable, I would refrain from doing it. However, I should point out that it has been the practice in this House in the past. I have additional information which I am sure the honourable members opposite would find interesting.

MR. SPEAKER: The Hon. Leader of the Opposition wishes to speak to that point of order.

MR. ROBERTS: Thank you, Mr. Speaker.

The rules of the House provide that questions may be addressed to ministers and then a minister may or may not answer as he chooses. The rules make no reference at all, Sir, to a team of ministers getting up. The very most that practice has permitted around here in this House, Sir, is if a question is addressed to a minister who is not responsible for a particular item, Then he says, well, my colleague, you know, is in a better position to answer it than I am. I would suggest

Sir, it would destroy completely the whole purpose of the question period if one question, addressed to a minister who is responsible for an activity, is then to lead to a barrage of responses. The inevitable result of that, Sir, would be that the Minister of Fisheries, who knows everything about everything, would have to answer every question, and I think it would be most out of order, Sir. I think a question addressed to a minister, the minister may or may not answer it as he wishes, but it would be most improper if the gentleman from Placentia West were, being a junior know-it-all expert, were to be allowed to answer every question except those addressed to him.

MR. SPEAKER: Order, please!

Earlier the Chair, as the Hon. Minister of Mines and Energy said, really did not make a ruling but said that he felt that it was a bit unusual for him to follow this procedure. I am sure if honourable members to my right require information from the Minister of Mines and Energy with regard to the question just asked, they can do in the form of a supplementary question.

AN HON. MEMBER: Hear! Hear!

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

MR. ROBERTS: May I address a supplementary question to the Minister of Education to ask him whether the contemplated School of Mining in Green Bay is to be regional or merely for this Province?

AN HONOURABLE MEMBER: Inaudible.

MR. OTTENHEIMER: Regional within a Newfoundland sense or regional in an Atlantic sense?

MR. ROBERTS: No, regional in a larger sense.

MR. OTTENHEIMER: Right, actually it would be premature to answer that at all because at the present time what is being done is a study to see whether the concept is, in fact, a feasible one, of having instruction in mining technology in that area. No decision has been made one way or the other. It is being assessed.

So, to give further information on that, you know, we will presuppose that a decision has been made, which it has not.

MR. ROBERTS: Mr. Speaker, a further supplementary. I appreciate the fact the decision is being contemplated and the matter is being studied. Is contemplation being given to this concept of sort of an Eastern Canada Region or is it going to be a school to serve the people of Newfoundland and Labrador?

MR. OTTENHEIMER: Mr. Speaker, until the study has been completed, then it would not be realistic to contemplate what area it would serve because even the feasibility of the whole concept is now being studied. So, until that is done, it would not be, you know, could not say what area, whether it would be outside the Province as well as inside.

MR. ROBERTS: Mr. Speaker, let me raise a further supplementary by asking the minister is he aware that the Premier has said that it may very well be a regional college or has the minister not been consulted at all on the announcement?

MR. OTTENHEIMER: Well, Mr. Speaker, it may well be regional, yes. It may be provincial. It may be interprovincial. It may be Eastern Canada. It may be for the East Coast of Newfoundland. It may be for the West Coast. It may be any number of things, obviously, but until the study has been completed to determine the feasibility of giving mining technology courses in the area, no one can say with any certainty what specific area it will cover.

MR. SPEAKER: The honourable Member for St. Barbe North.

MR. ROWE: To what study is the minister referring, Mr. Speaker, in light of the fact that the announcement has already been made that a mining college is to be built in the area and who is doing the study and has it been completed? Is it in the process of being completed or when is it due to be completed and who is doing it?

MR. OTTENHEIMER: I think the question is probably out of order in the sense that it is argumentative. I have already answered the question, that a study is being made and is being made by the Department of Education and vocational and technical education people. It also involves some people from the Department of Mines and Energy.

MR. ROWE: A supplementary: Mr. Speaker, could the minister indicate what liaison there has been between the Department of Geology at the University and the School of Engineering at the University and the Canada Manpower Training Centre with respect to this new mining college, the first underground college in the world, I believe?

MR. OTTENHEIMER: The regular lines of liaison that always -

MR. SPEAKER: The honourable Member for St. Barbe North.

MR. ROWE: Mr. Speaker, I give up in utter despair. Would the acting Minister of Public Works, Mr. Speaker, confirm or deny a report that the ban is still in effect on the advertising in "The Daily News" and this has been confirmed by certain civil servants and by the acting Minister for Public Works? Would he confirm or deny that the ban has not been lifted?

MR. SPEAKER: The honourable Minister of Public Works and Services (acting).

MR. ROUSSEAU: Yesterday or Thursday, I guess it was, I had a call and all I said to the gentleman in question - it was not

a news reporter, it was somebody in charge of circulation or advertising, I presume - and all I said was I would have to check the matter out. I am the acting minister. I do not know what the details are. So all I said was I was going to check it out in reply to a question I had posed to me by somebody in the advertising field. It was not a news story and I was rather surprised this morning that that was there, which I undertook to check, but in respect to any statement on that, the Premier has indicated he would like to say something. He is at a meeting now and I presume if the question is posed

I suppose tomorrow, he will have a statement on it tomorrow. That is the situation.

MR. ROBERTS: Mr. Speaker, a supplementary again in the Premier's absence. Would the minister tell us whether it is proposed to end the ban that is now in effect?

MR. ROUSSEAU: The Premier would want to make the statement on anything concerned with that and he has asked for it to be deferred until tomorrow until he is here.

MR. ROBERTS: Mr. Speaker, I cannot make the minister answer a question. He has the right not to answer, but really, I mean he is neither answering nor not answering -

MR. SPEAKER: Order, please!

MR. ROBERTS: A supplementary question, if I might -

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

MR. CROSBIE: On a point of order, Mr. Speaker. This is the question period. The honourable gentlemen are entitled to ask questions, not to make statements or comments which the honourable Leader of the Opposition is doing now, and no minister has to answer the question. If the honourable the Premier is going to deal with that matter, then it will be dealt with tomorrow when the Premier -

MR. ROBERTS: May I ask a supplementary question, Mr. Speaker?

MR. SPEAKER: The honourable the Leader of the Opposition may ask a supplementary question.

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MR. ROBERTS: Thank you, Sir. May I ask the minister whether he can indicate whether any significant amount of government advertising at present is being placed in "The Daily News"? He is the acting minister of the department and thus it is appropriate -

AN HONOURABLE MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. ROBERTS:

Thus it is appropriate, Sir, that he tell us whether or not any government advertising, any significant amount of government advertising is now being placed in "The Daily News"?

MR. ROUSSEAU: I see some advertising there, Whether that is significant or not I do not know. Maybe we differ on the term "significant." But as I say, and this is my position, that the Premier would like to reply to that question, He will do so tomorrow. And I will wait for the Premier's response tomorrow.

MR. SPEAKER: The Hon. Member for St. Barbe North.

MR. ROBERTS: A further -

AN HON. MEMBER: Go ahead, Sir.

MR. ROBERTS: Well a further supplementary if I might, Mr. Speaker. Would the minister tell us whether there has been any change in the past few days in the government's practice with respect to advertising in "The Daily News"?

HON. MEMBERS: Inaudible.

MR. ROBERTS: Well, Mr. Speaker, this being the appropriate time I will take note under the late show routine. We will have a look at it on Thursday afternoon, Sir. I shall send the appropriate notice to Your Honour.

MR. SPEAKER: The Hon. Member for Bell Island.

MR. NEARY: Mr. Speaker, I have a question for the Minister of Transportation and Communications. Is the minister aware of the difficulty that is being encountered by motor vehicle owners getting their vehicles inspected, getting appointments to get their vehicles inspected, the delays that are being caused and so forth? If the minister is aware of this does he contemplate an extension of the period in which you have to licence your vehicle this year?

MR. SPEAKER: The Hon. Minister of Transportation and Communications.

MR. ROUSSEAU: No, I am not aware of it. Officials in the Motor Vehicle Registration may or may not be. But I have had a meeting with Mr. Haire this morning, and Mr. Fewer, the Assistant Deputy Minister in charge, and they have assured me that thus far this year we are way ahead of last year's registrations. He indicates that there is no need for an extension in his opinion, and I accept that. Anything that was in the mail by this morning, the 24th. today is, anything in

by this morning are guaranteed to have their licences. The boys went back over the weekend, and voluntarily, and cleared up everything, everything on the books. So all the mail is out, so we have no reason to believe that there would be an extension on the basis of the information we have. And Mr. Haire feels, as I said, this year it is way passed the number of registrations for last year, and he sees no reason for it.

MR. SPEAKER: The Hon. Member for Bell Island.

MR. NEARY: While we are the question of motor vehicles. I wonder if the Minister of Provincial Affairs, Sir, could tell the House whether or not he has yet instructed his Branch of Consumer Affairs to investigate the cost of motor vehicles, especially cars in this Province?

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please!

The Hon. Minister of Provincial Affairs and the Environment.

MR. G. DAWE: Mr. Speaker, the Minister of Corporate and Consumer Affairs in Ottawa has been requested to undertake an investigation into the cost of cars. It was requested by my department, and also by the Member for Bonavista South.

MR. NEARY: I am dissatisfied with that answer, and I wish to debate the matter, Sir, Thursday afternoon during the late show, and I will give it to Your Honour, in writing, in a few moments.

MR. G. DAWE: Mr. Speaker, I would like to give the honourable member notice that I will not be in the House on Thursday.

MR. NEARY: Well, Mr. Speaker, I do not think it really makes any difference if the minister is here or not, Sir, I am still going to debate it on Thursday afternoon.

MR. DAWE: Inaudible.

MR. NEARY: He may wish to delegate his authority to some other minister.

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please! We are ready to proceed with Orders of the Day. Before we do that I would like to mention the point of privilege as raised by the Hon. Member for St. Barbe North

on the opening of the House on Friday morning resulting in a verbal exchange between him, and perhaps the Hon. Member for Hermitage, and the Hon. Member for Placentia East during the Thursday evening sitting of the House. It was late Friday afternoon before I obtained a full transcript of the Thursday night's proceedings, and the points raised by the Hon. the Member for St. Barbe North on Friday morning. I have read both very carefully, I have asked for advise from the Chair, and there are a couple of points that I would like to make. (1) That a point of privilege should be accompanied by a motion. And if a prima facie case has been established then the House itself can proceed to debate that particular motion. The Hon. Member for St. Barbe North requested the Chair to ask the Hon. Member for Placentia East to retract his statement. The Chair does not have that authority, The House itself decides a matter of privilege, if a prima facie case has been established. It is the ruling of the Chair after very careful consideration that the Hon. Member for St. Barbe North did not establish a prima facie case, It is a difference of opinion as to the interpretation of statements made by honourable members. And, of course, since the Hon. Member for Hermitage rose on the same point of privilege, then the same ruling applies to his point of privilege.

HON. MEMBERS: Inaudible.

MR. SPEAKER: Order, please!

ORDERS OF THE DAY

MR. SPEAKER: Order, please!

On motion that the House resolve itself into Committee of the Whole on said bills, Mr. Speaker left the Chair.

COMMITTEE OF THE WHOLE:

MR. CHAIRMAN: Order, please!

SOME HON. MEMBERS: (Inaudible).

MR. CHAIRMAN: Gentlemen!

Before the proceedings on this bill begin, I must ask honourable members to begin the week in a temperate mood, and I detect anything but temperance in the remarks made between honourable members here, and certain gestures made by one honourable member are certainly inappropriate.

To my recollection, we were dealing with clause 16.

The Hon. Minister of Mines and Energy.

MR. BARRY: Yes, Mr. Chairman, I think I just got through explaining that section 16 contained in the initial draft is rendered unnecessary by the rewording of section 15, and the proposed amendment of section 25, and this suggested section 16 is a new section dealing with the definition of a subsidiary of a company, and this definition is, in turn, made necessary by a later amendment to section 17, which sets out in more detail the powers of the corporation with respect to subsidiaries respectively.

MR. ROBERTS: Mr. Chairman, section 16, the amendment which the honourable gentleman proposes in itself is not objectionable. I hasten to say that does not mean that I am saying that it is objectionable in any other context. But I think it has to be read, together with the amendment which the minister or his colleague intends to propose to section 17, because the amendment to section 16, in effect, replaces the old section which had to do, as I recall it, with giving the corporation the power to sell at retail in any point in the Province.

MR. BARRY: (Inaudible).

MR. ROBERTS: Yes, the unamended section says, subject to the rights

of any person existing immediately before the coming into force of this Act, the corporation may sell power at retail in any part of the Province. Well it is proposed to drop that section, and I gather that makes little difference because, as the minister, I think, pointed out on Friday in committee, that power, if indeed it is a necessary power to be spelled out, is included at other points in the bill.

So the new section 16, in effect, gives us an extended definition of subsidiaries which, you know, reads like something out of income tax law, and in itself means nothing until we come to the proposed section 17. Now I realize the difficulty is that at this stage, Your Honour, there have been no amendments proposed to section 17, but we do have copies of them and so forth, and the proposed section 17 or the proposed additions to section 17 include quite a comprehensive list of powers relating to a subsidiary. Now it may be the correct thing to do, Your Honour, would be to pass section 16. I mean there is no reason to object to it. It is a legalistic piece of work. If the lawyers tell us it is necessary, then sobeit and then go on to the amendment of section 17 and debate it. But perhaps the minister in introducing the amendment, or his colleague, whoever will, you know, whoever is to speak to the point, would tell us why the government now propose to add the power to do things for certain subsidiaries.

MR. BARRY: Well, whenever I introduce section (17).

MR. ROBERTS: Whichever you wish. I mean (16) is, by itself, meaningless.

On motion, amendment carried.

On motion, Clause (16) as amended carried.

MR. CHAIRMAN (Stagg): Shall clause 17 -

MR. ROBERTS: Well, I have an amendment, but I think also the honourable gentlemen have a more major amendment. Mine is a fairly simple one to section 17(d) and I have a copy here for Your Honour. Maybe the thing to do is to move this and then we could move the fairly lengthy one which the government have in mind. My amendment, Mr. Chairman is quite simple to amend section (17) by deleting subsection (d) and replacing it with the following words, (d) contract with any person for the purchase of petroleum products, notwithstanding the provisions of an act to ratify an agreement between the government and the Golden Eagle Refining Company of Canada Limited, being act number sixteen of 1960.

Now, Mr. Chairman, if I could speak very briefly in support of this, I raised at second reading stage this point about this particular part of section (17) which, as Your Honour will see in the unamended version, gives the corporation power to purchase petroleum products notwithstanding the provisions of any other act. I said that I objected to it on what I knew about it, that the minister had made no case in support of this principle. Indeed it flew in the face of a principle that the administration had hitherto, with the notable and lamentable lapses of the Dobbin affair and the Trizec affair, that they had adhered to and put forward as being their policy, namely that of public tenders.

The minister, when he spoke in - I am not sure if it was the gentleman from Placentia West or one of his colleagues, but one of the spokesman for the ministry in speaking to the point that I had made about the failure of the government in this important section to comply with the policy, said that

it dealt with the Golden Eagle Act. Now, I doubt if this is the place to go into a disquisition on the Golden Eagle Act and the wisdom or otherwise of it. It is in order and if we want to, let us, but the important point about the Golden Eagle Act is that it does restrict the government's ability to purchase petroleum products. That was what it was intended to do and far as I know, and I have seen it in operation, it certainly does so effect, and if the government decide that these purposes here, they do not want to be bound by it, I think that is a reasonable position.

The corporation, Sir, will be substantial purchasers of petroleum products. I am not concerned so much about the gasoline they will use in their cars and the lubricating oil they will use in their vehicles as I am with the Bunker C that they will be using at the hydro thermal plant over at Holyrood and the other plants which are going to be - I bow to the junior Member from Harbour Main District who rises to the occasion as he so seldom does - and the other thermal plants which the corporation will be bringing into operation in Newfoundland the next few years.

Now, if that is the only objection, that is the only restriction that the administration wish to have removed, then my amendment, I submit, will achieve just that end. The wording of the amendment is quite clear. It will say that the corporation can purchase petroleum where they wish without regard to the Golden Eagle Act. They will, however, the corporation will still be bound by the Public Tenders Act and if we are going to have a meaningful policy in this Province of adhering to the principle of public tenders, providing the contracts of the lowest, reasonable and responsible bidder on any given point, then so be it.

So I would hope the minister will accept this amendment.

It does remove their concern or what they have stated to be their concern. It will still, however, leave the purchase of petroleum products by the corporation subject to the Public Tenders Act. So, I move the amendment hoping it will be accepted.

MR. CHAIRMAN (Stagg): The Minister of Mines and Energy.

HON. L. BARRY: Mr. Chairman, I am afraid that government cannot support the amendment suggested by the Leader of the Opposition because it is unnecessary. It shows an abysmal ignorance of the existing law.

AN HONOURABLE MEMBER: So, what is new?

MR. BARRY: Really, quite frightening to me, it shows a lack of knowledge of the Public Tenders Act.

"An Act Respecting Tenders For Public Works," Public Tender Act, 1974.

AN HONOURABLE MEMBER: Inaudible.

MR. BARRY: I do not know what the loopholes are in it, Mr. Chairman, but there is nothing -

MR. WOODWARD: That is the one the member left -

MR. ROBERTS: Now, hold on now, hold on now.

MR. CHAIRMAN: Order, please!

MR. ROBERTS: "Bill Marshall" has exposed that loophole of course.

MR. CHAIRMAN: Order, please!

Honourable gentlemen to my right are fully aware of the rule, that a member speaking has the right to be heard in silence. The honourable member is speaking to an amendment proposed by the honourable the Leader of the Opposition. Other honourable members have the right to be heard in their turn.

MR. BARRY: Mr. Chairman, I will say that if there is any loophole in the Public Tenders Act, I have not seen any legislation emanating from the other side of the House to correct it, nor, Mr. Chairman, did I see legislation to enact the original act.

MR. CHAIRMAN: Order, please!

MR. BARRY: When the previous crowd were in power.

MR. CHAIRMAN: Order, please! Order, please!

It appears as if the irrelevancies introduced into the debate by members to my right are compounded now by the honourable Minister of Mines and Energy. I suggest that they might deal with the proposed amendment.

MR. BARRY: As I was saying, Mr. Chairman, if there are loopholes in the Public Tenders Act, I will expect to see some suggested amendments

MR. ROBERTS: You have to give him credit for persistence, have you not?

MR. BARRY: - from the honourable members opposite which I have yet to see.

Mr. Chairman, the section in the act is quite plain. There is absolutely no ambiguity whatsoever with respect to the section. It says that notwithstanding any other act, the corporation shall have the power to purchase petroleum products from any person whatsoever. The

corporation may contract with any person, person including corporation, for the purchase of petroleum products notwithstanding the provisions of any other act.

Mr. Chairman, this in no way changes the law with respect to the application of the Public Tenders Act to the Newfoundland existing Power Corporation or the new Newfoundland and Labrador Hydro-Electric Corporation. For that reason the amendment suggested by the Leader of the Opposition is totally unnecessary and cannot be supported by government.

MR. ROBERTS: Mr. Chairman, if I may again, Sir. Of all the nonsensical speeches I have ever heard made, that one took the cake, Sir. The minister, if I heard him correctly, and I can only assume he was saying it with tongue in cheek and had to because the powers that be have overruled him and decided that this shall stay in, said, he read the section as unamended which says - he read it more or less correctly - he said the corporation may contract with any person for the purchase of petroleum products, notwithstanding the provisions of any other act. In other words, the corporation, Your Honour, may go and buy petroleum products, a fairly broad category of products, one on which the corporation will expend \$10 million, \$20 million or \$30 million a year from now on, a lot of money, they may go and purchase these, notwithstanding the provisions of any other act. Now, those words are as clear as words can be.

Then the minister says, but of course the Public Tender Act still applies. Well, what nonsense.

MR. BARRY: I did not say that.

MR. ROBERTS: The Public Tender Act - the main reason that that section is in there is that the - no, I quoted the minister correctly.

MR. BARRY: You did not quote me correctly.

MR. ROBERTS: I quoted the minister. I searched the transcript. I listened with great care.

MR. BARRY: I said it did not change the law with respect to the application of the Public Tenders Act to crown corporations -

MR. ROBERTS: No. The Public Tenders Act applies, except it no longer applies if this goes through, to the purchase of petroleum products.

Mr. Chairman, the minister's knowledge of law he parades time and time again - you know, with all due respect to his law school, he may find they are trying to take back his degree with that sort of argument.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Yes. Where is Mr. Cabot Martin now that we need him? He is in Geneva. He should be here advising the minister. It says, notwithstanding the provisions of any other act. Now, that obviously, Your Honour, includes the Public Tenders Act. It includes every act on the books. It includes the House of Assembly Act. It includes the Bee Keepers Act which we do not have in Newfoundland but which is one all the law students - it includes the Dog Act. It includes a bill, "A1 Act To

MR. ROBERTS: Incorporate the Newfoundland and Labrador Housing Corporation, "it includes every piece of legislation that is currently in effect in Newfoundland, possibly several hundred acts, notwithstanding the provisions of any other act. So they are to be wiped out.

In other words, Mr. Chairman, the only purpose of this is to wipe out other acts, including the Public Tender Act. Now my amendment will bring back the Public Tender Act, it will bring back every act with the exception of the one which the minister said was the reason for this language being brought in, namely The Golden Eagle Act.

All right, I accept the minister's point. I take him at his word. I believe him when he says The Golden Eagle Act will be an unnecessary and an improper incumbrance upon the corporation, that the corporation should not have to adhere to The Golden Eagle Act when they come to purchase petroleum products. I accept that, and the amendment which I moved was carefully drafted by leading council in the Province and not by me, I hasten to add, by leading council in the Province, gentlemen who may, one never knows, ascend to higher heights than the Minister of Mines and Energy can even contemplate, let alone aspire to, drafted for the sole purpose of insuring that the only act that did not apply to the corporation in the purchase of petroleum products was The Public Tenders Act. Now what could be clearer than that?

The minister on the other hand gets up and he says the words are clear and he reads the words out and then he says of course The Public Tenders Act still applies. Mr. Chairman, if this section is passed unaltered, the Public Tenders Act will not apply, neither will The Dog Act, the Fishing Industry Collective Bargaining Act, the Department of Health Act, you know, any other act Your Honour can care to name or that anybody cares to name, including The Public Tenders Act. So I ask the minister again, either to accept the amendment which after all does what he said he wanted to do in this part or

give the committee some good reason why we should waive all the legislation, I do not mind waiving The Dog Act in respect to the purchase of petroleum products and I would not be particularly upset if a bill, an act to incorporate a company to build a building to be known as Confederation Building were waived with respect to the purchase of petroleum products, but I do mind waiving the Public Tenders Act because I can see a little sweetheart deal coming up for thousands and thousands and more thousands of barrels of petroleum products, and you do not need to tender it.

The corporation, Sir, and after all the corporation is but the creature of the government, the members of the corporation hold office by virtue of the government and at the government's pleasure. They are paid the amount of money the government say they are to be paid.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: The member for Bonavista South is living in the past. At least, Sir, he should look at living in the past, he has no future. If these things were wrong in the past, and maybe many things were wrong in the past, one of the reasons why we have The Public Tenders Act so-called, is to prevent these things happening again, not that they have. We would have had the Dobbin deal if the gentleman from St. John's East had not had the courage to leave the Cabinet, expose the nefarious and rotten mess of that particular lease.

AN HON. MEMBER: Order, order, order, Mr. Speaker.

MR. ROBERTS: Am I out of order? I thought the former minister was very much in order on that point. We would have been saddled with a \$9 million contract. Well, Sir, we could be saddled with this here. The minister has given no reason. He is obfuscating in the extreme. He is not even rising to his normal level of nit picking. All he is doing is getting up and blandly saying we cannot accept it and then launching into an ad hominem attack on me. Well that is fine. Let him attack me if he wishes. If he gets his jollies by that, fine. But let him at the same time deal with the arguments on a substantial basis.

The amendment which I propose would exempt The Golden Eagle Act. Now the minister is in trouble. He is now going to get, I predict, his ally, the fireman -

MR. BARRY: My mentors.

MR. ROBERTS: Mentor, yes, if the minister in fact is an intellectual camp follower, we are now going to get the camp which he is following. I have made my point. I now call upon the camp to speak for the camp follower.

MR. DOODY: How could he refuse?

HON. J. CROSBIE, Minister of Fisheries: Mr. Chairman, we do not want to give the Leader of the Opposition any greater importance than he deserves, and that is minimal, but really, Mr. Speaker, we are not taking our legal advice from the Leader of the Opposition. He has never practiced law. So, number one, we are not going to take our legal advice from him and we have a Department of Justice with eminent draftsmen in that department of Justice and they advise the government on what the law is and what the law should be interpreted to mean and they give the best advice they can. The judge may some day hold it different, may hold that there is a different interpretation. This clause (d) now in the present legislation is required because there was an agreement entered into with Golden Eagle some years ago by the previous administration which gave them a monopoly on all oil sold to the Government of Newfoundland or any of its agencies. It gave

them a monopoly if they established this refinery in Holyrood. Now that arrangement may or may not have been a wise one in the beginning, but it certainly has not been wise for the last two or three years when the price of oil started to skyrocket, and it was very desirable to see where you could get lower prices of oil. Now this amendment says that you no longer have to contract with any specific person for the purchase of petroleum products, notwithstanding the provisions of any other act, and the only other act referred to is The Golden Eagle Act. The Public Tenders Act applies to the Power Commission, and it is not eliminated by this subsection. We are advised that The Public Tenders Act, our legal advise is that The Public Tenders Act is not affected by subsection (d) of section 17. And since that is our advice, we have no intention in changing the subsection drafted by our draftsmen. The Public Tenders Act will apply in the full rigor of every one of its sections. Every one of its sections will apply to the Newfoundland and Labrador Hydro Electricity Authority. This subsection (d) of section 17 does not affect that in the least. Therefore, we see no reason to accept the rewording of the clause prepared by the Leader of the Opposition, no matter who his counsel are, because we have every confidence in the counsel that are now advising the Government of Newfoundland in the drafting of legislation and, therefore, we cannot accept the amendment that is being suggested by the Leader of the Opposition. If we did it would be a reflection, it would be casting a reflection on the competence of our own draftsmen in the Department of Justice, who tell us that this does not affect in one particular, in one comma, or semicolon, does this affect The Public Tenders Act, which applies to the Newfoundland and Labrador Hydro Electricity Authority anyway.

What it does is make legitimate, and the same clause was passed in this House last June, is make legitimate the fact that over the last two or three years, since this administration took power, Mr. Chairman, the Power Commission has called tenders for gasoline, fuel

and oil products, that they have ignored the Golden Eagle Act, and that they have called on all the oil companies to submit bids, and they have awarded it to the lowest tender. This means that that practice will continue in the future.

SOME HON. MEMBERS: Hear! Hear!

MR. ROBERTS: Mr. Chairman, I thank the honourable gentleman because at least he has produced what purports to be arguments of some substance, unlike his junior colleague.

Now let me try to deal with them, Sir. I assume it is not in order to debate The Golden Eagle Act, and I do not propose to do so but it might be worth pointing out, Your Honour, that The Golden Act does not give any company a monopoly of the right to sell oil to the government. What it does do is give them the right to sell oil to the government at a competitive price, and there is a world of difference between the two. The price, I do not know, is defined at some length. I think it is called the posted tank car price or some such thing, and there is quite an extensive formula set forth in that legislation.

AN HON. MEMBER: It is futile for anybody else to bid against them.

MR. ROBERTS: Well, it is futile for anybody else to bid against them if Golden Eagle are prepared to be competitive. If they are not competitive, then it is not only not futile for somebody to bid against Golden Eagle, it is eminently desirable for people to bid against Golden Eagle. I have no brief for the Golden Eagle Company. They were given that incentive to come in and to build the refinery at Holyrood, and they built the refinery at Holyrood, which has been a great boon, I suggest, to that portion of the district represented by the gentleman, the junior member from Harbour Main. What does the refinery employ? I think there are 300 or 400 people up there and according to the advertisements I hear on the radio early in the morning on the VOGM news, 2,200 or something around Newfoundland, people who work at Golden Eagle, but that is not the point of this.

I just wanted to deal with the red herring put up by the honourable gentleman's mentor. I wonder if they could keep it down to a dull roar in the corridors? The Minister of Education speaks more loudly outside the House than he does in it, and I hope he makes more sense.

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: I thank the honourable gentleman. He has served us nobly. The

Minister of Fisheries attempted what for him, even for him, especially for him, is a new high of double talk. Indeed, it was double, double talk.

Your Honour, I am sure, is familiar with that book called "The Double Helix" or perhaps pronounced healix depending on whether Your Honour subscribes to the 'hell' school of thought or the 'heal' school of thought, but "The Double Helix" or 'healix,' which had to do with genetics and thus is quite irrelevant to anybody in this House, but Mr. Chairman, -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Yes, DNA not BNA - I would not attempt to pronounce DNA - the minister might be able to, but it is "The Double Helix" or 'healix.'

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Is the minister a helix or a healix? The minister is a healix. Is he tomato or tomato? The healix school, the minister is in the healix school and there are those who say he should be in another school, but that is not parliamentary.

In any event, Mr. Chairman, the minister's contribution to the debate, the Minister of Fisheries, is even more conglutinate than a double helix or helix, no matter which one prefers. He got up and he said that we want to be out from under the Golden Eagle Act. Well, I mean that is common ground. There is no argument from anybody on this side about being out from under the Golden Eagle - I do not even use Golden Eagle gas in my car. I mean, that is how concerned I am with Golden Eagle.

SOME HONOURABLE MEMBER: Shame! Shame!

MR. ROBERTS: What do you mean? What do you mean, shame? Honourable gentlemen do not know it is all the same anyway. All the gas is the same.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: No, but it is all the same to the people in my district who work in other oil companies. You see, -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Yes, the people in Northeast Crouse, fine people, fine people. I buy Golden Eagle, the no lead stuff is useful on occasion but nobody here is concerned with Golden Eagle. What we are concerned with is insuring that the power corporation abide by the Public Tenders Act.

Now, the words of the -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: The gentleman from Harbour Grace is asking what type of gas I use, Sir. I am not nearly as gassy as the honourable gentleman opposite. Now, Mr. Chairman, he has been banished, he has been banished to that Siberia next to the gentleman from Burgeo.

MR. EVANS: You are full of carbon dioxide.

MR. ROBERTS: I would rather be full of carbon dioxide than what the honourable gentleman is full of, Mr. Chairman.

Now, Mr. Chairman, to come back to the Golden Eagle and section 17(d). The Minister of Fisheries says that the Public Tenders Act applies. The act itself, the section itself we are debating here clearly says, notwithstanding the provisions of any other act. Now, I do not care whether I have practiced law or not, whether I have ever filled in the blanks on mortgages or all the things that lawyers down town do, or dreamed up tax exempt corporations as the honourable gentleman opposite did when he was briefly in the herring business before going into the building business. If that makes me a great lawyer, then I am not a great lawyer, but one does not have to be a great lawyer or even a lawyer, I would suggest, Mr. Chairman, to see that the words, notwithstanding the provisions of any other act mean the Public Tenders Act no longer applies.

Now, the Minister of Fisheries said, Oh, we had the draftsmen in the department tell us this and we have confidence in them and faith in them. I say to the minister that I do not believe him. I do not believe that there is any advice from any solicitor employed by this government as a draftsman or in any other capacity saying that this section is necessary in this form. I say that without any fear of contradiction or hesitation. I may be contradicted but not with any validity, Mr. Chairman.

If the minister has any such advice - now, the Crown are not responsible for tabling the legal advice they receive from their legal advisors, nor should they be, but there is nothing saying that they cannot do if they want to and I say to the minister that there is no such advice, that he is making this up on the spot to try to bolster a weak case. Now, if the minister really wants the Public Tenders Act to apply to the purchase of ten or twenty or thirty or forty, fifty million dollars worth of petroleum products each year, those words must be changed because if those words stand as they are, Sir, if those words stand as they are in section 17(d) without amendment, it means that the Public Tenders Act does not apply. It can mean nothing else. That is what the words say, notwithstanding the provisions of any other act and I challenge the minister or I challenge his camp follower or I challenge any honourable gentleman, be he honourable or learned or both, to

produce any opinion from any solicitor or any draftsman or any member of the bar in this province, to say that the words, notwithstanding the provision of any other act, mean that the Public Tenders Act still applies to the contract with any person for the purchase of petroleum products, I challenge him now.

MR. CROSBIE: Mr. Chairman, if I might speak, just to address myself, I am not going to accept any red herring. The inference of the honourable gentleman's remarks is that I am a liar. That is the clear inference of what he just said, that I said, and I repeat, that lawyers acting for the government have advised us that this section does not preclude the application of the Public Tendering Act to the Newfoundland and Labrador Hydro-Electric Authority, that it still applies to the Newfoundland and Labrador Hydro-Electricity Authority with subsection (d) of section (17) in the legislation. That is what we have been advised.

Now, the honourable gentleman appeared to be doubting my word, but he went on with other words and indicated that he was not saying that we did not have that advise. He went on to something else. Now, just let me say, Mr. Chairman, whatever impression he is attempting to give, that the honourable gentleman is saying that we have not got that advise, I can only say that is up to him. He can believe or not believe what I have stated.

I state again, that our legal advise is that subsection (d) of section (17) does not have anything to do with the application of the Public Tenders Act to this authority. It does apply despite that subsection being in it. Therefore, we are not going to accept his amendment. It is unnecessary. His attempts to pretend that this is a false statement and so on, I am not going to get excited about. That is all you can expect from him.

MR. BARRY: Mr. Chairman, the honourable Leader of the Opposition referred to a very appropriate work here today as well. The book, "The Double Helix", Mr. Chairman, which was authored by a Dr. Watson and another doctor at Cambridge, I think it was - the work they are doing with this experiment resulted in a Nobel Prize, Mr. Chairman. But the fantastic thing that I found about that particular book and that

experiment, they were involved in trying to get the molecular structure for DNA, Mr. Chairman, one of the fundamental building blocks of the human tissue, the human body. Mr. Chairman, there were almost an infinite number of combinations that they could use. They actually had building blocks. You have seen the pictures of molecules, Mr. Chairman. They had little balls and little sticks and they actually sat down and started to put together different models. They would get a theory and then they would try and put it together.

Mr. Chairman, there was an infinite number of combinations that these little blocks could be put into. They proceeded on a very basic assumption and a very, Mr. Chairman, brilliant and beautiful, in my opinion, premise that as they started to build these things, if it looked complicated or if it looked ugly, discard it because nature, the basic principles of nature are simple and beautiful. They are not complicated and ugly.

Mr. Chairman, they did that and they started putting together these little blocks and formed molecules. Whenever they would start, and after a few pieces were put together, they would see that it was becoming complicated or becoming ugly, they would discard it. In that way, Mr. Chairman, they saved countless hours, years, I suppose, lifetimes, Mr. Chairman. We probably still would not have had the structure of the DNA molecule discovered if they had not proceeded on that premise.

Mr. Chairman, the honourable Leader of the Opposition is attempting to put history back thousands of years because he is proceeding on the assumption, whenever he stands up, that you try and complicate matters and you try and make matters as ugly as possible, just the complete opposite, Mr. Chairman, of the premise that these brilliant Nobel Prize winners proceeded on, these brilliant men who made fantastic contributions, not just to their particular area of scientific endeavor but to mankind, Mr. Chairman. They proceeded on the assumption, keep it simple, keep it beautiful. The Leader of the Opposition proceeds on the assumption, complicated

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and keep it ugly.

Now, Mr. Chairman, I do not care how much the honourable Leader of the Opposition attempts to complicate this issue, this particular section of the act. I do not care how ugly he gets in his innuendos and his insinuations. Mr. Chairman, the simple fact is and remains that

this section - and I do not have to go to the advice of any officers of the law, Mr. Chairman, or any law officers of the Crown in order to form my conclusions about this section. I can read it. I can read the Public Tenders Act. And I can say, and I can also say that I am supported by the law officers of the Crown, if that is necessary. I can say in reading this Act, and in reading the Public Tenders Act, and in reading Section 17(d) that this does not, Mr. Chairman, interfere with the application of the Public Tenders Act to the Newfoundland and Labrador Hydro Electric Corporation. That because of this the amendment proposed by the Leader of the Opposition is unnecessary, is irrelevant. I can understand why he wants to have some input into this Act, Mr. Chairman. I can understand that he does not have any contribution to make in the energy field except these red herring.

But, Mr. Chairman, please let us not have him expect the government to cater to his whims and to support these irrelevant, unnecessary amendments that he is proposing. We will not do it, Mr. Chairman.

MR. ROBERTS: Mr. Chairman, I will ignore - really, ignorance is the only way to treat the honourable gentleman, and treat him in kind, I will ignore the ad hominem attacks, they speak for themselves. And if it makes the honourable, and if the honourable member gets the jollies then let him jolly on.

But let me deal with what apparently is the only argument of substance the honourable gentleman opposite has been able to come up with. The Minister of Fisheries used some very precise words which I will accept. He said that this amendment, I am sorry, this Section 17 (d) as unamended does not preclude the Public Tenders Act. Well I accept those words, I agree with them. Of course, they do not preclude it. If the administration wish to follow it, they do not even need a Public Tenders Act, period. You know, a Public Tenders Act is only needed to bind an administration that chooses not to follow it. I mean, that is simple. But I agree with the minister, He very carefully

chose his word, his words in his legal-like way. It does preclude the Public Tenders Act. There is nothing in Section 17(b) as unamended that would in any way prevent the government from calling Public Tenders if they wished.

But equally, Mr. Chairman, there is nothing which would make them call public tenders. This is an important distinction. The government purchased for the Corporation millions and millions of dollars worth of petroleum products in a year. I have no idea what they will be, how much they will be, but it is at least four times what it was three or four years ago because the price of oil has gone up by a four times factor in the last two or three years. And if the bill was \$10 million two or three years ago, to run the plant at Duff's - Duff's Siding out in Holyrood, the big thermo plant - then it would be \$40 million this year. I do not know how much it is, but it does not matter. It is obviously many million. And there is no immediate prospect that it will ever decrease because the Arabs who control such a large portion of the OPEC organization which is mainly, but not entirely Arab, and these people control such a large portion of the oil supplies used by the Western World, these people obviously have no intention, and understandably so, of lowering the price they charge for their product, for their oil.

So here we are, we are on the hook for millions of dollars. Neither the Hon. the Minister of Fisheries nor his honourable colleague the camp follower, neither of these gentlemen had succeeded in making any substantive argument. Both of them seemed, if we may continue on our literary kick, Mr. Chairman - Is Your Honour about to do something? Your Honour is just going to sit there. Very well - if we may continue on with our literary allusions, honourable gentlemen opposite have picked up my "Double Helix" analogy. I am glad to know that the honourable gentleman for Placentia West - there, thought I say it again, did you not, Sir? - the honourable gentleman for Placentia West has read that book, a very useful book. He has obviously also read "Alice In Wonderland", Sir, where Lewis Carroll -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: it was not his real name, but his pen name, I forget

the reverend gentleman's correct name, but Lewis Carroll was the name on the book. Louis Carroll said, or had one of his characters in "Alice In Wonderland" - Your Honour may not have read "Alice In Wonderland". I am not aware of any point in Your Honour's career was exposed to "Alice" or to "Alice in Wonderland".

Well, in any event, at some point in "Alice in Wonderland" one of the characters says, I believe it was the Queen of hearts, but in any event, one of the characters in that excellent little fable said, a word means exactly what I say it means, no more and no less. Well, that is the only defense which the gentleman from Placentia West and the Minister of Fisheries have been able to mount, the only defense. They say that the law officers of the Crown have advised them that these words do not take the purchase of petroleum products out from under the ambit of the Public Tenders Act. But what do the words do if they do not do that, Sir? They also take it out from under the Dog Act, the Fishing Vessels Bounty Act, the Election Act, the Legislative Disabilities Act and any other statute. Of course they do.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Any act, any act that any honourable member can care to name because the words say, notwithstanding the provisions of any other act. Now, the Minister of Fisheries with his usual and unwanted arrogance says that he will not table any results or any opinions. All right, but his acts speak for themselves. I cannot say the honourable gentleman is not telling the truth and I do not say that, but I will say, Sir, that his refusal to table any advice speaks for itself. I say, Sir, that if this section is passed and this amendment is not accepted, that the government obviously intends not to follow the Public Tenders Act with respect to the purchase of petroleum products and I say, Sir, that their refusal is obvious, evident and apparant. Why they have refused, why they take this course of action, I do not know. I can imagine and I am sure other people will imagine for me and I am sure in due course, other people will tell me why the government have chosen to take this multi-million dollar expenditure out from under the Public Tenders Act.

My amendment, Sir, would remove the strictures of the one act they say they fear. If it is not legally full or legally complete it would be not difficult for one of the many learned gentlemen who sit on the other side to find some words to achieve the end, but the administration's refusal to accept the amendment means, Sir, that it is specious nonsense to say that the reason we are at this is because we do not want to observe the Golden Eagle Act. It is obvious, Sir, that the reason they are at it is to get away from the Public Tenders Act. It does not matter what words they use. They are just being like Alice in Wonderland, words mean exactly what they say they mean and the ministers are severally and jointly trying to pretend that the words, notwithstanding the provisions of any other act, do not have the effect *inter alia*, but do not have the effect of saying that the government do not have to follow the Public Tenders Act.

They could follow it if they wish but they are not made to and that is a change in policy and all the words used do not explain it, do not defend it and above all, do not justify it. I would again urge the amendment to be adopted, Sir.

MR. BARRY: I did wonder for a time how it was that the honourable the Leader of the Opposition could develop red herrings to the extent that he at times got a little press and got a little reaction in this honourable House, but I see now that it is his reliance on Lewis Carroll and I must say that that is a very useful technique, Mr. Chairman. If I could just briefly, without unduely delaying the House, just give another quotation from Lewis Carroll, Mr. Chairman, that sort of epitomizes and symbolizes the approach which the honourable the Leader of the Opposition takes. Lewis Carroll also said in one of his novels, I am not sure if it was "Through the

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Looking Glass," I think it probably was - he said,

"'Twas brillig, and the slithy toves/
Did gyre and gimble in the wabe;"

AN HON. MEMBER: - it is called "Jabberwocky".

MR. BARRY: Mr. Chairman, it is nice, it is poetic, high sounding language, Mr. Chairman. It almost makes sense, but when you get right down, Mr. Chairman, when you analyze it, you find that it does not mean anything. Now, I think we have struck upon something here today.

We have seen, Mr. Chairman, where the Leader of the Opposition has developed his technique. It is Lewis Carroll. And it is his technique of sounding poetic, picturesque. But succumbing to analysis, Mr. Chairman, succumbing to analysis, when you get down and analyze what was said, you find it was nothing. Now, Mr. Chairman, I do not mean to belabour this point.

I will just say that I repeat that section 17 (d) of the proposed bill does not interfere in anyway with the application of The Public Tender Act, 1974 to the Newfoundland and Labrador Hydro Electric Corporation.

MR. ROBERTS: Mr. Chairman, there is no point going over the ground again, but I think it should be noted that the Minister of Mines and Energy has once again failed completely to defend his position or to make any defense on the merits. He seems to have had a nasty weekend. He possibly has heard of the uprising that is coming on the Burin Peninsula, the coming events casting their shadows before them. But, Mr. Chairman, the fact remains that the administration, by refusing to amend this section - they can twist and turn and distort and slip and slither all they wish - that the administration, Sir, are junking The Public Tenders Act when it comes to the purchase of petroleum products by the corporation. It should be noted that this is not anything minor. This is millions of dollars a year. Maybe they will use public tenders, I do not know. If they do, it will be by their choice and not by direction of this House. I think that is wrong, and I can only regret that the administration have chosen to do this and once again thrown out that principle they used to talk about of following public tenders and always protecting the public interest.

It is obvious, Sir, that their desire, if ever it was there, has been dismissed and that their performance now is a sham as well as a shambles.

MR. CHAIRMAN: Is the committee ready for the question?

Those in favour of the amendment "aye." Those opposed "nay."

MR. ROBERTS: I wonder could we have a standing vote on that?

I realize the Premier does not often come in the House but for once he has done the right thing.

MR. MOORES: I was not up in Ottawa like you were last week.

MR. ROBERTS: That is right. I got more done than you did.

MR. MOORES: That is what you think.

MR. CHAIRMAN: Order, please!

MR. ROBERTS: (Inaudible).

MR. MOORES: (Inaudible).

MR. ROBERTS: Do you want to try it? Do you want to try it?

MR. MOORES: (Inaudible).

MR. CHAIRMAN: Order, please!

SOME HON. MEMBERS: (Inaudible).

MR. CHAIRMAN: Order, please!

There is to be no debate during a question.

However honourable members do not seem to care too much about that. In my opinion -

MR. ROBERTS: Is Your Honour implying -

MR. CHAIRMAN: - the nays have it.

MR. ROBERTS: Should it not be noted that the "ayes" included the Premier?

MR. MOORES: Yes

MR. CROSBIE: It shows that the democracy is running right over here.

Mr. Speaker, I would like to move an amendment to subsection (1) of section 17, which would delete the present subsection (1) and replace it with an amendment. Copies have been passed around, particularly to the Opposition. This would provide that the Hydro Authority could lend monies to a subsidiary of the Hydro Authority or could guarantee the repayment by a subsidiary of monies advanced to the subsidiary by a lender or guarantee the performance by a subsidiary of obligations of the subsidiary and that the subsidiary can carry on business incidental to the carrying out of the objects referred to for the Hydro Authority and so on.

Now the purpose, as I understand it, the Minister of Energy can correct me if I am wrong, for the amendment is to provide for the fact - the lawyers advise us that this is needed because if the Gull Island project proceeds, for example, it will be proceeding through the Gull Island Corporation, which would be a subsidiary of the Newfoundland and Labrador Hydro Authority, and CFLCo would be a subsidiary of the Authority.

MR. ROBERTS: (Inaudible).

MR. CROSBIE: Right. There are always plots on. So the purpose of this amendment is to deal with the question of subsidiaries, and these subsidiaries would be CFLCo or the Gull Island Corporation.

MR. ROBERTS: Mr. Chairman, we have no objection to that. As I say, the minister and I were in Ottawa together last week plotting. We have quite a little plot underway, and we had quite a fine time at it. The only problem is that the minister went first class on the Government of the Province, and I went economy class on a private non-charitable educational institution.

The amendment itself is a straightforward as anything along these lines can be. It should just be noted that it is an extension of the power. This Corporation is being granted very extraordinary powers. We will have more to say about that at a later and more appropriate time. This just gives them further

extraordinary powers but if they are necessary to do the job, we are prepared to go along with it.

MR. CROSBIE: One other suggested amendment which would be a new subclause (3) of section (17) and the present subclause (3) would become subclause (4). Copies have been handed around. This would limit the power of the authority to purchase or hold shares in another company. It would provide that except for the prior approval of the Lieutenant-Governor in Council, the Hydro-Authority cannot organize or maintain a subsidiary or buy shares in any other company without the approval of government. There is an amendment in line six of the new subclause (4) where it says now, if no shares are issued, pursuant to section (25) of this action, it should now be section (24), the sixth line of subclause (4).

On motion, amendment carried.

MR. CHAIRMAN (Stagg): Shall Clause (17) as amended carry?

MR. ROBERTS: Your Honour, I wonder if I may move that a new section be inserted to be known as Section (17)A. I have a copy here for Your Honour. Some time ago I sent copies to the honourable gentleman from Placentia West, so he is not unaware of this. The section quite simply, Your Honour, reads as follows, to add a new section to be known as (17)A, notwithstanding anything in this act, an act respecting tenders for public work, being number (68) of 1974 shall apply to any purchases made or contracts entered into by the corporation. I think it speaks for itself, Sir. There should be no debate on it. It could be said that it is superfluous but that could not be said, Sir, that could not be said with any real meaning or conviction. There is a very real question as to whether or not that act applies. If honourable gentlemen opposite are as strong in their view that it does apply, let them adopt this amendment and that will resolve the matter once and for all.

MR. CHAIRMAN (STAGG): The Minister of Mines and Energy.

MR. BARRY: Mr. Chairman, I am glad to see that the honourable Leader of the Opposition himself indicated before I had to, was that this amendment is another one that is superfluous. It is unnecessary. It will do nothing, Mr. Chairman, except give the Leader of the Opposition the opportunity to make a point, to say that he has had some input into this Act or into the energy policy of government, Mr. Chairman, when he has not made any contribution. Here again, the amendment proposed, Mr. Chairman, will not in any way change the existing law and it is therefore unnecessary.

MR. ROBERTS: Mr. Chairman, I regret that the minister - I do not regret that he once again choses to make a personal attack. That is his only line of defense these days and again that speaks for itself. It is obvious that he has no faith in what he is saying and no belief in the merits of his case.

So, I do not think we need a long argument on it although if you want to have one, let us, but let it stand for the record Sir, that the Public Tenders Act does not apply to all portions of the dealings of the Corporation. The government obviously intended it shall not apply. That is their design, their intention and their action and if they reject this amendment, apparently they will and I am somewhat disappointed but not altogether surprised, if they do this, if they reject this amendment it will be obvious they do not want the Public Tenders Act to apply. It will be quite obvious it does not apply and people of Newfoundland and Labrador will have to draw their own conclusions as to why not.

MR. CHAIRMAN (Stagg): Shall the amendment carry? Those in favour "aye", those against "nay", In my opinion the "nays" have it.

On motion, amendment carried.

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On motion, Clauses 18 through 23 carried.

MR. ROBERTS: Your Honour, if the honourable gentleman opposite wishes to move that this clause be deleted, I wish to move an amendment that it be deleted and be replaced with a new clause. Again, I look to Your Honour for guidance.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Yes, you want to delete it, do you not?

MR. CROSBIE: Yes.

MR. ROBERTS: Well, let us delete it. Then I have a new one to -

MR. CROSBIE: That is right. You want to move another - Mr. Chairman, then I would move that section (24) of the present act which has to do with no actions or proceedings by way of injunction, mandamus, prohibition and so on would be prohibited, that that question was brought up on Second Reading as to whether this might effect Indian or Eskimo claims and so on. In our view, it had no effect, but in any event, we have agreed to take it out and I therefore move that section (24) of the bill be deleted and if the committee accepts that of course this will mean that the rest of clauses of the act will have to be - the numbering would have to be changed. For example, 25 will become 24 and so on.

MR. ROBERTS: Inaudible.

MR. CROSBIE: Yes, there is a new 25 in - yes - we catch up again after that, yes.

On motion, amendment carried.

MR. ROBERTS: Your Honour, if it is in order, I would now move a new section (24). The piece of paper which I sent up to Your Honour, you know, was drafted on the assumption that 24 would not be dropped. So, the amendment will be - it does not change substantially. It will read as follows: Nothing in this act shall in any way limit or abridge any right which any person possessed immediately before the passage of this act, to seek any remedy by way of injunction, mandamus, prohibition or other restraining process or proceedings of any nature in respect of any proposal or action by the Corporation which has or may have the effect of harming or causing damage to any right or property interest owned by any such person.

It largely speaks for itself, Your Honour, but in a very few words what it has is that any right which any citizen of Newfoundland has today before this act becomes law will continue

in effect. It does not create any new rights but it just makes sure and certain that this House does not take away the rights of any citizen of this Province, whatever those rights may be at this time. It does not say what the rights are. It does not create any new rights. It merely lays it down that the present rights, whatever they are, and that is largely up to the courts to determine, that those rights continue without impairment and with out abridgement.

MR. CHAIRMAN (Stagg): The Minister of Mines and Energy.

MR. BARRY: Mr. Speaker, I think it must be some time since the Leader of the Opposition has read his amendment or else I am hearing him wrong because as I read it, this amendment contemplates section (24) remaining in.

MR. ROBERTS: No, I -

MR. BARRY: If section (24) is deleted -

MR. ROBERTS: (First part inaudible) when I introduced it, if the minister had been listening.

MR. BARRY: As I said -

MR. ROBERTS: When I introduced it, I said the amendment was drafted on the assumption that (24) would be in. It was subsequently announced that it would be out and if the gentleman had listened to the amendment, I said it is a new section (24) standing on its own. It reads nothing in this act shall in any way limit.

MR. BARRY: Mr. Chairman, again it is an unnecessary section. It does not do anything to change the existing law. Section (24) has been deleted and this section, like the others proposed and for the life of me I do not understand why we are engaged in this exercise. Again, I have to submit, Mr. Speaker, it must be that these are the only amendments that the honourable members opposite can come up with but they are amendments which do nothing to change the existing law. Whether this is enacted, whether this

goes in the bill or whether it does not go into the bill does not change the law one iota, not a jot, not a tittle, not an iota.

Now, Mr. Chairman, does this honourable committee have nothing better to do with its time than to pass unnecessary amendments? Does the Opposition have nothing better to do with its time than to propose unnecessary amendments, amendments which will not, in any way, in any way, change the existing law? I do not understand it, Mr. Chairman. What is going on?

MR. ROBERTS: Mr. Chairman, I can do nothing about the minister's inability to understand. That is his problem, but I regret, I am not surprised, that the honourable gentlemen reject the amendments. I have a yaffle yet to come and I predict, really, with quite a degree of certainty that the administration will reject them all. I think they have made up their minds on that and that is fine. I shall

MR. ROBERTS: move them assuming they are in order and if they are not in order Your Honour will out order them. But once again they have shown their arrogant contempt. There are a number of sections throughout this act which affect existing rights and again the government obviously intend to force them through. We can debate it at any length one wants, Your Honour, but the principle is quite simple, The principle we stand for is that the rights our citizens now enjoy should be unimpaired. The principle on which the honourable gentleman stands is that whether they are unimpaired or not he is going to put his bill through without amendment.

Well, he has the majority to his back for these purposes but it is wrong, it is wrong of him, it is small of him and I regret very much that he has taken this attitude. I had genuinely hoped, against experience, but I had genuinely hoped the minister, with what may well be his last significant act in public life, was going to adopt a proper and an understanding and a reasonable and a moderate attitude but instead, Sir, he insists upon feeling that everything is rather superfluous or irrelevant. He gives no reasons of substance. The fact remains that the rights of our citizens are something which should be treated with tender regard. The administration propose to affect those rights and now they will not even allow a simple statement of fact which they say is their policy. But has Your Honour noticed how often this administration states something to be a policy and then when the crunch comes and they have the opportunity to put it into action they back off? Well, here is just one more example where an alleged policy turns out to be just that, an alleged policy and no more else, nothing else.

I am sorry the minister is taking this attitude but he is wrong. He is wrong as can be and in due course he will have to answer for it.

On motion amendment carried.

MR. ROBERTS: Your Honour, may I try again to move a new section? I have one here, Mr. Chairman on a bit of paper for the minister's benefit.

It was headed (24) A. I want to be sure the minister understands these important points because generally speaking that is all he is able to understand. The section would say simply, Sir, it could be the new section (24) because at present we have no section (24), nothing in this act shall be taken in any way to affect any right or interest owned by any Indian or Eskimo resident of the province.

Again, Sir, it does not create any new rights. It does not state what rights are. It merely says that whatever rights exist as of this moment in time continue to exist. Again, Sir, the government have said their policies along these lines, now it remains to put it to the test to see whether in fact their actions will support their words.

MR. CHAIRMAN: The honourable Minister of Mines and Energy.

MR. BARRY: Mr. Chairman, really it is enough to leave one breathless. We have the proposition put forward by the Leader of the Opposition that if this government says we do not intend to affect the rights of our native people by this legislation, and if we therefore put nothing in the act that affects their rights, but that is not enough, Mr. Chairman, we have to go further and we have to write in a section which says that nothing in this act affects their rights. Again, Mr. Chairman, what is this, the fourth proposed amendment, or fifth, I have lost track, a proposal that will do nothing to in any way change the existing law.

Now we could spend, I would say, the rest of our lives, Mr. Chairman, thinking up little amendments that do not change the existing law. We could spend thousands, hundreds of thousands, millions of dollars on having these amendment typed up and having them debated in this honourable House and having them proclaimed, to what effect, Mr. Chairman? What does it do for our people in the Province to pass an amendment that does nothing to change the law. But you put it in there because the honourable Leader of the Opposition, for some unusual quirk of his own,

some frivolous, vexatious and irrelevant reason believes that it should be put in. Mr. Chairman, do the people of Newfoundland expect that this is the way this Committee and this honourable House should carry on its business, spending all its time accepting suggestions of the Leader of the Opposition and honourable members opposite, that we pass legislation that will do nothing to change anything? I realize that this is probably the major plank in the election platform of the honourable members opposite. We will do much but change nothing. Mr. Chairman, this honourable House, this Committee, cannot be expected to accept these unreasonable suggestions of the Leader of the Opposition.

Accordingly, with great regret - Mr. Chairman, I have been waiting all weekend, for weeks, for months I have been waiting for a constructive suggestion from the members opposite that would do something to further the energy policy of our Province, to improve the lot of our citizens, Mr. Chairman. And what do I see? I see the honourable Leader of the Opposition getting up and time after time proposing these unnecessary amendments. It is enough to tear the heart out of you, Mr. Chairman.

MR. ROBERTS: Mr. Chairman, I am very heartbroken about the minister's heart. It is nice to know that he has one. If he had a head to go with his heart, we would be a little better off. The minister may -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Yes, I must admit that is about Grade X debating but when you are in Kindergarten with the honourable gentlemen opposite you tend to use tactics which they will understand. The minister once again has revealed that the administration's public statements of policy are not statements which they intend to translate into action. This whole question of native rights is exactly similar to that of the Public Tender Act and the administration have no thought of adhering to the public tender system, and that has been shown time and time again. The minister has no thought of paying due heed to whatever native rights may at present exist.

He can say what he wishes, subject to the rules of the committee. He can take any tack he wants about how heartbroken he is

or how disconsolate he is, but he has not been able, and it should again be noted, he has not been able to raise any arguments of merit or of substance. Again he is using his ad hominem arguments. He cannot find any arguments that speak to the subject matter, so he has to try to get into personal irrelevancies. Again if that gives him his jollies, if that gives him -

MR. BARRY: What personal -

MR. ROBERTS: I do not say - I said personal irrelevancies as opposed to subject. If the minister wishes, it was translating "ad hominem" for the benefit of honourable gentlemen opposite who unlike him do not understand exactly what the word means.

The minister has no arguments of merit. He has yet to find one. He has done everything except read all of "Jabberwocky". He started the first part of it, but equally he could have quoted the - he would have been equally relevant, Sir, in most of his remarks if he had used another of Lewis Carroll's poems,

"The time has come, the walrus said, to talk of many things, / Of sailing ships and sealing wax, of cabbages and kings."

MR. BARRY: I disgarded that one.

MR. ROBERTS: The minister would have been as relevant to say that as he has been to say anything else. I regret the ministry's determination. I do not mind them. I can understand them being too proud to admit a minor amendment here and a minor amendment there, but that again, that shows their weakness, not anybody else's. What I do regret is that there is a feeling among our native peoples that the government are acting to hurt them, that they are taking away their rights, they are prejudicing the case. The minister says this is irrelevant. I might point out - I have a number of cables if the minister would like to study them. Maybe he could table his.

I would point out that the minister says this section is irrelevant and superfluous. I would point out that the Government of Quebec, launching upon a very large hydro project, made a similar commitment. This section is taken almost verbatim from the legislation

adopted by the Government of Quebec. So, the minister is now going to play gotcha. I invite him to get to his feet and to try to get me. The Hansard girls will have trouble with that phrase. But if he has something of importance, let him say it. It is more than he has said all throughout the committee debate so far.

MR. BARRY: Mr. Chairman,

I have to confess that I am at a loss, a virtual loss, not for words, Mr. Speaker, but for adequate adjectives to apply to the Hon. Leader of the Opposition. The unbelievable logic which says that if government does not put in a positive statement confirming what the legislation is already doing, then it is not living up to a policy of government. That is logic? That is logic, Mr. Chairman? That is logic?

MR. ROBERTS: Mr. Chairman, to a point of order.

MR. BARRY: That is an argument, Mr. Chairman.

MR. ROBERTS: To a point of order. The honourable gentleman is allowed to argue, and indeed I wish he would, but he is not allowed to misrepresent, and I submit that what he has just said, allegedly representing what I said, is a misrepresentation. It goes beyond the limits of acceptable argument. If the minister cannot deal with the substance of an argument, I would ask Your Honour to rule that he not be allowed to misrepresent the argument. I made no such statement as that which he attributed to me. I made no such implication, and even his desperate effort to try to find something to say to defend an indefensible position surely cannot justify the way he is going at it.

MR. CHAIRMAN: Order, please!

Well, some times the argument between the two honourable members is rather precise, and pre-supposes a certain knowledge from the Chair that some times may be lacking, especially when honourable members are quoting poetry and their authors. However, I believe that this is basically a disagreement between two honourable members and both have the right to clarify their positions adequately.

MR. BARRY: Mr. Chairman, I will make just one point. The Hon. Leader of the Opposition said that the native peoples of our Province are feeling concerned and endangered and threatened by government, feeling that government is out to take away rights that they now have. Mr. Chairman, nothing could be further from the truth. It was only last Thursday, Mr. Chairman, that myself, my

colleague, the Minister of Transportation and Communications, the Minister of Industrial Development and many other ministers of this government, had the opportunity to meet again with not just representatives of the Native Association of Newfoundland, Mr. Chairman, but also with representatives of the Inuit people of our Province, Mr. Chairman, representatives of settlers in Labrador, the three main divisions, Mr. Chairman, of the citizens of this Province residing in the Labrador portion of our Province.

Mr. Chairman, they were appreciative of the fact that government have decided to remove the section in the act, not Mr. Chairman, because they believed that government has put this section in there to in anyway interfere with their rights. They said this, Mr. Chairman. But they were aware as government was aware that this is a very sensitive area. They were aware, Mr. Chairman, of the statement made by the Leader of the Opposition, casting a certain tone to this section, implying that there were certain underlying affects of this section, statements, Mr. Chairman, which I said last week were mischevious statements, and which I repeat, I consider to be mischevious statements by the Leader of the Opposition to create difficulties, to create concern to the minds of our native people that there is no reason for there being any such concern. Mr. Chairman, the conclusion of our meeting with the representatives of the Native Association - and the meeting was not because of this section, Mr. Chairman, this was only an incidental matter brought up, just one of our continuing series of meetings that form part of our continuing dialogue with our native peoples as with all the other citizens of our Province - Mr. Chairman, the conclusion of that meeting was with respect to this section that it is being deleted. The Native Association was appreciative of that fact. They have no concern that anything in this Act, as it exists now, is going to in any way interfere with their rights. Mr. Chairman, why

is it necessary to put in another section in this act that again would do nothing to change the existing law, that would be just an unnecessary section, meaning nothing. There is no point in our supporting any such amendment, Mr. Chairman, and I have to sit down now and find out what all the excitement is, causing the honourable members to roam around.

MR. ROBERTS: The excitement certainly is not with anything the honourable gentleman said. But there is somewhere over on this side a mysterious spirit is moving and it is some sort of radio. I thought we were being invaded again. It is not a demonstration outside the building and Your Honour, I gather, picked it up. We got -

MR. BARRY: - no offence meant.

MR. ROBERTS: I mean it is the spirit of George McLean coming to see us. But really it is distracting. I do not know what it is but can Your Honour -

MR. BARRY: Mr. Chairman, it may be that this honourable House is haunted by other than the honourable members opposite.

AN HON. MEMBER: Lewis Carroll.

MR. ROBERTS: Could be. If Lewis Carroll came back to -

AN HON. MEMBER: Joey coming back.

MR. SIMMONS: Do not get concerned.

MR. ROBERTS: I would rather have him back than have you there, I would tell you that.

MR. EVANS: You would never see it.

SOME HON. MEMBERS: (Inaudible).

MR. ROBERTS: But sure, sure.

MR. EVANS: In your place.

MR. ROBERTS: Sure, sure.

MR. SIMMONS: (Inaudible).

MR. ROBERTS: What?

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: Well, I am fine.

MR. MORGAN: He will sit in your seat.

SOME HON. MEMBERS: (Inaudible).

MR. ROBERTS: What is it? Is it coming from outside.

MR. EVANS: He is going to be speaking in White Bay North the next time. You know that, do you?

MR. ROBERTS: Well now, Your Honour -

MR. CHAIRMAN: Order, please!

MR. NEARY: Maybe the campaign has started already, has it?

MR. ROBERTS: Yes, we do not know whether Saturday night was a considered statement or one that was a result of a little too much good cheer.

MR. BARRY: It is the Liberal Reform Party kicking off their campaign.

MR. CHAIRMAN: Order, please! Well, honourable gentlemen have now quieted down. I believe that what we are hearing is feedback, according to a gentleman in the gallery.

MR. ROBERTS: Mr. Chairman, the Premier and I unfortunately would be out of order if we debated the real issue which we would like to talk about, but maybe we will have an opportunity. If the Premier would like a lift to Government House I would be happy to give it to him. If the Premier, Sir, would like a lift to Government House at any time, he should just give me a ring and I would be happy to take him down. He could wait upon His Honour the Lieutenant-Governor and advise His Honour to take certain steps.

I gather the Premier was in high spirits Saturday night in many turns of the phrase. But to come back to the Minister of Mines and Energy, Mr. Chairman, the minister has once again, you know not made any -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Is the Premier going to observe the rules of the committee, Your Honour? He is so seldom here I realize that he probably does not know what the rules are.

MR. MOORES: Inaudible.

MR. ROBERTS: There he goes again, Mr. Chairman. He is deliberately trying to provoke me, trying to -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: I have every confidence in the Chair's ability to protect the rules of the House and if the Premier is not aware of what they are then perhaps he could have a word with, say, the gentleman from St. John's South who I think has a deep and abiding knowledge of the rules and a concern that they be enforced, or any of his other friends on the other side. Any number of them would be happy to help him.

MR. CHAIRMAN: Order, please! I think this has gone far enough. Some honourable members want to engage in little conversation across the floor and that happens quite often, and with the consent of both members it is tolerated. However, for one honourable member to goad another and then - or to invite reply, and then having gotten reply to ask the Chair to protect the honourable member is going a bit too far.

MR. ROBERTS: Your Honour is not implying that I was goading the Premier. Now, Mr. Chairman, the Minister of Mines and Energy has left the House briefly but I guess he has just gone out for a cigarette or some advice, whatever he is doing out there. But, Mr. Chairman, the minister again made no substantial defence on the point. Of course the native peoples and the Inuit peoples are pleased that section is coming out but it must be recorded that the only reason this section is coming out is that the Opposition raised substantial objection to it.

The fact it is coming out means that the government concede the objections are valid. They may not say that. They may not have the courage to admit it, but the fact remains this section is coming out because the objections raised to it were of substance and were correct. The amazing thing, Mr. Chairman, is that this is not some bill which was hurriedly put together. This is one bill which was put together over a period of six or eight or ten months, allegedly with care and with attention by the administration, and

they meant, Mr. Chairman, to take away rights from our native peoples. They intended that. The whistle was blown on them, to use the metaphorical expression, it was blown, and they have acted in the proper way. And now unfortunately they will not go the step further and make the positive affirmation. Well I regret that. I can only move the amendment, and speak in support of it. And the mass of us on this side will say "aye" in favour of it. We have decided that. The other honourable gentlemen opposite can vote as their consciences or their government dictates. But it is just unfortunate the minister really is so unwilling to admit that what is right, is right, and to do the right thing, to implement what is right.

MR. CHAIRMAN: The Minister of Mines and Energy.

MR. BARRY: I am just overwhelmed again by the logic of the Leader of the Opposition. Did I hear him rightly or?

AN HON. MEMBER: Inaudible.

MR. BARRY: Did he say that on the one hand, we were amending the Act, listening to the advice of the honourable members opposite, and on the other hand, we were being arrogant in refusing to amend the Act? I do not follow the honourable Leader of the Opposition. I wonder if that could be explained a little further?

MR. ROBERTS: Mr. Chairman, I would be happy to explain it because I did not say it. The minister is over there so over-joyed with his picayune little points that he imagines things. The noise we heard up here was not imagining but the noise the minister hears is imagining. What I said again was that the government have done the right thing by taking out this section, but they will not do the right thing by going the extra step, and they should.

AN HON. MEMBER: Hear! Hear!

MR. CHAIRMAN: Shall the amendment carry?

Those in favour "Aye", those opposed "Nay". Close, but I think the "Nays" have it.

Shall Clause (24) carry?

On motion Clause (24) carried.

MR. CROSBIE: When you said (24) - that is the new (24) is it, that was (25), is that it? Yes. Okay -

MR. ROBERTS: No, You are going to make the present (25), we have now no (24) because -

MR. CROSBIE: It is void.

AN HON. MEMBER: Are you going to carry it?

MR. CROSBIE: I had moved that -

MR. ROBERTS: Well, Mr. Chairman, we may have carried it but there is nothing to carry. It was amended out of existence.

MR. CROSBIE: Well I move that Section (25) become: Section (24) and that Section (24) carry.

MR. ROBERTS: Explain! Explain! Explain!

MR. CROSBIE: All right? Unless your -

MR. CHAIRMAN: For the second time shall Clause (24) carry?

MR. ROBERTS: As amended, Your Honour?

MR. CHAIRMAN: Shall Clause (24) as - Shall the amendment carry?

MR. ROBERTS: Hear! Hear! Carried.

On motion Clause (24) as amended carried.

AN HON. MEMBER: Inaudible.

MR. CROSBIE: Mr. Chairman, this is a difficult task but now I would like to move that we add to the Bill a new Section (25), and from then on we can carry on with the same section numbers. The copies have been given to interested members. And the subject is grant of franchise in Labrador. And the purpose of the amendment is that the Lieutenant-Governor-in-Council may grant the franchise in Labrador. It has something to do with franchises, I think. The Minister of Mines and Energy will have to explain what the purpose of it is, but I move it. It has to do with the fact that in the previous clause we dealt just with the Island, and this deals with granting franchises in Labrador.

MR. BARRY: The purpose, Mr. Chairman, if you go back to Section (15) you will find that the original Section (15) gave the Corporation automatically the sole and exclusive right in franchise throughout the Province, but later advice of solicitors, law officers of the Crown and so on have indicated that there could be problems with respect

to the bond indentures that now exist taken out by the old Power Commission which would fix upon any new rights in Labrador that would be put into the Power Commission as continued in the Hydro Electric Corporation, and to avoid that the water rights of Labrador be in any way tied up or caught up in the legal problems with respect to the existing bond indentures to the Corporation.

The Act as it now reads would by Section (15) give the Hydro Corporation automatically the existing rights of the Power Corporation on the Island, but would not give the Corporation the rights in Labrador until these were granted by the Lieutenant-Governor-in-Council. Well this would be done at a time when the various legal technicalities have been taken care of so as to avoid any complications with the existing bond indentures and so on.

MR. ROBERTS:

Mr. Chairman, for our part we have no objection to this new section 25. It seems to be a fairly straightforward piece of stuff and fairly reasonable in the circumstances. I do think, though, two comments are made with realtion - or a comment and a request. The comment is first of all to express a little wonderment at this entire bill, the third or fourth quite substantial amendment which has been considered and most of which have been adopted proposed by the government. I find this quite amazing in a piece of legislation that was introduced, we were told, only after long and detailed consideration and study.

I do not think in my time in the House, and there are only two or three men who have been in the House longer than I have, Sir, I do not think I can every remember a major government bill, and this is certainly a major piece of legislation, ever coming to the House and then in committee stage being amended so substantially for reasons which can be anticipated, reasons which are straightforward, reasons such as our solicitors looked at it and discovered that, you know, the bill was badly drafted. That is what the minister was just saying.

Three, six, eight, ten, eleven, twelve. Your Honour that is not a quorum. I think with a bill this important to the Province, the very least the committee can do, Sir, is have a quorum. There are five of our members available out of eight and there are only seven of the government members here. I wonder could I call a quorum please, Your Honour?

MR. CHAIRMAN: We have a quorum.

MR. ROBERTS: I am very glad we do, Mr. Chairman. I do not begrudge the Premier his cup of tea or coffee or whatever it is he was having.

AN HONOURABLE MEMBER: Coffee.

MR. ROBERTS: Coffee. Well, I do not begrudge him that, nor do I begrudge any honourable gentlemen whatever reasons they went out, but I do think this bill is sufficiently important. The honourable gentleman might have been listening. I am very glad if he listened.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: The honourable member for Labrador North, Sir, should be

in the House shortly. His airplane is landing at ten after five. He had hoped to go home on Saturday but he did not get home until Sunday.

AN HONOURABLE MEMBER: Is this bill important to him?

MR. ROBERTS: The bill is very important to him and he did not get home until late yesterday because EPA were not able to operate on Saturday or at any point on Sunday. He ran into much the same problem as kept the Premier in Labrador West last weekend, difficulties with air transportation.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Well, the honourable gentleman will be here in due course. I have no doubt he will make his presence felt in his usual effective and forceful manner. He will be like a fresh breeze from the North for honourable gentlemen opposite.

As I was saying, Mr. Chairman, I think it is noteworthy that this bill has been so substantially amended so many times. It shows the haste with which it was put together and the lack of precision and the lack of attention which the minister has paid to it. These amendments which we are now having to consider could easily have been turned up and would have been turned up if the job had been done properly. The bond -

AN HONOURABLE MEMBER: You are getting mad.

MR. ROBERTS: I am not getting - I am becoming, insofar as the minister is concerned almost pleasant, charitable. How can one be less than charitable with the minister. I mean my heart yearns for him. I ache with the desire to help him. He so obviously needs help and these amendments, Sir, are amendments which should not have been necessary. The indenture covering the first bond issue at Bay D'Espoir which was made in, I believe, 1964 or 1965, is a registered document. Anybody may drift into the Registry of Deeds downstairs and look it up, all couple of hundred pages of it. The solicitors in the government service are intimately familiar with it. They were involved in its preparation and they have been involved in its interpretation and application for 10 these ten or eleven years.

So, the minister now finds himself in the unhappy position of having to make amendments that are important and are acceptable but amendments which should not have to be done as amendments. If the minister had done his job or the minister, whoever drafts the bill, had done the job properly.

I would ask one further question, though, Mr. Chairman, with respect to (25) which deals with a franchise in Labrador. It is the part of this vexing question of different rates for prices for power and there is nothing in this bill that says that the government shall charge a uniform rate throughout the Province. We now have a uniform rate for hydro throughout the Province. Almost all of the hydro power in the Province is supplied by, the retail end of the system, by private companies. The government rate tends to be somewhat higher because it tends to be the diesel fuel plants which are government plants and while the government subsidize them, they do not subsidize them sufficiently to enable the rate to be made equal to the hydro rate.

AN HONOURABLE MEMBER: You are talking about domestic rate.

MR. ROBERTS: I am sorry?

AN HONOURABLE MEMBER: You are talking about domestic rate.

MR. ROBERTS: Well, either domestic or commercial. The domestic rate for diesel power is somewhat higher than the domestic rate for hydro power and the commercial rate tends to be higher except in such special circumstances. It is higher - the minister is jotting a note feverishly - it was lowered somewhat a little while ago for people using one or two hundred kilowatt hours a month but not for people using -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: 500 - for not for people using -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: No, the industrial - well, I will come to the industrial rate in a minute but 500 kilowatt hours a month is not a lot of power. You are not talking about electric heat when you are talking about using more than 500 hours.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: No, I would think any significant use of electrical appliances would drive one well above that. At this stage, I am not criticizing the administration on it. What I do want is an assurance that we will have throughout this Province in Labrador and in Newfoundland, the two parts of the Province, an assurance that we will have the same rate. If the hydro rate - I am sorry - if the diesel rate is still somewhat higher than the hydro rate I would suggest the government give consideration to equalizing it even if that would mean a little greater subsidy or perhaps a little bit more, a little teensy weensy bit more and all the hydro customers would bring the diesel customers down.

I do not know what the difference is in dollars but when we are talking of the Lower Churchill project with revenues of a couple of hundred million dollars a year coming in when it goes on stream, the extra cost is not that significant. Commercially,

as I understand it, we have a two point policy. One point is that the commercial rate generally is higher and the second point is that it is not higher in respect of a number of favourite industries. the fish industry, the fishing industry, the fish plants for understandable reasons are given commercial rates equal to the hydro rates. The Canada Bay Lumber Company at Roddickton have the similar rate. The Newfoundland Forestry is it? - the Hawkes Bay, the Bowaters - Lundrigan operation at Hawkes Bay have a similar rate, some of the favourite few, but the ordinary commercial customer, a store owner or a businessman in a small community, he pays a higher rate.

So, all I ask now is if we could have a commitment from the government that we will have a standard rate for power throughout the Province without respect to the source of the power, without respect to the use of the power with one exception. I would agree that areas that must depend on diesel power, it is folly to permit people or to encourage people in those areas to use electric heat because then you are getting up to two, three, four thousand kilowatt hours per month. That is folly using diesel rates, diesel generations, but certainly on all power, be it domestic or commercial, with the exception of electric heat, can we have a standard rate?

MR. BARRY: Mr. Chairman, first of all with respect to the uncomplimentary comments of the Leader of the Opposition on the drafting of the bill, the number of amendments, let me just say, Mr. Chairman, that I have no doubt that there will probably be further amendments necessary to this bill, that some of the amendments suggested here are not essential, not necessary, but, Mr. Chairman, they are thoughts that have come up since the original bill was drafted that can help to assist the Corporation in financing, can improve the efficiency of the Corporation and while we are aware of the perils of bringing in too many amendments and being subjected to the criticism of not having done our homework before we brought in the original bill, Mr. Chairman, we can live with this. I can live with this as minister if the end result is a good bill, a bill that meets all the needs of the Corporation.

I would like to also point out, Mr. Chairman, that it is an unbelievably complicated area that we are dealing in here, that we have a considerable amount of legislation existing prior to this bill, that we have a considerable number of obligations by the existing Power Corporation that must be taken into account, and we have a fantastic future, a fantastic number of opportunities for this Corporation, a tremendously important role for this Corporation to play in our Province.

Mr. Chairman, this Corporation deserves the very best attention, as many amendments as are necessary to this legislation to ensure that it is a bill that, not only does not impair the Corporation in carrying out its very responsible role in our Province, but legislation that goes far to improve the efficiency of the Corporation to assist it in developing, assisting and formulating energy policies for our Province.

Mr. Chairman, there has been a lot of work done in this. I have to say that it has not been all mine, but I have to compliment the people involved for the tremendous amount of work, the time and the effort they have taken with this legislation. Mr. Chairman, I for one have to say that I am not ashamed of this bill as it is now drafted. I am not too proud, Mr. Chairman, to bring in an amendment

after the initial bill has been drafted if I receive a suggestion that improves the general quality of the bill. This is what we are doing here, Mr. Chairman. We have certain amendments that, as I say, are not necessary, but will improve the ability of the Corporation to carry out its function. Any amendment, Mr. Chairman, even one submitted by the honourable members opposite, if it will improve the efficiency of the Corporation, will improve conditions in our Province, this government will give very serious consideration to it.

With respect to uniform rates, Mr. Chairman, this government, I am proud to say, brought in uniform rates for all domestic customers whether they be on hydro systems or diesel systems, up to 500 kilowatt hours monthly. It should have been done years ago, that is right. This is according to the people who advise me, Mr. Chairman. This quantity of energy is adequate and sufficient to meet all the normal domestic needs of a household excepting electric heat and possibly large electric hot water heaters. I am not sure just what scale could be permitted there. But for the normal domestic use, 500 kilowatt hours a month is adequate. Mr. Chairman, they, the customers on the diesel system, are now paying the same rates as customers on the hydro system.

The Hon. Leader of the Opposition says that it should be uniform for everybody except the block for electric heat. Well I am glad that he mentioned that. But the same applies to any increase over the 500 kilowatt hours or for any other customers. We have to remember that it is not just the cost of supplying the existing customers at those rates. We have to remember that if rates are lowered for any group of customers, for any class of customers, this tends to encourage consumption. And, Mr. Chairman, it has to be remembered that if we encourage consumption on our diesel systems that means we are encouraging consumption on a part of our system that is subject to fantastically high costs. Since the quadrupling, the quintupling of petroleum prices over the last two years, Mr. Chairman, we have not seen the same relative increases in our power rates, not even on our diesel systems. But, Mr. Chairman, we have to keep in mind at all times that if we encourage consumption on the diesel systems by lowering rates, then this is going to mean, not just increased numbers of dollars having to be spent today, but it is going to mean that much increased consumption in the future. And we have to always keep in mind just how much this Province can afford to subsidize users of power at cost to other areas of government services, whether it be education or health or housing or water and sewer facilities. There is only so much money to go around, Mr. Chairman. And money that is taken from one area or put into one area, such as subsidizing power rates, has to be taken from another.

We have tried to strike a balance, Mr. Chairman, so that no domestic customer is put at a disadvantage relative to others. I think that that is all we can afford to do at this stage. We will keep this matter under review, and if in the future we can see our way clear without any drastic increase in costs, to improving rates, not just in the diesel area of our Province, but

anywhere in the Province. We will, of course, be keeping an open mind on that, and we will be prepared to consider it. I should mention, Mr. Chairman, that when the Gull Island power comes on stream one of the largest areas presently supplied through diesel systems, the Goose Bay-Happy Valley, North West River, possibly, area, that there will be a hydro line to this area from the Gull Island site and this will go a long way towards improving or reducing the amount of consumption on the diesel system. Once this large segment of the diesel system population is being supplied through hydro power, well, then perhaps we can take another look and perhaps the cost of making all the rates uniform may not be as great.

AN HON. MEMBER: (Inaudible).

MR. BARRY: Well, you would still have your Burgeo, the islands, Fogo -

AN HON. MEMBER: Ramea.

MR. BARRY: - Ramea. There are a number.

AN HON. MEMBER: (Inaudible).

MR. BARRY: They are in this year's annual report of the Power Corporation. They have all the systems. I think we missed one or two in the map, which you noticed.

MR. ROBERTS: Most of them are quite small but the Happy Valley area -

MR. BARRY: Most of them are small but you have a few larger, like Burgeo is a sizeable population.

MR. ROBERTS: Fogo Island -

MR. BARRY: Fogo Island. But, Mr. Chairman, this will be kept in mind and will be reviewed. And if we can see our way as either our government revenue situation improves or the demand for other services lessens or as the number of people supplied on the diesel system decreases because of hydro ties, then I am sure that government will be prepared to reconsider. But at the present time, we feel that

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we have gone as far as we can right now with the demand for services
in other areas of government.

MR. CHAIRMAN: Shall the new Clause (25) carry?

On motion Clause (25) carried.

MR. CHAIRMAN: Shall Clause (26) carry?

MR. ROBERTS: Mr. Chairman, Clause (26) brings us in to the section on loans and guarantees. I have one or two amendments that I would like to move throughout these sections. Section (26), Sir, I would like to move an amendment as follows: To remove the words Lieutenant-Governor-in-Council wherever they appear to replace them with the words, House of Assembly.

Now, Mr. Chairman, it is a very simple amendment to move, a very simple one to state, but it embodies in it a vast principle and I am very interested to see in the Committee the gentleman for St. John's South, the gentleman for St. John's North, and the gentleman for St. John's East, all of whom spoke to this point during the debate.

Now, Sir, Section (26) is the section that gives the Corporation power to borrow money, and to make the usual and requisite pledges, mortgages, assignments, etc. etc. etc. etc. The only approval that is required before the Corporation can borrow money, if Section (26) were not to be altered, is the Lieutenant-Governor-in-Council, the cabinet. There was a great deal of discussion given to this point, Mr. Chairman, at second reading stage. And, I think, those of us on this side stated our concern very clearly. We were joined in that concern by the three gentlemen I have just named, the gentleman for St. John's East, St. John's North, and St. John's South.

Subsequently the government have undertaken to bring in some legislation but we do not know what it is. We do not know what form it is going to take. Honourable members opposite may have been let in on these secrets, but we have not. We have no guarantee that the legislation will come in. It is not even on the Order Paper. It would have been quite easy to bring the legislation in, I would suspect it would go through without debate, or without any extensive debate because it is a principle in support of which members on every side have raised

their voices. So we are faced with the situation that the government propose, if we allow them, to take onto themselves a grant of power which would enable them to borrow any amount of money. And it should be noted that if Section (26) is not altered, all it takes is the cabinet's approval, and we all know that the cabinet is but a group of men, it can be a small group of men, ten, twelve, or it can be a swollen group of men, as we have now, seventeen or eighteen or nineteen. The cabinet may borrow any amount of money for certain purposes. And those purposes are very broad, very board - borrow money for any of its purposes including without limiting the generality of the foregoing the installation and maintenance of any system for the development, generation, production, transmission, distribution, delivery, supply, sale or use of power, - a very wide grant of authority indeed.

There should be no difficulty with this amendment. When we come a little later I shall propose a substantive amendment to set forth the procedure which I would suggest should be followed with respect to the consulting of the House, and the means by which the House grants its consent. The principle is quite clear. Shall this House control the borrowing or shall it not? If this amendment is accepted the House controls the borrowing. It can be done practicably it can be done reasonably, it can be done efficiently, and effectively. And I submit it should be done.

The government have not moved any legislation. They have not even given notice of a bill. They may or may not bring in a bill, I do not know. They say they will, and I accept that for what it is worth. But this is the same administration that has broken numerous other "commitments" they have made to the people of Newfoundland and Labrador. On our part, we simply do not accept their word as being enough.

This bill has been at second reading stage, Your Honour, or I am sorry, it has been through second reading and at Committee stage for a week or ten days or two weeks - ample time for the government to have brought in a bill, if they really intended to do so. They say they are going to do it, but we have not seen it,

that it is coming. I venture to submit that we may never see that bill. I venture to submit that this administration will find one reason or another. This session of the House, who knows, may end tonight, tomorrow with a dissolution. We can live in hope. We can request, but it is entirely a matter for the Premier as to whether or not we dissolve and when we dissolve.

AN HONOURABLE MEMBER: We are ready -

MR. ROBERTS: Well, I would hope the honourable gentlemen are ready.

I know a number of people who are ready for him.

MR. CHAIRMAN: Order, please! Order, please!

I fail to see the relevance of this argument that has developed and is continuing to develop.

MR. ROBERTS: Well, I thank Your Honour for the ruling. What I am saying is that I am moving this amendment because the government have not brought in any bill to implement the principle which they said they would adopt after the House rose in revolt against them, this side and some of the gentlemen on the other side whose opinions really count because anyone would say that the three honourable gentlemen who raised their voices in protest, the gentleman from St. John's North, the gentleman from St. John's East, the gentlemen from St. John's South, all of them staunch supporters of the administration, friends, allies, supporters in every way glorying in the title of being a trio who support the administration. After they raised their voices, and they are three honourable gentlemen, Sir, whose words carry great weight throughout the land and throughout the depth of the Tory Party.

The government said they would make some move to allay their concerns. Well, they have made no move, Mr. Chairman. I now am forced to move this amendment. It is a reasonable amendment. It will not in any way hamper the Corporation. Let that not be said. This Corporation know now what their borrowing is going to be. We have no ceiling and they can go out now if this bill becomes law, as it will in due course, they can go out and borrow any amount of money that they could find somebody to lend them as long as they can somehow tenuously link the expenditure of that money to that very wide grant of power which

I just read, section 26 (1) (a). We know how tenuous this administration can be in their links, Mr. Chairman. We have already seen how a film for the Department of Tourism can be charged against the Department of Education. Any administration that is capable of doing that - I can just envisage Mr. McLean now with his fertile mind at work, aided and abetted by his friends and associates.

So, I would hope the minister will accept this amendment, put it into effect. It is reasonable. I have a series along these lines which remove this whole section, deals with loans and guarantees. For our part, Sir, we find it extraordinarily offensive that the government propose to take onto themselves the power to borrow without limit, without any limit at all, and without any further reference to the House of Assembly, first nor last.

The most that we would do if this is not changed, Sir, the most that we would do is end up getting an annual report after the event. That is not good enough. This is the biggest amount of money that any government has ever dealt with in this province. It is twice our annual budget. It may be even higher than that. The government proposed just to go ahead and borrow without any further reference at all to the elected House. Well, that is wrong, Sir.

So, I move the amendment in the hope that it will be accepted.

MR. MARSHALL: Mr. Chairman, I would like to address myself to the amendment and to the comments made by the honourable Leader of the Opposition. I have heard his glowing compliments passed across the House at me and I just say to myself, how times have changed. The fact of the matter is, Mr. Chairman, I will not be voting, or not supporting an amendment of this nature for the self same reason as why I was able to vote for the principle of the bill on second reading.

That is purely and simply because there has been an undertaking given by the government and it was given by the government at the second reading stage by the Premier where he said, there has been some misunderstanding with respect to government's intentions relating to its borrowing policies

affecting the Lower Churchill Development. Let me make it quite plain that it is not the government's intention to use any provision of this bill for the purpose of allowing borrowing towards the Lower Churchill project without in fact full reference to the House of Assembly.

I wish to assure the House that the government would intend to bring a bill authorizing borrowing of amounts necessary to develop the Lower Churchill, as I said, because of its enormity and will lay such information as is necessary to satisfy the House in order to fully inform all members of the situation before the final financial package is put together.

Now, when I spoke in second reading, I looked at this bill

and as the bill was written and as the explanatory note was written, and the explanatory note was not written by the government but by people, I assume, in the Justice Department, it gave then the impression that the Cabinet, through the Corporation was going to borrow the money necessary in order to fund the Gull Island Project. At that time I indicated that I could not support such a proposal and I am happy to note that the government, that it was as the honourable Premier has indicated, apparently some misunderstanding because the government has no intention whatsoever of borrowing any money with respect to the building of the Lower Churchill Project without the full reference to the House of Assembly by way of bill.

Now the honourable Leader of the Opposition says that they do not accept their word, that is the government's word. I do not think he need to elaborate on that because that is quite evident. They have no confidence in the government, but it is a different situation as far as, speaking for myself, I am concerned. When somebody gets up in the House and the government makes a commitment that it is going to do something, what is the purpose of Opposition to it other than just for the sake of opposing itself.

So, Mr. Chairman, that really I think disposes of it. I would like to make it quite clear though, and I make this quite clear as I know that all members on this side of the House feel exactly the same way themselves, that were it not for the fact - if there were any plan or there were any policy or there were any intention whatsoever of borrowing monies in Cabinet for the purpose of financing the Lower Churchill I would not be able to support it. But as I say I am not unique in that. I know that all members on this side of the House feel exactly the same way because, after all, this is the side of the House that enacted the changes in The Financial Administration Act to restore the borrowing powers to the Legislature.

Perhaps that may be all that is necessary but there are a few matters that I would like to refer to before sitting down and these

refer initially to certain statements that were made by the honourable Minister of Mines and Energy when he was closing the debate on second reading. Now I know the matter of second reading is not for the Committee stage but there were certain items that he brought out in his arguments at the end when he indicated that it was not necessary to bring in an amendment. The government would not be supporting any amendment to section 26, that amendments - he was really speaking about matters that could come up in committee stage, amendments, that is, to section 26.

The first thing he said that I would like to point out, and I say this as I say with the greatest respect to the Minister of Mines and Energy, that if I am interpreting him correctly I do not necessarily support his view with respect to these particular issues. He said that bringing in a bill will not dispense with the need of a completion guarantee. Now with that I do not argue, if we vote in this House to spend \$1,600,000,000 there is no doubt that we are in it, that we will have to go and we will have to complete the Lower Churchill whether it turns out to be \$1,600,000,000, or \$1,700,000,000 or for that \$2,000,000,000 or maybe even \$3,000,000,000. But that argument I would submit is no more different than any other type of expenditure, major expenditure that the government may make from time to time.

For instance the Health Sciences Centre was a major expenditure and one could say if \$10 million were spent on the Health Science Centre that certainly in one year, that in the next year we would be bound to spend the rest. I know that. Similarly with the arterial road and similarly with the many large schemes that we were saddled with when we took over the administration, the government is committed to complete these transactions when a large amount of money is put into it.

So I heartily concur with the minister in his observations with respect to this but if I interpret him correctly, Mr. Chairman,

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he was more or less indicating this and maybe I mis-read him or misinterpreted him, he was more or less bringing this out to point out that even though the House brings in a bill for \$1,600,000,000, that it was because it would be necessary to give a completion guarantee to the parties with whom we were dealing then it would be necessary - that this would in effect obviate or void or do away with the principle of referring to the House the borrowing of money because you would have to borrow anyway. If you borrowed \$1,600,000,000, you would have to borrow \$2 billion or \$3 billion. I would submit

that that is one of the very vital reasons why such issues should be referred to the House because the fact of the matter is governments act on projections, government take the responsibility of projection for various costs of projects that they enter into and they endorse. If the project costs, for that matter, \$100,000 more, but certainly significantly more than the \$1.6 billion government should be required, as it will be required, to come back to the House of Assembly and explain why there is a diversion or a difference in the estimate from the one originally indicated.

So, I would say, I do not know whether, as I say, the honourable Minister of Mines and Energy, I say this with respect, if I interpreted him correctly at the time, he was looking at that - at one side it is an argument to say that if you go in for \$1.6 billion, you are in there and you are going to have to spend it anyway. But I do not accept it really as an argument and I do not think he intended it to be so, that this situation would mean that, in any way, that you should not come back to the House of Assembly.

He also made somewhat of a distinction between borrowing for a specific project such as this and general borrowings. Now, I can see the point he is getting at, you know, if you have a specific project you are contemplating that project and you are contemplating that monies must be spent. So, having agreed to go ahead with the project you are agreeing to go ahead with it no matter what the cost may be, but you are contemplating what the cost may be and therefore, you are really - you, that is being the House of Assembly - really authorizing it.

Now, Mr. Chairman, I would just draw to your attention on that, and this is one of the reasons why it is so essential that items like this be fully debated in the House of Assembly and all plans come before it and no Cabinet should be allowed to borrow any monies other than that specifically authorized. When you look at the Javelin experience, one of the things which

struck me in this government and on reviewing what had occurred from the previous administration was the way we got in over our heads on the Labrador Linerboard or the Javelin through the Melville Pulp and Paper Mill that it was originally called in the original act and that was a specific project, and that was authorized. They were -

AN HONOURABLE MEMBER: Inaudible.

MR. MARSHALL: They authorized the borrowing. The Cabinet could borrow the money to complete the project and they went ahead with it and as we know the project got into trouble. As we know, towards the end of the days for the previous administration, and this is one of the vital points that we are concerned with because money will cure anything for a temporary period, extra monies were poured into this through the Cabinet, through secret government borrowings, if you want to, through Cabinet borrowings that nobody knew anything about. The net results of the use or abuse of this power by the previous administration in the Labrador Linerboard was the fact that that particular industry is so over-capitalized now that there had been many millions of dollars that had been expended that the people of this Province are going to have to pick up the slack, purely and simply because of the use of this power, purely and simply because the use of this power, the practical use of it in the Cabinet of the previous administration.

They got near the election. Mr. Doyle was getting into trouble with his development. Rather than let the people of the Province know what the situation really was, they poured money in. The only way they could get money in was, or the way they could get money in was through the Cabinet and I would suggest, if that particular provision had not been in the Melville Paper Act and they had to refer to the legislature

that this amount of money or the large amount of money that was used would not have been sunk into it, and the situation would not be as grave as it is today because whereas a lot of work has been done with Labrador Linerboard, and this administration is saving it from the whirlpool of financial morass in which it was found. The fact of the matter remains and I do not think anyone can deny that the public of this Province is going to have to pay a large slice of it, purely and simply because of the actions, of the abuse of this power to borrowing, Cabinet without reference to the legislature.

So, the purpose of any request that such a matter, reasonable request that such issues be referred to the legislature is that the government be accountable, that the Cabinet be accountable at all times. If we vote "x" millions of dollars and in the case of the Lower Churchill, \$1.6 billion, before we start spending "y" million dollars more, the public

is entitled to know. Now maybe the public will not hear about it. This administration brought in amendments to the Financial Administration Act. And every year as a result of it they had to pass a bill authorizing the amount of the borrowing. Before, as a result of the 1966 amendment to the Revenue and Audit Act, this could be done in the cabinet. Maybe this is not the type of thing that grabs the public, maybe the public really does not care about it, I do not know. But at least I think we have the responsibility of seeing that all of the factors are brought before the public and the public can make its judgement accordingly.

Now I think I must have mis-heard the Hon. Leader of the Opposition. My note says that he expected legislation to be brought before this House at this time. You know that -

AN HON. MEMBER: Inaudible.

MR. MARSHALL: And he said this could go through without extensive debate. I think these were the words.

MR. ROBERTS: I said all sides agreed on it.

MR. MARSHALL: Yes, all sides agree on it. Well that is not, I think, the whole purpose. And this just goes to show the syndrome of the Opposition. Now in the first place there has been an undertaking of government to the effect that this bill will be brought in, and that is good enough for me. As far as the information, as far as the bill going through without extensive debate that is the type of attitude that I would expect to see from the Opposition who obviously do not appreciate the necessity of an Act such as this, and is putting in this amendment purely and simply for the purpose of making political hay. Because information must be brought before this House, full information so that the people of this Province, that is, the people who care will have an opportunity to assess this project, the Lower Churchill, and its implications.

Now let me say that nobody can say that - I do not think that anybody will disagree - that in concept of the development of the Lower Churchill, the harnessing of one of our natural resources for ourselves

is good in concept. So, I think, - but there are factors with which we must concern ourselves. An item may be good, maybe everyone would like to drive it around, I do not know, in a Cadillac but some people have to drive in Volkswagens. So when the bill is brought through there have to be all sorts of questions asked and answered because at some point this project has to become uneconomical, there is nothing in this world that cannot be too expensive, and it is already as it is a matter of public knowledge that the estimates from gone from \$1, 100,000,000 to \$1,600,000,000. And we are told it is still feasible. But the people of the Province should be able to be informed through this Act, what the feasibilities are, what weight is put on the feasibilités, what industries, for instance, are likely to be attracted, how many industries are necessary to be attracted in order to pay for it, what will it mean to the Labrador portion of the Province, what will it mean to the Newfoundland portion of the Province, what affect the expenditure and the extension of the credit will have, for instance, on any other essential services. These are all vital concerns to the people of this Province, and the matters that the people of this Province should know and the only place where they can fully know it and fully appreciate it is through the media of this Legislature. That is why I am delighted with the attitude of the government that the government are still carrying through on the policy which it has adopted and it has enforced all the way through, that is, to restore the borrowing power to this Legislature itself.

Now I am invited to support this amendment by the Leader of the Opposition, and he made a speech on it. And with the greatest of respect to the Leader of the Opposition, look let me say this; I would rather listen, I think, to a speech by a rabbit on the virtues of celibacy and pay attention to it than to sit back and hear the Opposition, the Leader of the Opposition, or any members thereof give this side a lecture on the virtues of not borrowing in the cabinet, particularly after what I have seen.

AN HON. MEMBER: Inaudible.

MR. MARSHALL: You know, it would give a person hot flashes, from hot to cold, consistent inconsistency, sane and sober, you know, rational or irrational, you name it. Because the Opposition had their opportunity, Look, let us look at the Opposition and what they did, Mr. Chairman, In the first place in 1966-1967 they enacted an outrageous Act to give to the cabinet the power to borrow.

AN HON. MEMBER: Inaudible.

MR. MARSHALL: We will get to my three honourable colleagues in a moment.

My three

honourable colleagues did not participate and would not participate in the abuse of the powers. They were not there when these powers were abused.

MR. CHAIRMAN: Order, please! Order, please!

While the bounds of relevancy are sometimes stretched, I believe that the honourable member is now going to go into the history of this government and other governments and I believe that that will bring in other material which will be decidedly irrelevant.

The honourable member may direct himself to the amendment and the virtues of the amendment, but some of the comparisons may have to be deleted.

AN HONOURABLE MEMBER: Inaudible.

MR. MARSHALL: Certainly, Mr. Chairman, you know, I would fully concur. I mean, I will hop away from the point as Your Honour wishes. The point of the matter is I am not bringing up what the previous administration did. What I am talking about is here is a group of people who are bringing in an amendment and inviting all members here but particularly myself and the honourable member for St. John's North and the honourable member for St. John's South to vote for it when they were themselves, they were the ones themselves really who caused such an abuse by the adoption and going along with the abuse, and the abuse in government borrowing occurred in the last years of the administration. It is to such an extent as far as I am concerned, far from support their amendment, I would suggest that honourable gentlemen opposite who participated in this would be well advised to consider resigning from public life because of the whirlpool or vortex of financial ruin that they have plunged this Province into as a result of their actions.

Now, as this bill now stands, with the amendment or without the amendment, we have an undertaking given by the government to the effect that a bill is going to be brought in. What more do we need than that? This is an indication given in the peoples' House, in the House of Assembly, that a bill is going to be brought in. I would

trust that the bill is going to have more attention and going to have more extensive debate than what the Leader of the Opposition has promised us.

Now, as the bill now stands, with this undertaking, we nearly have authorization for a crown corporation to get enough money to carry out its normal, everyday duties and responsibilities. We know the Newfoundland and Labrador Power Commission has to supply power throughout the Province. We know that it has to have money with respect of that. That is routine. It is nothing extra. It is nothing special, as the Gull Island matter would be. This will be voted on or would be examined by the Auditor-General in accordance with the fiscal provisions of the Province. The Auditor-General would report on it from time to time. So, it just comes down to the realm of a normal corporation. As far as I am concerned, I want to make this unequivocally clear, the fact of the matter is that the government has given its indication that no monies are going to be spent on the Gull Island project without reference to the legislature. This most certainly, Mr. Chairman, is good enough for me.

MR. SIMMONS: Mr. Chairman, the amendment is not very world shaking really. If we are to believe what we hear from government spokesmen, then this amendment is really right up their alley. The Premier has indicated that he is going to bring in some legislation. Well, my colleague, the Leader of the Opposition, has brought it in for him. If one would listen or would believe what the government spokesmen are saying, this thing is motherhood that the Leader of the Opposition has introduced. It is exactly what they all stand for, that this matter of borrowing should be answerable to the House of Assembly. Well, this is all the amendment says, Mr. Chairman.

I have heard about some more red herring this afternoon, but basically it boils down to this: Is this government prepared to put its money where its mouth is or not? Is it prepared to do what the Premier has said it would do?

Now, the

Member for St. John's East gets up, Mr. Chairman, he bares his soul and he says, you know, there has been an undertaking by government and that is good enough for him. Well, that is his business, Mr. Chairman, that is his business. It is not good enough for me. It is not good enough that they say that, and indeed, if I appear to be unkind, if I appear to be implying that I cannot trust some people opposite, it is because in part, I have been taught not to take their word. I have been taught not to take their word, Mr. Chairman, by the member who just last spoke.

The member on this subject who tells us now that he is prepared to take their word, only one month ago, Mr. Chairman, referring to the Premier said, at this stage he told me the decision would be rescinded but I refused to talk about, etc. etc. until there was a minute of council striking out the earlier minute of council. Obviously, we are talking about the Dobbin deal and I just draw it in for an example.

That same member who stands today and says the Premier's word is good enough for me, taught me one month ago not to take the Premier's word. That, Mr. Chairman, and a number of other examples I could bring in - but I see the Chairman itching to catch me on the grounds of not being relevant.

AN HONOURABLE MEMBER: Inaudible.

MR. SIMMONS: So, I shall restrain myself, Mr. Chairman.

MR. ROWE: (First part inaudible) gives himself away every time.

MR. SIMMONS: But I am not sure, Mr. Chairman, whether Mr. Chairman is up or down at the moment, but I strike the comment.

MR. CHAIRMAN (Stagg): Order, please!

MR. SIMMONS: I strike the comment.

MR. CHAIRMAN (Stagg): Mr. Chairman is up at the present time.

MR. ROBERTS: Hear! Hear! Hear! Mr. Chairman is going up.

MR. CHAIRMAN (Stagg): A direct word to the honourable member.

The Chairman's willingness or desire to bring the honourable member to order should not be subject of comment from the honourable member because, in effect, it may tend to intimidate the Chair.

MR. SIMMONS: Mr. Chairman, I quite agree. That it is distracting is another subject and I will not go into that one either. But you see, Mr. Chairman, we do find ourselves in a fairly awkward situation in terms of taking the Premier's word for things because we have no less authority than the Member for St. John's East and if he is not sure, I have got what is reported to be the text of his statement right here.

Now, either "The Daily News" misquoted him, Mr. Chairman, and I did not hear him say they had misquoted him, but if they had not, he said one thing today about how he is very happy to take the government's word for something. He was not very happy a month or so ago. At least his words do not show that he was very happy.

So, it is that kind of example, that kind of experience, Mr. Chairman, which I have been exposed to that makes me somewhat reluctant to take the Premier's word when he says he is going to introduce some legislation, that kind of example.

AN HONOURABLE MEMBER: Inaudible.

MR. SIMMONS: In addition to that, Mr. Chairman, you know, there are very obvious grounds and if he wants to do it, there is a very simple way of doing it. Just vote for the amendment that my colleague has introduced. It is that simple. Does government want the borrowing to be subject to Lieutenant-Governor-in-Council, to Cabinet, or to the House of Assembly? They are saying one thing, Mr. Chairman, and they are doing another. Now, it does not require rewriting or redrafting or any great amount of time in contemplating what the proper words

should be. It is a simple decision. Either you are going to leave it up to a bunch of the boys in Cabinet or you are going to make the question one that ought to be decided by the House of Assembly. It is that simple.

I cannot at all, Mr. Chairman, I cannot at all either sit idly by and listen to the Member of St. John's East tell us about everything is hunky dory, do not worry about it, it is going to be okay, when he himself had a very bitter experience to the contrary quite recently, Nor can I sit idly by and have that same member lecture me and us over here on consistency.

AN HONOURABLE MEMBER: Inaudible.

MR. SIMMONS: Mr. Chairman, of all the people who should talk about being consistent! Would you on the one hand look at what he has done in the last few minutes, with what he has done as reported here, Mr. Chairman, If you want to talk about consistency or lack thereof, Lord help us! Consistency - is he the expert on consistency all of a sudden, Mr. Chairman?

They say the best experts on sobriety are those who have been drunk for a while. In that sense, Mr. Chairman, the Member for St. John's East is the best expert on consistency. He has been inconsistent so long, he would, therefore, understand, I suppose, from having read it, what consistency is all about.

MR. MARSHALL: On a point of order.

AN HON. MEMBER: Sit down, boy!

MR. MARSHALL: Mr. Chairman, I fail to see the relevancy of this. The honourable member is expounding - my statement was I take the word of the government enunciated in the House of Assembly. And, you know, the area in which the honourable member is transgressing now is not relevant to this particular area of debate. What he is really debating is the amendment to put the House of Assembly in place of the Lieutenant-Governor-in-Council. But as usual the honourable member, which is a disease apparently of the honourable members opposite, cannot resist going off on his little, old personalities and getting on like he is in school again, wiggling his little forefinger around and misinterpreting things as he wishes.

MR. EVANS: He should be in the playpen with the other baby over there.

MR. ROBERTS: To a point of order, Your Honour. The member is being perfectly relevant. The Member for St. John's East, from his place of honour next to the gentleman from Burgeo -

MR. EVANS: That is quite an honour you will never get.

MR. ROBERTS: Ah, I never want to be next to the gentleman from Burgeo, Sir. Under any -

MR. EVANS: You will not be sitting in your place after the next election.

MR. ROBERTS : - conditions, I do not want to be next to the gentleman from Burgeo. But the gentleman from St. John's East told us that the reason why he was not prepared to accept the amendment, which I had moved, was that he believed in the government's word. My colleague from Hermitage is merely saying (a) that he does not believe in the government's word and giving ample reasons to support that; and secondly, expressing amazement at this conversion, like only that which

Saul had being converted into Paul on the road up to Damascus, that has been experienced by the gentleman from St. John's East.

MR. CHAIRMAN: Order, please!

Honourable members when speaking to a point of order are not permitted to make a speech. I suggest that this is a matter of some difficulty to rule upon. The Member for Hermitage was directing his remarks directly to the Member for St. John's East and, as such, they may tend to be irrelevant. However, any member who does participate in the debate, I would expect, although this matter has never been adjudicated upon so far as I know, any member who participates in the debate then is subject to having the things he said debated. Now whether he managed irrelevant comments and got them into the record, that does not give another honourable member the right to debate these irrelevant comments with irrelevancies. So I suggest we are into a rather grey area. Now I do not think I can repeat that. I recognize the Member for Hermitage.

MR. SIMMONS: Thank you, Mr. Chairman.

SOME HON. MEMBERS: (Inaudible).

MR. SIMMONS: Thank you, Mr. Chairman.

I could draw another example if the Member for St. John's East is too tender on the point. It has only been a short while, I realize, Mr. Chairman, since he was flung out of cabinet. But it is the most dramatic example and the best documented example publicly of where we can take this government's word on a number of matters. It is the best documented situation. Now as I say if the member is overly tender, I can find any number of other examples with the committee's indulgence, any number of examples, to show why I am not prepared to take the word of the Premier on this particular issue, because, one, in terms of the record to date it does not inspire me to be very willing to believe they are going to introduce legislation and, two, if that is the intention of the government, and I say they can manifest an intention very simply just by getting up and speaking in support of it or more important voting in support of this amendment. There is no trickery in the amendment. It is just simply, do you want

to leave this matter with cabinet or do you want to leave it with the House of Assembly? That is all the amendment says. It is just an open and shut question. It is a yes or no type proposition. As I say, there is no awkward or vague or inconsistent wording, or wording that would lead to ambiguities or other intentions. It is just one question. Do you want the final decision to rest with the House or do you want it to rest with cabinet? Now that is an item I heard the honourable gentleman from St. John's East expound on at some length. I am somewhat dismayed to hear him say that he is not going to, because I rather admired him for this Dobbin stand, Mr. Chairman, and not because of the political hay type thing that he always tends to assign to us. How they have changed, the proponents of democracy and everything else. How they have changed, Mr. Chairman, since they crossed the floor. That same gentleman used to stand here two, three or four or five years ago and make great long-winded speeches about how the power of the House must be preserved. We do the same thing and we are accused of making political hay.

I say I admired him for this Dobbin stand, not for the obvious political hay that is in it for certain persons but also, Mr. Chairman, because he obviously was doing a thing that he believed in. At least that is what I thought at the time. I cannot quite jibe that, Mr. Chairman, with the statement he made in the last fifteen or twenty minutes, that somehow everything has changed, he was wrong. He was, as the Premier said, juiced up at the time. He is saying, and indeed, he was all wrong on this and he should have taken the Premier's word in the first place, and he is now going to take it. He is sorry for this and he is going to take it this time.

MR. CHAIRMAN: Order, please!

It now being six o'clock, I leave the Chair until eight o'clock this evening.

The Committee resumed at 8:00 P.M.

Mr. Chairman in the Chair.

MR. CHAIRMAN: We are discussing section 26.

MR. ROBERTS: Nice try. My colleague from Hermitage apparently is having a -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Is he back or is he dining well?

AN HON. MEMBER: He is here.

MR. EVANS: He is down at Waterford Bridge boy.

MR. CHAIRMAN: Order, please!

MR. ROBERTS: If honourable gentlemen opposite are ready may we proceed, Mr. Chairman.

MR. DOODY: He is not here -

MR. ROBERTS: I thank the junior Member for Harbour Main.

Mr. Chairman, the minister concerned has as yet said nothing on this so we do not have to deal with his arguments. Mind you, Sir, we do not have to deal with them after he has spoken either, judging by his normal performance. As for the gentleman from St. John's East, we were treated to one of his usual efforts, cloaked in his seamless garment, self righteousness. Essentially what he said, as I understood him, in between his alternate nastiness and coyness, was that he was quite prepared to accept the word of the government with respect to their desire or intention to bring in a bill which will serve some purpose in limiting the expenditure.

Now, Mr. Chairman, the honourable gentleman used a simile about us which I found rather effective, but in turn leads me to think that the honourable gentleman talking about virtue and belief is in exactly the same position as a lady of easy virtue caught in a police raid upon a brothel.

MR. BARRY: What is a brothel?

MR. ROBERTS: If the honourable gentleman does not know what one is now he might look about him. But I have no intention of listening to the gentleman from St. John's East lecture us on morality or propriety. He is the same man who told the entire Province on television that he was not prepared to accept the Premier's word. That was at the time when the debate was on as to whether he had left -

MR. MARSHALL: On a point of order, Mr. Chairman, on a point of order, the rules of Beauchesne say that it is wrong, page 131 - 155 (3), "No member can be allowed to attribute any intention to question the honour of one." Now to say that I indicated that you could not accept the word of any member is to question the honour, and this is entirely and absolutely untrue and I would like it withdrawn.

Unfortunately the honourable members of the Opposition do not seem to be able to see distinctions. At no time, and I made it perfectly clear, did I ever question the honour of anyone in this House, the honourable Premier or for that matter the honourable Leader of the Opposition, or question their word. That was never the issue. Now if they want to bring up the other instance I am quite prepared at any time to debate it, quite prepared, and I want to indicate that at no time would I withdraw anything at any time I said with respect to the previous incident or this. But at no time either did I question the integrity or the honour or the word of anybody.

The honourable gentlemen on the other side of the House obviously cannot see distinctions because of their lack of intellectual capacity, but the fact of the matter is, Mr. Chairman, and perhaps I put it succinctly for them and succinctly for anybody else, the distinction between the two is not a question of accepting the honour of anybody or any person but it was purely and simply in the one case of a decision having been executed and agreed to be entered into on the one hand, and in this case it is purely and simply a case of the government saying that it will not enter into a distinction. Now how much more I have to explain it I do not know and I am not explaining it to the

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honourable crowd, as they call themselves, on the other side. But it
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never a case of questioning the honour of anybody, the word of anybody or the integrity of anybody. And it is completely out of order for anyone to impute that such a situation had occurred.

AN HON. MEMBER: Hear! Hear!

MR. ROBERTS: Mr. Chairman, the honourable member began by saying that there was a point of order, and then launched into another of his diatribes. The Beauchesne reference, I think, is quite clear. And I had no intention or thought nor did I use any words impugning anybody's integrity. I merely quoted the honourable gentleman for St. John's East who told us all on the CBC "Here and Now" programme, on the television, that he would not take the Premier's word. That is all I am saying. And all I am saying is that if the honourable gentleman who for three years served together with the Premier and the other members of the ministry in a cabinet will not accept the Premier's word, then I am not prepared to accept it either. That is all I am saying.

MR. MARSHALL: On a point of privilege, Mr. Chairman.

MR. ROBERTS: I am sorry?

MR. MARSHALL: On a point of privilege, Mr. Chairman, on a point of privilege which supercedes a point of order.

MR. ROBERTS: But Your Honour we are on a point of order.

AN HON. MEMBER: Sit down!

MR. MARSHALL: A point of privilege, Mr. Chairman, -

MR. ROBERTS: Your Honour we are on a point of order.

AN HON. MEMBER: Inaudible.

MR. CHAIRMAN: Order, please!

AN HON. MEMBER: Inaudible.

MR. CHAIRMAN: Order, please! I did not rule on the point of order,

I think the member made his point which was in the opinion of the Chair more of a debating point. The whole episode appears to be a difference of opinion between two honourable members as to the interpretation of one set of facts or other. And in the light of the debate and how honourable members may interpret a situation to their own advantage and the others disadvantage, it is very difficult for the Chair to rule properly on it. And consequently the Chair is not rising to adjudicate, as it were, upon that point of order was deliberate, and

it was a deliberate omission. Now I will hear the honourable member's point of privilege.

MR. MARSHALL: The point of privilege, Mr. Chairman, is in substance the same as the point of order, and I will repeat it. It is out of order and it is a matter of privilege, of severe privilege for one member in this House to impute the honour of another member.

AN HON. MEMBER: Hear! Hear!

MR. MARSHALL: It is equally out of order, and a point of privilege, for a member like the Leader of the Opposition or any other member in this House to say that one member would not take another member's word. Now I have explained the facts of the situation, I think, succinctly. They will not accept them. As I say I do not explain them for them to accept anyway. But I ask for the protection of the Chair in connection with this matter - and I am not having it besmirked the situation of which I now find myself by those on the other side who never had the courage to take stands such as I felt that I took that they were not able to take in the final situation. But they should not interpret it as being a matter of honour of a member,

MR. CHAIRMAN: Order, please!

MR. MARSHALL: Or a word of a member.

MR. CHAIRMAN: I ask the honourable member to deal particularly with the point of privilege rather than getting into a debated matters which are irrelevant to it. When the honourable member began his remarks they were relevant. I will ask him to continue dealing specifically with the remarks which allegedly bring out about a breach of privilege. A breach of privilege is a very serious matter and -

AN HON. MEMBER: Inaudible.

MR. MARSHALL: Thank you, Your Honour. I fully appreciate that and I will confine myself to the nature of the breach of personal privilege to ask for the protection of the Chair. The Hon. the Leader of the Opposition is imputing motives and is imputing words that were issued or allegedly stated by myself which were not stated, and, in essence, is trying to becloud another issue. But the point of the matter is,

Your Honour, that nobody is allowed, it is a matter of severe privilege for a member to question the honour of another member. And I would submit it is equally a matter of dire privilege for another member to insinuate or to state directly that another member, i.e. myself has imputed the integrity, the honour of somebody else. That was never an issue and never has been.

MR. ROBERTS: Mr. Chairman, may I say a word to that alleged point of privilege, Sir. I submit there is no point of privilege. The honourable gentleman for St. John's East made a statement on the television. He made that statement

for the whole Province to hear. He made it presumably because he wanted the entire Province to hear it. He made the statement in reply to a question asked by Mr. Rex Murphy, a well-known journalist. He said that he would not accept the Premier's word, but that is all that I am saying. I am not impugning any motives. I am not impugning motives nor am I impugning character.

I have said, Sir, this is not a matter of privilege, that I am not prepared to accept the administration's assurances as being good enough. I am not prepared, as the honourable gentleman is, to let these amendments stand aside on the assurances that have been given to the House by the Premier or by anybody else.

MR. CHAIRMAN: Order, please!

I am prepared at this time to give a preliminary ruling on this point. If honourable members persist, I may have to give a detailed ruling on it. As far as the Chair is concerned, this is a difference of opinion as to fact in the first instance. Secondly, once the facts have or have not been ascertained, there is a difference of opinion as to the interpretation of the facts.

The facts alleged deal with remarks which may or may not have been made by the member for St. John's East in a television appearance or elsewhere. They are not before the House. I will protect any honourable member from unparliamentary or scurrilous remarks or any other type of remarks that are made within the House.

However, it is certainly unfair, and impossible really, for the Chair to be the arbitrator of the alleged facts and then to have the correct interpretation of them. So, if honourable members wish to argue about the facts and their interpretations of them, they may do so, and the Chair will struggle along and attempt to protect all honourable members within the rules of Beauchesne and all the other precedents as well as the rules of common sense. I trust that that will put the matter to rest.

MR. ROBERTS: Thank you, Mr. Chairman.

Now, let us review the situation. We have before the committee

a clause which if adopted without amendment would give the government the power to borrow unlimited amounts of money, absolutely unlimited amounts of money. They could borrow any amount of money which anybody would lend them on the strength of this clause, provided only they can maintain that the purpose for which the money is being spent falls within a very wide type of expenditure envisaged by section (1) (a) of the clause under discussion.

I have moved an amendment to that clause to say that no money shall be borrowed by the Corporation constituted by this legislation unless and until the House of Assembly has approved that borrowing. I have said, and in due course it will actually take the form, Your Honour, of an amendment to section 34, that I shall propose an amendment which details a method by which I submit this procedure could be carried into effect.

The honourable gentleman from St. John's East when this point arose on second reading was a tiger. He spoke quite effectively. Since then, Sir, he has had his teeth pulled. He has been defanged. He says - and I accept his word without any hesitation - that the reason he has changed his stand completely on this - and he has changed his stand - he said on second reading as I recall it and I do not purport to quote his words, word for word. If the Hansard has emerged we can look it up. If it has not, in due course -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Mr. Chairman, it is completely relevant to the discussion before the Committee because what I am talking about is an amendment that purports to change this section. I am talking about the reasons advanced by the honourable the gentleman from St. John's East why he does not propose to vote for the amendment. He can vote for it or not as he wishes. That is his decision, Mr. Chairman. I am not attacking the honourable member. I am attacking the honourable member's arguments and reasons. There is a great difference between the two, I would remind the junior member for Harbour Main.

Mr. Chairman, the honourable gentleman from St. John's East

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gives as his reason for not supporting the amendment the fact that certain assurances have been given by the administration, specifically

by the Premier. I do not doubt what the Premier said. I am not one of those who feels that the Premier does not tell the truth. There may be such people in Newfoundland, but I am not one of them. What I say is that the assurances given by the Premier do not convince me, nor do I accept them as being enough to persuade myself or my colleagues to vote for this bill without amendment. That is straightforward and I think the honourable gentleman from St. John's East has been defanged, has had his fangs, his tiger's teeth, withdrawn. Now, that is -

MR. BARRY: On a point of order.

MR. ROBERTS: He is at it again. Be at it all night.

AN HONOURABLE MEMBER: Now, my son, do not be as foolish as you are.

MR. CHAIRMAN (Stagg): Order, please!

MR. BARRY: The honourable member opposite cannot help it, I know, but the personal attack that he is engaged in now, the references to the honourable colleague's dental qualifications. I really do not see the relevance to that, Mr. Speaker. Could we get the debate back on the tracks?

AN HONOURABLE MEMBER: Hear!

MR. CHAIRMAN (Stagg): Order, please! Well, there may be other honourable members in the House to which the honourable member's remarks might be more pertinent. However, I do not interpret them as abusive and insulting. They are a clever debating trick, a turn of phrase by the honourable member. I do not think they are unparliamentary.

MR. ROBERTS: Thank you, Your Honour. Well, once again, you know, he really, - the honourable Member from Placentia West is not really fit to hold a candle to his friend from St. John's West when it comes to harrassing points of order.

Now, as I was saying before the honourable gentleman from Placentia West launched himself again into the fray. He tries hard. It is not his fault he does not succeed. The gentleman from St. John's East -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: The junior Member from Harbour Main wishes to make his maiden speech in the House.

MR. DOODY: Inaudible.

MR. ROBERTS: Oh! If the honourable gentleman from Harbour Main, the junior member, is worried about the "attack" on his friend from Placentia West, I would submit he has greater things to worry about than that. I would hope he does.

Now, Mr. Chairman, the point of the amendment is to make sure that the House of Assembly gives prior approval to any borrowing. The gentleman from St. John's East was quite eloquent when he spoke of the Melville Bill and I think he has a good point. I am not very proud of the way the Melville Bill or Melville Act was used and occasionally I reread the Hansard debates when the gentleman who introduced that particular act, the Member for Burin and the Member for St. John's West were in the Cabinet, and if I am not mistaken, the Member for Burin as Minister of Justice in a previous reincarnation brought in this principle. The honourable gentleman thinks I am mistaken. I do not think I am mistaken. I think he spoke, one of the three ministers who spoke in support of that bill, the Melville act when it was moved in this House back in 1966 or so.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Mr. Chairman, the Minister of Justice would be well advised not to consult his conscience but to consult his Hansards because, as I recall it, there were three ministers in the Smallwood administration. I was not a minister at that point. I have no doubt if there was a recorded vote on the bill, I have no doubt that I voted in favour of it. That is fine and I think the gentleman from St. John's East is quite right when he lays upon my shoulder a degree of responsibility. That is fine, just as in due course, the people of Newfoundland will lay upon the shoulders of the gentleman from Placentia West a degree of responsibility for whatever he may achieve or may not

achieve during his term of office. That is very straightforward.

The minister will have to answer for any good that is in that bill and answer for any bad that is in that bill. It is his bill. He is the spokesman for the ministry on it.

The fact remains we have had one Melville experience in this Province and I would not say it has been a particularly happy one for this Province. If we could ever get a statement out of the administration as to whether the mill is making money or losing money, something which we have not - the Premier says it is losing money. Well, that is the most complete statement that has been given by any member of the administration with respect to it, in at least the last twelve months.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS:

I am sorry. Some days it makes money; some days it loses money. Obviously, Sir, the days in which Mr. Kraft is involved are the losing days and the days in which they are not involved are the making days.

MR. CROSBIE: On a point of order, Mr. Chairman. Are we debating the Linerboard Mill Project or are we debating this bill here? There is no relevance in the honourable gentleman's discussion at all to the principle of this bill.

MR. ROBERTS: To a point of order, Your Honour. I confess I feel that I have strayed somewhat from the point in getting into the details. I can only plead, Sir, that the Premier led me astray with his fulsome remark, for him a lengthy speech, that the mill was losing money.

MR. MOORES: (Inaudible).

MR. ROBERTS: The Premier says let us get it over with. Well, let us go to Government House tonight and get it over with. Can we? The sooner the better.

SOME HON. MEMBERS: (Inaudible).

MR. ROBERTS: Now, Mr. Chairman, as I was -

AN HON. MEMBER: Joey is coming back tomorrow.

SOME HON. MEMBERS: (Inaudible).

MR. ROBERTS: Can they stand? Are they able to stand after their suppers, all of them? Can all of them stand? Can they stand? Stand gentlemen.

SOME HON. MEMBERS: (Inaudible).

MR. ROBERTS: I am not being at all sensitive.

SOME HON. MEMBERS: (Inaudible).

MR. ROBERTS: Now, Mr. Chairman,

MR. DOODY: (Inaudible).

MR. ROBERTS: The Junior Member for Harbour Main is trying hard to be the clown prince for this administration.

MR. CHAIRMAN: Order, please!

AN HON. MEMBER: The honourable leader -

MR. CHAIRMAN: Order, please!

I have sat by for approximately five minutes waiting for honourable members to come to order on their own, and this has been unsuccessful. I was not really too optimistic about its success but I did leave honourable members to their own devices and accordingly they have not surprised me. I would suggest that the Hon. Leader of the Opposition, if he wishes to continue, that he make remarks that are relevant. He has strayed from the straight and narrow on occasions, and if he is persistently irrelevant, of course, the Chair does have a rather tough measure which could be taken, but I doubt whether that would be necessary.

MR. ROBERTS: Thank you, Mr. Chairman. I am grateful to Your Honour for keeping me back on the straight and narrow. As I was saying about the section 26, the principle is really quite simple. Is this House going to control the borrowing or is the Governor-in-Council, the Cabinet going to control it? This bill as it is drafted, as it stands now, without amendment, will give that power solely and simply to the cabinet. The only requirement is that once a year - there is a section further down, Sir - they have to table an annual report and some financial statements. That is their entire commitment to the public. That is their entire implementation of the principle that this House controls it. There is no proposal to change the bill. What do we have? We have some very vague wishy-washy assurances by the Premier, which I, for one, am not prepared to accept. Perhaps every honourable member on the other side will stand and tell us that he is proud to be able to accept those assurances. More power to them.

MR. EVANS Why would he not?

MR. ROBERTS: Yes, the honourable gentleman from Burgeo says why would he not? I agree, why would he not? If I were the

honourable gentleman from Burgeo, I would be prepared to say that too.

MR. EVANS: (Inaudible).

MR. ROBERTS: Mr. Chairman, I thank the Premier for trying to keep the Member for Burgeo relatively under control. Now, Mr. Chairman, the argument made by the Hon. Member for St. John's East, if it has merit at all, the merit of it is that this amendment should go through. We have had one bad experience in this Province. Now we are heading, not into the same thing, we are heading into one that is about eight or nine times as large, eight or nine times as large. There is nothing to say that this project may not cost us \$2 billion, \$2.5 billion, \$3 billion or any figure at all. Once we start on it, Your Honour, once we start, there will come a point, and I would imagine that it will come very quickly, when we cannot turn back. That is what happened with the Melville project. The government took the same decision when they came into office. They took a decision either to write off X million dollars or to carry through with the project. They chose to carry through with it, with results which we all know. The town of Stephenville has done rather well out of it. There are a lot of people working there. The treasury of the Province is sustaining some costs. So are we going to do it again now?

Honourable gentlemen opposite were bold at second reading.

One honourable gentleman opposite has since changed his position for the reasons which he stated. Well, Sir, we do not accept the assurances of being adequate. This amendment should be accepted because this amendment and the ones to follow it will ensure that the House of Assembly has control over borrowing. Without these amendments there is no such assurance in law. There is nothing at all. It is like the public tenders we talked about. If the government wish to do it they can. But they are not made to. If we are going to accept the principle that this House is supreme, subject only to the constitution, then we will accept this amendment.

But if we are going to accept the principle which I readily concede was too prevalent in Newfoundland, but I thought that day had gone, if we are going to accept the principle that the House is not master of this Province but that the Cabinet are master of this Province then, Sir, the House will not accept this amendment. The issue is that simple. Honourable members will have to consult their consciences and then decide as they see fit. The amendment is not unworkable. The amendments are quite feasible and quite workable. The amendments, Sir, restore to this House, or retain in this House, the power to control the borrowing of funds for this vast project. That is what it will do. If honourable gentlemen opposite, who were so bold at second reading stage, accept the mess of pottage they have been offered in substitute, then so be it, that is their decision. But I will be surprised and so, I venture to say, will thousands of fair minded people throughout Newfoundland. They do not expect anything more from the Cabinet, Sir, The Cabinet's stand on this is a government measure. They have made up their minds. The Minister of Justice is an old hand at this sort of open-ended guarantee. He sponsored one bill. He stayed in a Cabinet that did it. He signed the agreements for the Melville Project, open-ended agreements. His signatures are all over them, Sir, not mine.

MR. HICKMAN: Wrong again.

MR. ROBERTS: The honourable gentleman says I am wrong. Let him

go back, let him go back to the records.

MR. MARSHALL: I happened to be called to order when I was referring to instances of the past and I would think the honourable Leader of the Opposition ought to be as well, because I could have developed it. There may have been three people on this side of the House who voted for it but the honourable gentleman opposite, none of them over here were there when it was abused. That is what the point is.

MR. EVANS: Well he is finished because he has no future.

MR. CHAIRMAN: The point is rather difficult to adjudicate on. I do acknowledge that the Member for St. John's East was called to order this afternoon and it was that the Chair was anticipating his remarks rather than having heard them and giving a ruling on it and the same type of situation is upon us now and the Leader of the Opposition is into remarks which may or may not be relevant. It certainly could be a subject of some debate. I will entertain argument on it unless the Leader of the Opposition wishes to go on to points which are definitely relevant.

MR. ROBERTS: Mr. Chairman, if Your Honour wishes to have argument, I mean I am always game to have argument, but the points I am making are in support of my contention that the House of Assembly should retain control over borrowing purposes, or borrowing powers, I am sorry. If one must refer to analogies in the past, that surely is a legitimate way to argue and to advance reasons in support of a position by drawing examples from the past. I do not propose to debate the Melville Project although I would be delighted to if we wished. I would be quite happy to have another go 'round at that.

The point I am making, Sir, is that we have had an unhappy experience in Newfoundland. It turned out -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Oh well they are all very smart. The gentleman from Bonavista South who is trying hard to get in the Cabinet by the only means he knows how, the honourable gentleman is full of his irrelevant

and unwitty assertions. Since he cannot enter into the debate on its merits he tries to insinuate himself otherwise.

The point I am making, and I realize the gentleman from Burgeo does not appreciate it but I am past trying to get anything he appreciates, Sir. I heard the word about the honourable gentleman -

MR. EVANS: Inaudible.

MR. CHAIRMAN: Order, please!

MR. ROBERTS: Mr. Chairman,

the point I am making is that this amendment, if adopted, will retain in the House of Assembly this power. If this amendment is not adopted.

AN HONOURABLE MEMBER: Inaudible.

AN HONOURABLE MEMBER: That is telling him, "John." That is telling him.

MR. ROBERTS: Boy, I am glad we have a House Leader. If we had him Mr. Chairman, as House Leader two or three years ago, this government would not be in the mess they are in today. They would not be, Sir. As a matter of fact, Sir, if we had had him as House Leader and as Premier and as Minister of -

MR. CHAIRMAN: Order, please!

MR. ROBERTS: Am I out of order?

MR. CHAIRMAN: Order, please!

I do not think I need to say anything else on the subject.

MR. ROBERTS: If I had to guess, I would guess Your Honour was going to say that was out of order. I think Your Honour would be dead on. In any event, the point is - it is all very well to joke, but this is a terribly serious matter.

The amendment is a very simple one, but it would retain in the House of Assembly a very great power, and one which we should not give up. I would hope the amendment will be passed. The arguments were well hashed out at second reading and they were advanced with eloquence by some of us on this side and with equal eloquence by some on the other side.

Those of us on this side have not changed our minds. If we had seen, if they had been tabled and brought through the legislative process a bill to retain in the House of Assembly the control over the credit of the Province for this large amount of money, that would be different. We would be willing to take the bill on its merits and debate it at whatever lengths its merits required. I would think that it would be a great degree of unanimity about that bill.

Mr. Chairman, we have seen no such bill. Other than the

assurances which were extracted from the Premier under considerable duress and pressure we have no intimation of this bill. I will go so far as to say, Mr. Chairman, we will not see this bill this session. We will be hundreds of millions of dollars down the road, we will have a completion guarantee given, and that is provided for further down, and that is the first and last this House or the people of Newfoundland will hear of it. Well, that is wrong, Sir.

So, I shall vote for the amendment. I hope all honourable gentlemen do. Their own consciences will decide what they must do.

MR. CHAIRMAN: The member for St. John's South.

MR. WELLS: Thank you, Mr. Chairman. It looks, Mr. Chairman, as if we are going to have one of those evenings and I hesitate to plunge into this pool of erudition. However, I must, by the way, before starting my remarks compliment Your Honour on dealing with so many points of order and points of privilege. It is astonishing. It is excellent to see the whole thing handled in such a way. I hope when the appropriate legislation is forthcoming to constitute the Court of Appeal that Your Honour may be considered for this because obviously there is no doubt Your Honour has proven himself.

SOME HONOURABLE MEMBERS: Inaudible.

MR. WELLS: Well, I do not know about the honourable - all I know is in this life it is so difficult to deal with one's own matters, all I can say is I have no aspirations for it. Anyway, to come back to this. Now, I shall try, Your Honour, to keep my remarks brief. I know that this will astonish everybody in this House because we are used to remarks in this House that extend into hours when they ought to be in minutes. But we will come back to section 26 of this bill.

Now, I spoke on section 26, or on the bill, on the general principles of the bill, in second reading. I felt at the time and very strongly that I could not vote for this bill if nothing was changed. The reason that I felt that way, and I said so at the time, was that I could not see the Province, in effect the Province, through

this Corporation, borrowing approximately \$1.6 billion without the authority of the House. Now, therein lies the difference. You see, Mr. Chairman, I have no objection to this Corporation borrowing \$10,000 to buy a piece of land in Salt Pond to put a sub-station on with the authority of the cabinet, no objection at all. I have no objection to the Corporation buying a piece of land or buying an extra turbine or doing whatever it has to do in Bay D'Espoir or any other part of the Province. I have no objection to this Corporation borrowing money to buy transmission lines or distribution facilities to transmit electricity throughout this Province. It is a standard procedure which was carried on by the predecessor corporation, the Power Commission and has been carried on for some years.

There is no objection to it, and I, for my part, have no objection to it. I would be surprised if the honourable members of the Opposition had any objection to it. It has been standard procedure for years, and as far as I know it has caused no difficulty.

What I did object to was the borrowing of \$1.6 billion or perhaps \$700 million or \$800 million for the building of Gull Island, the Lower Churchill, and the transmission facilities without coming to this House for authority to do so.

Now we come to the question of the statement of the government on the government's policy with regard to this. Now the Premier spoke, and he spoke in the debate on second reading, on Friday, March 7, 1975 and I have a Hansard here in which his remarks appear. And I am going to quote them verbatim, Mr. Chairman, because it is most important, I think, to our consideration of this bill. And he said in the part of his speech that dealt with this matter, and it is not long. "The final clause that caused much discussion was the twenty-six, twenty-seven and twenty-eight, the Financial Administration Act. Now, Mr. Speaker, without going into any great detail here, there is, number one, no change from the existing law. We will not be deleting this section from the act. What we will do, however, is introduce a separate bill that will, because of the enormity of this project, because of the very size of this project, will set limits as to the borrowing for the project itself. The borrowing that would be set, I would suggest, will be approximating the cost of the project.

"There has been some misunderstanding with respect to government's intentions relating to its borrowing policies affecting the Lower Churchill Development. Let me make it quite plain that it is not the government's intention to use any provision of this bill for the purposes of allowing borrowing towards the Lower Churchill Project without, in fact, full reference to the House of Assembly.

"I wish to assure the House that the government would intend to bring a bill authorizing borrowing of amounts necessary to develop the Lower Churchill, as I have said, because of its enormity and will lay such information as is necessary to satisfy this House in order to fully inform all members of the situation before the final financial package is put together."

Now, Mr. Chairman, when the Premier of a province in the House of Assembly, of which he is the head of the government, makes a statement, makes a speech on a specific item such as this, he is not speaking as a private member, he is not speaking as a member who stands up just to express his view on something, he is enunciating government policy. He is enunciating government policy in the most

public and formal way that he can enunciate it, namely, in the House of Assembly.

Now if we accept that then we accept that it is the policy of this government as enunciated by the Premier in the House of Assembly that the government will bring the financial package before the House of Assembly before it is brought into effect. Now that is the gist and guts and fact of the undertaking. It is not an undertaking that can be renegeed on. It is a completely public formal undertaking.

Now the honourable and learned Member for White Bay North, the Leader of the Opposition, has said that he will not accept that undertaking. For my part I am prepared to accept that undertaking, and I say, without making any bones about it, that I will hold the government responsible for that undertaking. It is an undertaking made publicly, clearly, without equivocation in this House of Assembly. And I expect, and I will be corrected now if I am wrong, I expect that when the financial package, as it was put by the Premier, for the Lower Churchill has been arranged that the government will come to the House of Assembly, as he said before it is finalized, and ask this House to consider it, to debate it, to authorize it, and to make it law. Now if I am wrong, if I have the wrong interpretation, if I do not understand what was undertaken, this is the time, of course, for me to be corrected. But, I think the words are clear, the intention is clear, and obviously, Mr. Chairman, that is the intention and formal undertaking of the government. There is no way, as I see it, that the government can renege on such an undertaking. There is no reason for me to believe that the government will renege in that, in fact, it would be after such a clear and unequivocal undertaking it would be impossible for the government to renege on that.

And, therefore, Mr. Chairman, the intention of the government is as clear as words can make it. And that when the financial package is put together it will be brought to this House, submitted to the members of this House who are the people's representatives, it will be debated, it will be voted upon, and it will be passed or whatever is done with it. That, Mr. Chairman, is the end of it.

And now to twist that undertaking, to suggest that it will not be done, to me is absolutely preposterous. It cannot be, because a government lives or dies by its formal undertakings made in the House of Assembly and by the regard that is placed on them. And this is one, Mr. Chairman, and I am speaking now for the record and as a supporter of this government, this is something that cannot and will not be reneged on. So, there it is, Mr. Chairman. This is the commitment of the government, publicly - openly in this House of Assembly. As I say, it is not my wish to ask that borrowing for a \$10,000 piece of land on the outskirts of St. John's or a \$5,000 piece of land in Nain or in South Pond or wherever it might be, it is not my wish that this be brought to the House of Assembly. I do not think anybody would want to see that, but \$1.6 billion or \$1.7 billion or \$800 million, as the case may be, yes.

Now, there is the commitment. It is so public, so clear, so open, so complete that it cannot be reneged on and I say, Mr. Chairman, that it will not be reneged on. So, the point is that on this clear and concise undertaking, I find it possible to support this bill because of the clear assurance that the other bill, when the financial package has been put together, will be brought before us in this House. For that reason I supported this bill in second reading and I support it also in committee stage. Thank you, Mr. Chairman.

MR. CHAIRMAN (Dunphy): The honourable the Premier.

PREMIER MOORES: Mr. Chairman, very briefly. The honourable Member from St. John's South, I think, has quoted the words I used before. I think it is very important to identify what we are talking about. There seems to be some discussion or debate regarding the word of the government, not any individual in this House but the government, and what our intention is.

The simple fact is, Sir, and I think I should reiterate

it once again very simply, that we will even go further than what was said before in that in this immediate session of the House I think - well, I do not think, I know - I can say that there will be a bill introduced limiting the borrowing of Newfoundland Hydro which is the company we are talking about now, which will involve the expenditure in Bay D'Espoir and the other hydro projects in the Province this year and also the planning and the preliminary work that has to be done on the Lower Churchill.

When the Lower Churchill project is in place, so to speak, there will be a separate bill brought in that will deal with that project alone, whether it be through Hydro or whatever and after all, Hydro controls one hundred per cent of that bill. But what we are saying is that there are two bills probably that will be introduced, one the Hydro Bill which will limit the borrowing for the planning of the Lower Churchill and the hydro development within our own Province and when the time comes that Gull Island is put in a package form of engineering and financing and so on, that then that bill with all the ramifications of the bond markets and so on will be brought before this House for a debate and for ratification as well.

This is not something that an MHA or I as an individual or even as Premier of this Province, it is I as the Leader of the Government of this Province have undertaken to do. As the Member from St. John's South has said, that once we have taken that undertaking in public, once we have made this decision public, that we have, we in fact have no alternative but to carry on with it.

What we are trying to do here, Mr. Chairman, is to develop this Province through hydro electricity through power and the energy that it creates to develop our Province as such. There is no great behind the scenes episode that happened in the, possibly in the Labrador Linerboard Mill between the principles that are involved. We have said and I will say again that we are

only too glad to make our position public. We are only too glad, Sir, to have this House of Assembly debate and ratify the magnificent plans we have for the development of the Province through the development of the Labrador hydro energy.

MR. J. CARTER: Mr. Chairman, in speaking to the amendment the Leader of the Opposition has made - I cannot really go into it very deeply without discussing the parliamentary system of government itself because paradoxically enough - if I thought that by voting for this amendment that I would bring this amendment into force, I would do it. But the curiosities of the parliamentary system are such that only those resolutions that are presented by the government have any hope of passing and

one of the ways to influence legislation is, presumably, behind the Speaker's Chair or in caucus. Now we three that were referred to earlier in the debate tonight have had a solemn undertaking by the government that this legislation will be brought into effect to limit the borrowing of this Corporation.

AN HON. MEMBER: The House has had it, not you three.

MR. CARTER: The House has had it but we three, being members of the House, have also had it. It has been guaranteed to us publicly and privately. Quite honestly, if I thought that by voting for this amendment I would bring it into force, I would do it. But I do have some reservations on the substantive aspects of this part of the bill, and since they are directly related to the amount of borrowing that is proposed I think that they are quite relevant now. I have no reservations at all about the possibility or the desirability or the workability of the Lower Churchill being developed. Now I realize that this bill or the amendment is not directly connected with the Lower Churchill development. It has to do with the development of a government corporation, one of whose acts will be to develop the Lower Churchill. I see nothing to stop the feasibility of the Lower Churchill power house and dam and turbines all being developed to produce electricity at a fairly substantial profit. However, I do have some reservations about the feasibility of a power line bringing all this power down to the island.

MR. CROSBIE: To a point of order, Mr. Chairman.

The honourable gentleman is being irrelevant to the discussion of clause 26 of this bill. Clause 26 of this bill deals with borrowing by the Corporation. It does not deal with the Gull Island transmission lines or the tunnel or anything like that. We are dealing with the principle of the clause, which is whether or not the House of Assembly or the Lieutenant-Governor in Council should be able to authorize borrowing. Now there will be -

MR. CARTER: On that point of order, Mr. Chairman.

MR. CROSBIE: I am not finished yet.

AN HON. MEMBER: (Inaudible).

MR. CROSBIE: There will be legislation brought before the House to deal with the Gull Island project -

AN HON. MEMBER: (Inaudible).

MR. CROSBIE: Can I make my point of order? There is the Address-in-Reply, Mr. Chairman, or there is the Budget Speech, Mr. Chairman, or there is the estimates of the Minister of Mines and Energy and on all of those occasions the honourable gentleman can debate the transmission line, but not on this clause of the bill.

MR. ROBERTS: To a point of order, if I might, Mr. Chairman. I submit that the gentleman from St. John's North is being relevant. He is speaking to the amendment. He is giving the reasons why or which are going into his decision to vote for or against the amendment. He has not yet said which he is going to do, although I can take a guess. But surely the honourable gentleman should be allowed a reasonable degree of latitude, which is all he is claiming, to state the reasons why he either favours this amendment and will vote for it or alternatively does not accept the amendment and will not vote for it. I submit that the harassment to which he is being subjected by the House Leader should be ruled out for what it is, an attempt to stifle debate.

MR. CARTER: Mr. Chairman, to a point of order, if I may. What I am trying to develop, and this may help to settle the whole argument, what I am trying to develop is the fact that if this Corporation is given the right to borrow unlimited sums of money, there are a great many pitfalls in the way. The project, towards which this particular bit of legislation is directed, is one of such magnitude that a great many difficulties lie ahead and although it may be straining the limits of relevance, I do hope to tie it all together, But I will abide by your decision, obviously.

MR. CHAIRMAN (DUNPHY): The Hon. Member for St. John's South point was taken with some reservation.

AN HON. MEMBER: St. John's North.

MR. CHAIRMAN (DUNPHY): St. John's Extern.

HON. MEMBERS: Inaudible.

MR. CHAIRMAN (DUNPHY): Order, please!

AN HON. MEMBER: Try and bring it to order, Sir.

MR. CHAIRMAN (DUNPHY): The Chair can appreciate the honourable Member for St. John's South trying to make his point. He is straying somewhat from relevancy, and I would caution him to remain within the realm.

MR. ROBERTS: Well ruled! Well ruled! Hear! Hear!

MR. CARTER: Mr. Chairman, thank you for your ruling. I will try and keep as relevant as I possibly can. But I think there have been many examples of large public projects of this nature that have gone on devouring money in lots of \$100,000,000 at a time, and one such project, of course, was the late lamented heavy water project in Glace Bay, Nova Scotia.

One of the points that must be made at some part of this debate is that in order to develop this concept new technologies may have to be developed, and it costs a great deal of money to develop new technologies in the generation, or particularly the transmission of power.

However, I think I have made the point and you have allowed it, Mr. Chairman, and I appreciate your latitude. And, therefore, having made my point I do not wish to belabour it.

Again to clear up any mistaken notions that the Leader of the Opposition or any member of this House may have, I shall vote against this amendment. Although, I approve of it.

AN HON. MEMBER: Hear! Hear!

MR. CARTER: And although I wish very greatly to see some limit set upon any borrowing by any corporation or creature of this government.

AN HON. MEMBER: Hear! Hear!

MR. CARTER: And, you know, since I had solemn assurance by the government that they will do this I am prepared to accept it. But I assure you also that if the government fails to carry out its word no voice will be louder than mine in its denunciation of that government and of its policies. But I accept the fact that when any minister speaks in this House he is binding the government, in fact, when he even makes a joke it could turn out to be the law. Sometimes perhaps a law can turn out to be a joke -

AN HON. MEMBER: Inaudible.

MR. CARTER: So that is the position, Mr. Chairman. And I just warn honourable gentlemen that the project ahead that is being considered is fraught with a great many difficulties. And I would sincerely hope that no action will be taken without direct, immediate, and frequent consultation with this House.

AN HON. MEMBER: Hear! Hear!

MR. CHAIRMAN (DUNPHY): The Hon. Member for Hermitage.

MR. R. SIMMONS: Mr. Chairman, what I have seen in the past few minutes is certainly the most incredible sequence of circumstances I had seen in a long, long, long time.

AN HON. MEMBER: Inaudible.

MR. SIMMONS: Yes, there was a quite incredible set of circumstances thereto, Mr. Chairman.

MR. CHAIRMAN (DUNPHY): Order, please!

MR. SIMMONS: I could tell the honourable Member for Placentia West all about that too. The most incredible set I have seen in a long time. But second to that - I agree with him - second to that I have seen a very, very incredible set of events here in the past few minutes.

AN HON. MEMBER: Inaudible.

MR. SIMMONS: I have, Mr. Chairman - I said essentially what I wanted to say just before six, but I rise having heard the Member for St. John's North, and having seen the treatment he was subjected to by the House Leader. And I hear the Member for St. John's North say, look if they do not keep their word, well then I am going to be the

loudest voice around. I say to him that what we need are not loud voices after but conscientious voting patterns now. And to hear him stand and say he actually agrees with the amendment, he would vote for it except in that way he would not be in the majority because it would not pass any way, well, Mr. Chairman, on a matter like this I would rather have my vote counted with the minority, and know I voted as I felt I ought to, than to stand in my place and say, look the only real reason I am voting against this amendment is so that in that way I will be numbered among the majority.

Mr. Chairman, I would certainly appeal even now, despite what the member for St. John's North has said, I would appeal to him even now to vote on this one as he has indicated he feels. He obviously feels some sympathy for this amendment. He sees the wisdom of it. I was interested to hear what else he had to say before the House Leader shut him up. It was obvious that he was about to tell us something that might be of some help to us in making up our decision on this matter. It was obvious that he was leading into an area that would enlighten us.

At that point the House Leader, in what must be an unprecedented move in parliamentary history, gets up and pulls the rug on him and tells him he is irrelevant. I hope, Mr. Chairman, the member for St. John's North will pursue that line of thought he was on earlier because it is obvious he had some information which the Minister of Fisheries did not particularly want us to hear.

Mr. Chairman, let me say again to the member for St. John's North that I am not excited about his promises of a loud voice after. It is going to be too late then. We have here a pretty clear-cut decision. He and the other members can help us make the right decision, and give to the House the authority that it ought to have in terms of borrowing power. Perhaps the Premier is within the hearing of my voice.

Now, I had hoped that at the time he made his latest statement he would have also given us his reasons why in view of his stated stand, that he is going to introduce some other legislation. He takes great pains to assure everybody that this is the case. In view of that, I wonder if he would tell us sometime during committee stage what the hangup is on this particular amendment. Why is it he feels the need to shoot this one down when he keeps giving us the assurance - he says without equivocation etc., etc. - keeps giving us the assurance that when this is all over he is going to bring in another bill which is going to have the same effect as the amendment?

I cannot follow the reasoning. I wish somehow the Premier would just let us in on whatever it is in his mind on this particular subject. I can see from just sitting here and watching the contortions

of some of the honourable members opposite as they get up, I can see that some of them are having difficulty, real difficulty explaining their undertaking to vote against this particular amendment. I certainly sympathize in particular with the member for St. John's North who gave us what must be, as I said, one of the more incredible statements of this particular session, that his reason for voting against the amendment was that he knows that it is going to be defeated anyway and he would like to be on that side of the vote.

Now, I say to him and to others here that there ought to be better reasons, Mr. Chairman, better motivations, higher motivations for taking a stand on a particular issue than wanting to wind up on the winning side.

MR. CARTER: Mr. Chairman, surely I should not have to lecture honourable gentlemen on the other side on the niceties and subtleties of the parliamentary system. I do not think it is straining the rule of relevancy to digress for a moment and to explain. A vote against a government motion is two things. It is a vote showing disapproval of a government motion and it is also showing a vote for an Opposition motion. Whatever the merits of the actual motion are, are quite lost in the implications of the particular vote. Now, I may very well want to bring down this government at certain times if it does things that I do not approve of, but when I am given assurance I am willing to give it one more chance in this case. Now, the time may very well come when I will stand up and - however

SOME HON. MEMBERS: Inaudible.

MR. CARTER: It is in the American system that a vote means what it says. A vote does not mean what it says in the parliamentary system. Therefore if the honourable gentleman wishes to research it further I can give him various, quote him various authors. However, I feel that the point has been made and I call for the question.

MR. CHAIRMAN (DUNPHY): The honourable Member for Labrador North.

MR. WOODWARD: Mr. Chairman, just a few words in support of the amendment moved by the Leader of the Opposition. It is very curious that maybe those words House of Assembly will do the job of a bill that the Premier or the government House Leader has prepared or is going to move later on in the session. But the mere fact is that why is it not done now leaves a lot of doubt in the people's minds throughout this Province.

I remember the Premier making a commitment on another such amendment that he would move on another particular bill that was moved in this House, The Redistribution Bill. But as you travel throughout the Province you discover that although a promise was made, people are in doubt if that is going to be the case or not when it is so simple just to adopt the motion, regardless who it is put by, if it is put by the Leader of the Opposition or is put by the House Leader it is still serving the same purpose and I suspect that most everyone in this House is looking at the same thing. And I do not support the Government House Leader when he thinks in terms of saying, we are not voting on the Lower Churchill Bill, we are voting on the Lower Churchill Bill any addition to the Upper Churchill, any addition to any development on hydro that is going to be developed in this Province, whether it be \$1,600,000,000 or whether it be \$15 billion, this bill if it is passed in the state that it is passed now, can in fact, Mr. Chairman, take in expenditures up to \$15 billion, or \$100 billion for a period of the next twenty or thirty years.

So it is stupid of the Government House Leader or the Minister of Fisheries even to say that we are not voting on the bill but how can we

be assured when you pass this bill that there are going to be amendments made to it and why do we have to sit and wait for long periods of time for the bill to be introduced, Mr. Chairman? This is the question I ask. It not only leaves doubt in the minds of the people of this House but it also leaves doubt in the minds of the electorate throughout this Province.

I have had more flak on The Redistribution Bill and people are saying, is the Premier serious, will he look at the census and will he do another census in Labrador, will he give us another chance? Why should they be subjected to that humiliation.

MR. CHAIRMAN (DUNPHY): Order, please! Order, please! Order, please!

MR. MORGAN: Mr. Chairman, on a point of order -

MR. WOODWARD: Sit down you -

MR. MORGAN: The honourable gentleman is now talking about The Redistribution Bill, We are not talking at all about The Redistribution Bill. We are talking about The Hydro Electric Bill.

MR. WOODWARD: Just making a comparison. Sit down.

MR. MORGAN: That seems to be irrelevant.

MR. ROBERTS: To that point of order, there is a rule in the House that an honourable gentleman who speaks must speak from his own seat unless the gentleman from Bonavista South has been reassigned and has succeeded.

AN HON. MEMBER: He is in his own seat.

MR. ROBERTS: Is that his own seat?

SOME HON. MEMBERS: Inaudible.

MR. ROBERTS: No, I am not drunk unfortunately. Well, Mr. Chairman. then to the point of order, I do apologize to the honourable gentleman. I have been so used to seeing him down in sinners' corner and have not seen his handsome presence over there.

AN HON. MEMBER: You do not be in often enough.

MR. ROBERTS: Mr. Chairman, now we have had the final word on it, Sir. We need say nothing more. If the junior Member for Harbour Main is the clown prince that makes the Member for Burgeo the clown princess, I should think.

March 24, 1975

Tape No. 686

NM - 3

Now, Mr. Chairman, the point of order raised by the gentleman from Bonavista South, and I had not realized the honourable gentleman had achieved his heart's desire and was sitting in his seat, I have been under this misapprehension all afternoon. The remarks being made by my colleague are quite in order. He is saying, I have been listening with great care while imbibing a cup of tea, without sugar or milk, thanks to my colleague for Bonavista North, that

he is not prepared to accept the Premier's assurances and in giving his reasons for that he is drawing an analogy. He is not debating the Redistribution Bill. That was debated at some length in the House and hopefully will be debated in another forum in due course.

The fact remains that my colleague, my friend the gentleman from Labrador North, is merely stating why he is not prepared to accept the Premier's assurances. That is a fair enough matter. He is not prepared to accept them nor are many of us, nor are thousands of people in Newfoundland, and should surely be allowed to state why.

MR. EVANS: Inaudible.

MR. CHAIRMAN (Dunphy): Order, please! Order, please! The Chair sees no relationship between the amendment and the points the Member for Labrador South is trying to make in relation to the Distribution Bill.

AN HONOURABLE MEMBER: Labrador North.

MR. CHAIRMAN (Dunphy): Labrador North, I beg your pardon. So, there is no point of order put forward by the Leader of the Opposition and I would ask the Member for Labrador North to be relevant to the amendment.

MR. WOODWARD: Thank you, Mr. Chairman. Sir, the amendment is very simple. It only states that you are replacing the Lieutenant-Governor in Council with the words House of Assembly and I suspect as I said in my opening remarks, this is no doubt what the Premier will do if he introduces another bill in the House. So, why leave the suspicions throughout the Province and in the minds of the honourable members of the House when we could easily adapt the amendment and put the bill through the House and everyone would be happy with it? Why not?

AN HONOURABLE MEMBER: Inaudible.

MR. WOODWARD: Well, why do we not do it now? That is all I have to say. It is very simple, Mr. Chairman.

AN HONOURABLE MEMBER: Inaudible.

MR. WOODWARD: Oh! You can adapt or adopt, whatever you want to do.

MR. MORGAN: Mr. Chairman, just a few brief comments. It is unbelievable to me when I -

MR. CHAIRMAN (Dunphy): The Chair recognizes the Member for Bonavista South.

MR. MORGAN: Thank you, Mr. Chairman.

AN HONOURABLE MEMBER: Inaudible.

MR. MORGAN: Mr. Chairman, it is unbelievable when I sit here as a -

MR. CHAIRMAN (Dunphy): Order, please! Order, please! When an honourable member speaks in the House he does have the right to be heard in silence. If a member is to speak, then he would speak from his chair, not from doorways.

MR. ROBERTS: Hear! Hear!

MR. MORGAN: Mr. Chairman, I promise I am not going to be making a lengthy dialogue as we have heard from the Opposition members, but to me as a member of this Assembly it is unbelievable when I sit here and stand here tonight and listen to members of this honourable House of Assembly have the nerve and the gall to stand and say, we do not believe the Premier of this Province, we do not believe the Leader of the Government when he stands in this Assembly, this honourable House of Assembly and says, I am going to bring a bill before the House of Assembly to deal with the borrowing of \$1.6 billion.

AN HONOURABLE MEMBER: Inaudible.

MR. MORGAN: When a member of this House of Assembly, whether he be in the Opposition or on the government side, can stand and say, I do not believe the Premier, I do not believe the Leader of the Government - Even if the honourable Leader of the Opposition stood and said I do not believe in the honourable

Member for Bonavista South in saying it, would be a breach of privilege of this Assembly because if a member of the House of Assembly cannot believe another honourable member, if he cannot believe it, surely, Mr. Chairman, surely, Mr. Chairman, if that is the kind of respect we have for each other - if I cannot stand and believe in what the honourable Member from Hermitage is going to say in the House of Assembly or from Twillingate or from St. Barbe North -

AN HONOURABLE MEMBER: Inaudible.

MR. MORGAN: If I cannot stand and believe another honourable member in what he says, surely I got no respect of myself to be here to listen to somebody else saying something I do not believe in and to listen to the honourable Leader of the Opposition saying, it is a mess of pottage, a mess of pottage he says. When the Premier stands in the House of Assembly and says, I am going to bring in a bill to this Assembly before we borrow \$1.6 billion -

AN HONOURABLE MEMBER: Inaudible.

MR. MORGAN: He said this as a government statement, not as one individual member, but as Government Leader, as Premier of this Province. When any honourable gentleman who stands in this Assembly and says I do not believe the Premier of this Province when he makes a statement in this Assembly, has no right to be here, has no right to be here.

SOME HON. MEMBERS: Hear! Hear!

MR. MORGAN: When another honourable gentleman does not respect the words of another honourable gentleman, he should not be sitting in this House of Assembly.

SOME HON. MEMBERS: Hear! Hear!

MR. MORGAN: It is time, Mr. Chairman, that we must show respect for each other, and when the Government House Leader or the Premier of this Province stand and make a government statement, if we do not believe them, even as a backbencher or as an Opposition member, we have no right to be here. So surely, Mr. Chairman, if the Hon. Leader of the Opposition and the Hon. Member for Hermitage were heard tonight -

AN HON. MEMBER: (Inaudible).

MR. MORGAN: - have the gall to stand up and say the Premier is a liar, he is not going to bring in this bill.

AN HON. MEMBER: Who said that?

MR. MORGAN: Basically, they are saying that.

AN HON. MEMBER: What!

MR. MORGAN: Basically, that is what they are saying. The Premier is not going to bring in this bill, he is talking hogwash. He is talking complete nonsense. He is telling us, but who is going to believe him? We do not believe him. And the Newfoundland people will not believe him.

SOME HON. MEMBERS: Hear! Hear!

MR. MORGAN: Now that kind of nonsense should no longer be tolerated. Why not stand and have the nerve, the Hon. Member for White Bay North, why not stand in your place and have the nerve to stand up and say, Mr. Premier, you are a liar. Why does he not have the nerve to do that? Then when you do it, accept the consequences. But no, you twist and mangle and twist and mangle and say, oh, no, no, you are not a liar

Mr. Premier, but we do not believe you. We do not believe you. You are not going to bring in a bill to give this Assembly the right to borrow \$1.6 billion. We do not believe you, because you are a liar. Basically, that is what you are saying, and that kind of disrespect should no longer be tolerated.

AN HON. MEMBER: (Inaudible).

MR. MORGAN: I have no difficulty in standing and say why I am voting for the bill, because I believe in the government's statement. If the Hon. Leader of the Opposition stood tonight and said he was going to do something tomorrow, why should I, as a backbencher, why should I, as an individual member of this Assembly, disbelieve him? It is showing disrespect for him if I did, complete disrespect for him. I have never done that in the past and, Mr. Chairman, I hope I do not have to do it in the future.

I would say that the honourable gentlemen of this Assembly in voting for this bill, in voting for section 26, either they accept the word of the Government Leader or the Premier of the Province or even if they accept the word of a lowly backbencher, on the government side, if you do not accept the word of another honourable member of this Assembly, that means you are showing disrespect for the House of Assembly and you are breaching the House privileges. Thank you very much.

SOME HON. MEMBERS: Hear! Hear!

MR. CROSBIE: Mr. Chairman, I have no desire of ending the debate, but my God, you can only take so much. I mean I have heard more crass nonsense in connection with this bill, more nonsense per cubic foot of air in connection with this bill than anything else I have ever heard in all my born days. I am not referring to any recent speakers, of course.

Now, Mr. Speaker, look, it is just so incredible, look, there is legislation already passed by the House of Assembly, passed last June, which contains the same clauses and which gives the government and the Power Corporation the same right to borrow or to guarantee borrowing as this legislation now before the House.

AN HON. MEMBER: (Inaudible).

MR. CROSBIE: The predecessor act of that, the Power Commission Act, exactly the same position. It can borrow with the consent of the Lieutenant-Governor in Council and the Cabinet, not the House of Assembly. So under the Power Commission Act, the Power Commission, with the authority of the Lieutenant-Governor in Council or their consent and their guarantee could borrow ten billion trillion dollars supposing that some one would lend them ten billion trillion dollars. And the Power Corporation, established by the bill last June, could borrow ten trillion, trillion, trillion, trillion dollars without ever coming back to the House of Assembly if anybody would lend them ten trillion, trillion, trillion, dollars, but nobody would. But they could have borrowed it. And there is act after act - I can cite the Newfoundland Municipal Finance Act, this act and that act and the other act. There are more acts than you,

Sir, more acts than you see in a circus, that with the consent of the Lieutenant-Governor in Council that institution can borrow money and that is all that this act says.

Now, Mr. Chairman, when this act was introduced in the House, it was not being introduced so that the Lower Churchill could be financed. It was introduced to set up a new structure for the Hydro Authority in this Province. That is all. Because of the Lower Churchill and the takeover of the Upper Churchill, a new Hydro-Electric Authority was thought to be desirable. That is all this bill does. It was never contemplated by the government for one second that the Lower Churchill was going to be financed through this, not for one second did the government ever contemplate that section 26 of this act would be used to authorize \$1.6 billion dollars in borrowing for the Hydro-Electric Authority.

The Lower Churchill - it was always the intention of the government, it was never thought otherwise. It would not have been practical. They would not lend you the money. It was always contemplated that special legislation would be passed for the Gull Island Project. It has to be passed for a number of reasons. The House will be asked to give the Lower Churchill Project water rights, and the House may be asked to give certain other rights to the project. The people who lend the money, if they agree to lend the money, will want to see the House of Assembly of Newfoundland pass special legislation that will apply to that project because they will think then that their money is more secure and there is more behind it, and the House of Assembly has passed special legislation to deal with it.

It was never contemplated that this bill now before the committee, Mr. Chairman, be used to try to finance Gull Island. It is a bill to set up a new Hydro-Electric Authority which will have as a subsidiary the Gull Island Corporation, and CFLCo will be another subsidiary. This is the overall body with the same powers basically that the Power Corporation had the power to meet. Nothing sinister in it. Nothing improper or unusual. So, it was never intended when

all that fuss started three weeks ago that this was going to be used to finance the Lower Churchill.

Now, nobody needs to hold - I will tell you, Mr. Chairman, I am not a criminal and the Premier I do not think is a criminal. I am sure about myself. I am pretty sure that all my cabinet colleagues are not criminals. I mean, I can be positive for myself, but I have a very good feeling about the rest of them. I do not think any of us are criminals.

Mr. Chairman, to hear that we have got to give solemn undertakings and we are supposed to - it is the solemn undertaking of the Premier and the solemn undertaking - you know, there is no need for all this talk about us giving solemn undertakings. It was our intention before anybody ever brought the thing up. It can be a funny undertaking or a jocular undertaking or an hilarious undertaking. There is an undertaking by the Premier because the fuss was kicked up although he did not need to give the undertaking. The Premier has given an undertaking to confirm the government's original intention.

Tonight he has mentioned that in addition to that, in addition to legislation being brought before the House to deal with Gull Island when we know it is going ahead, that the Premier is going to introduce legislation to the House to set a limit to the borrowing of the Hydro Authority also. Now, honourable gentlemen opposite wanted to know, well, why is the bill not in now. Well, the bill is not in now because number one, it has to be drafted, and number two, the lawyers for our financial people want to look at it to make sure that from their point of view it is not going to do any damage to the job of selling debentures and bonds and so on, and the financial analysts want to see it, and the financial houses in Montreal and New York and London will want to see it. So, it will be brought in before this session concludes.

There it is, Mr. Chairman. We do not need to give solemn undertakings. We do not need to have fingers waved at us as though we were inclined to do something terrible in the House here and we

are going to whop a billion and a half in loans, you know, before you can blink your eye. It is all quite unnecessary. It is all just a political fuss kicked up for political reasons -

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Carter's Little Liver Pills. We are delighted, Mr. Chairman, that the member for St. John's North has given us one more clear chance. That shows his forgiving nature and the breath of his vision and the fact that he feels that we can somehow be redeemed, that we are not

totally gone beyond the pale. And we find him a most valuable member, he keeps our nose to the grindstone, he is a man whom we have a great deal of respect for. We do not always agree with everything he says. And the fault that he is given us one more chance makes me, for example, tonight feel much better than when I came here. I now feel that it is really worth going on. The Member for St. John's North feels we are worth one more chance. What more can you ask for, Mr. Chairman?

MR. ROBERTS: Well, Mr. Chairman, the honourable gentleman is a hard act to follow, he is like the main act in a vaudeville show. The matter is a little more serious than he would admit with his jovial jocularly. I find the jocularly amusing. I have never before, and I spoke to my colleague for Fogo who has been in the House for nineteen years - it is a matter for the record - we have never before seen a member on one side interrupted and harassed by a member from his own side, The gentleman for St. John's North for all the joviality that is now displayed towards him has, I think, established a new precedent, not a happy one.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: It is all very well for the Minister of Fisheries to say that the Premier and the government are honest but we did not need the assurance, But we are delighted to have it from one who tells us he knows. He qualified his words very carefully and that was good of him.

Equally I am deeply touched by the fact that the gentleman for St. John's West, St. John's North, I am sorry, has given the government just one more chance. I share the merriment which the Premier and the junior Member for Harbour Main and other members of the House had with that point. The Premier will doubtless sleep easier tonight knowing that the Member for St. John's North has given him just one more chance. I find that very appropriate.

MR. MOORES: Inaudible.

MR. ROBERTS: Well if the Premier were prepared to give the Member for St. John's North one more chance it might be a different story but that, Sir, is a matter between the Premier and the gentleman for St. John's North.

Now, Mr. Chairman, the debate while always being strictly relevant has got a little raggedy at times, but, I think, one or two important things have emerged from the debate. The first is that this administration have no thought of restoring to the House of Assembly the powers to control the borrowing of the Hydro Corporation. I am going to use the word restored because I have not traced back through the chain of precedent legislation, but apparently the bill went through last year with this power in it, and that in turn was reflecting an earlier bill. But that does not make it right now.

Equally it is obvious that the government have completely changed their policy with respect to the financing of the Lower Churchill project. If the debate has achieved nothing else it has achieved that.

The Minister of Mines and Energy has now been repudiated entirely by his colleagues.

MR. BARRY: Inaudible.

MR. ROBERTS: Well I can realize the member had not noticed, and I would suspect that even when he notices it he will do nothing about it.

But when he introduced the bill at second reading on February 28, he made quite a lengthy speech in which he talked about all sorts of matters affecting the energy field and affecting the Lower Churchill. And he went on at some length about one thing and another thing. But at no point, Sir, did he indicate anything at all about any intention by any government to introduce any further legislation with respect of the Lower Churchill or with respect to any further financial legislation.

The Premier the other night -

MR. BARRY: It was irrelevant.

MR. ROBERTS: The gentleman says it was irrelevant. It was not irrelevant to the bill which he brought before the House, which is now

before the Committee, and the Clause which we are now talking about. It is a relevant speech, Mr. Chairman. He spoke of the development of the Lower Churchill, and the powers of the Corporation, and how they were going to go ahead with the Lower Churchill and how the feasibility studies were so favourable, and one thing and another. All of it very fine. All of it very interesting. All of it well worth re-reading.

All of it telling us exactly what the corporation is doing to do and how great the minister was and how great the policy was and how much it was going to do, but no word at all, no word about any reference to any further legislation. I do not think there is any doubt at all that there was no legislation contemplated, let alone drafted.

Indeed, Sir, if we look through the debate, we will find that the clause now before the House was conceived of by the government, this clause and the ones which will follow it, as being the financial underpinning for the legislation and for the project. The Premier spoke the other night and he said that there was going to be a bill on the Lower Churchill. He speaks tonight and he says there is now going to be a bill on further hydro financing. Maybe the Premier should speak more often in the House. We might again get closer to the concept of the House controlling the affairs of this Province, the House, not the Cabinet, controlling the affairs of this Province.

So, that has emerged from the debate quite clearly. There can be no denial of the fact that the government intended to take this power and to use it and with no further reference to this House or to anybody. They might have the Information Services push out a little press release. They might or they might not go ahead and borrow whatever was needed and more importantly even than the borrowing - we will come to it a little later, Your Honour - is to sign a completion guarantee because this government, Sir, intend to sign that completion guarantee. There is nothing wrong with that as a concept. Indeed, once the project is launched, as I mentioned this afternoon, there will come a point where we have little choice except to complete it. But they have proposed to sign that completion guarantee without any further reference to this House of Assembly or the Cabinet. The gentleman from St. John's

North can speak to this, I should think, if he were not bound by his oath and by his Honour with a Cabinet that is essentially controlled by a small clique, a Cabinet that controls the House of Assembly by virtue of the government's majority. So, there would have been no further reference to anybody at all, but thanks to the cry raise from this side and thanks to the gentleman from St. John's North and to his colleagues in the trio from St. John's East and St. John's South before their teeth were drawn and the bite was taken out of their bark, and that is what has happened. They have had the bite taken from their bark. They bark but they will not bite.

The House we are told is now going to have some further control. We are going to have a debate on the Lower Churchill project. Well, that amounts to a repudiation of the Minister of Mines and Energy when he introduced this bill. He made no mention, he made no mention at all. I invite him to have a look through the Hansard, Your Honour, and particularly with regard to section (26). The minister had no thought of any further legislation, this was to be the final word, nor did his colleagues. The Minister of Fisheries would have pretended, would have had us believe that this bill was going to be the bill to authorize the Lower Churchill development. Tonight we have made them admit what we knew all along and let the word go forth from this time and place that the bill, that this bill will not authorize the Lower Churchill, that all that this bill does is set up yet another corporation, another series of charges against the expenditure of this Province, another means for the government to borrow money without coming back to the House, another means for the government to make commitments without coming back to us.

The Lower Churchill bill, the Lower Churchill bill is yet to come before this House. We are told it may come this session. I hope it does. But the government have finally had to admit

the government have finally had to admit it. The Premier said it. The Minister of Fisheries said it. In due course the Minister of Mines and Energy will get the message. The Lower Churchill Project has not yet come to the stage where the House of Assembly can consider it with a view to approving it or otherwise. I venture to say if the government make a good case they will win approval from all sides of this House, If they do not make a good case they will not get approval from this side.

The government, Sir, this bill, this section 26 which should be amended is not the bill which will see the Lower Churchill go ahead. Anybody who maintains otherwise is guilty of a fraud. This is merely a bill, a housekeeping bill, a word which the ministry used in introducing the bill at second reading but one which he disowned. This clause though, Sir, is more than housekeeping. This clause which stands unaltered, hopefully it will be amended, it gives the government of this Province power to borrow. Now they say they are not going to use it, Well I say to them, why do they take the power if they do not intend to use it?

The gentleman from St. John's South, trying to make the best case he could of a weak case, said that he had no objection to the corporation borrowing a few thousand dollars here or a few thousand dollars there to allow the purchase of a piece of land here or a piece of land there. I have no objection to it either. But it is a sophistry at best for the honourable gentleman to say that that is the objection that has been taken to this clause. It is not. Down below at the appropriate time I will move an amendment to give the administration a little walking around money to purchase the odd piece of land hither and yon, without having to borrow as much as \$5 million without coming to the House first. It is a canard and a sophistry to say that the reason why this clause should not be altered is that it would hamper the corporation in their day to day affairs. That is not so, nor would it.

The Minister of Fisheries when he spoke on second reading gave us the reason why this government will not alter this clause. He said if you like us, fine; if you do not like us vote against us. I am paraphrasing his remarks. He threw down the gauntlet. I might say to the Minister of Mines and Energy that his mentor made a far better speech on second reading than he had ever made. He put a case. The gentleman from St. John's North objected to it. So did his colleagues from St. John's East and St. John's South, for all we know others may have in the privacy of the caucus. Publicly these were the only three men who had the courage to stand and speak. I can think of no three men better fitted or better suited or from whom it would be more expected or more welcomed.

Mr. Chairman, this government, Sir, have not yet worked out their plans for the Lower Churchill, for all the talk. They have not yet come to this House to ask for authority for the Lower Churchill. We have that by their own words tonight, from the Premier and from the Minister of Fisheries and how could one go higher than that, how could one go higher unless it were the gentleman from Harbour Main. The gentleman from Harbour Main says the Minister of Mines and Energy. No, Sir, I do not always, or I differ with hesitation from the junior Member from Harbour Main but if he says the Minister of Mines and Energy is higher than the Minister of Fisheries, I do not accept that. Higher than the Premier, well the Minister of Industrial Development would know that and I would not.

But, Sir, even though this bill is not the bill we were told it was, and had it held out the Bill to Authorize the Lower Churchill, and they have now admitted that it is not, even though that is so, Sir, they still insist upon this power. They should not have this power. They do not need it. What possible reason could there be for the government taking a power to borrow unlimited monies? This is the same government, Sir, as I said this afternoon, that was able to convert an expenditure for educational films into an expenditure for tourism films.

Mr. Chairman, a grant of power as wide as borrowing money for any of the corporation's purposes, including without limiting the generality of the foregoing, and Mr. Chairman, many lawyers and many courts would be occupied for many years in deciding exactly what were the purposes of the corporation.

MR. ROBERTS: We do not even particularly - we have an object to the corporation, we do not have the purpose of the corporation, not as such. But the corporation, subject only to that Cabinet, that group of independent men, as the gentleman from St. John's North found out, may borrow money, that corporation may borrow money for any of its purposes, including without limiting the generality of the foregoing, the installation and maintenance of any system for the development, generation, production, transmission, distribution, delivery, supply, sale or use of power and they may, to secure the repayment of monies borrowed they may issue bonds and debentures, they may execute and deliver mortgages to any of the assets, title to which is vested in the corporation.

Mr. Chairman, they do not need that power now by their own admission. They have changed their ground completely this last half hour. They realize their earlier position was untenable but their earlier position was that we need that because we are going to go ahead with the Lower Churchill. Now they tell us that they are going to bring in legislation which will authorize the Lower Churchill, which will authorize the expenditures and this is their defence. Well, Sir, they cannot have it both ways. In fact they cannot have it either way. When this bill came before the House, Sir, we were told it was the Lower Churchill Bill. The Minister of Fisheries with his childish glee on second reading on the vote said, Ah Ha! You are against the Lower Churchill. Now it turns out, Sir, that this bill really has little to do with the Lower Churchill. It will allow the incorporation of a company or two or three, but after all The Companies Act allows the incorporation of a company or two or three. We do not need to put a bill through this House to incorporate a company.

MR. BARRY: Be serious, will you.

MR. ROBERTS: The Minister of Mines and Energy asks me to be serious. He is unable to realize and that probably is his problem, this is one of the more serious matters ever to come before this House, that the bill

he is bringing in is a sham, an arrogant and naked grab for power, and I do not mean hydro power, a bill in which he has been repudiated by his own administration.

Great! We were told, Your Honour, that this bill, and this clause is essential to it, was a great step forward. We were told it in The Throne Speech. We were told it in the dying days of the last session that this was going to be the be-all and the end-all, that this would justify this administration's tenure of office. Now, Sir, after we have exposed it for what it is, the Minister of Fisheries and the Premier who between them surely can speak for this government in a way nobody else can, one or other or both together tell us this is not the bill to authorize the Lower Churchill.

The Minister of Mines and Energy's great bill now emerges for what it is, a piece of housekeeping legislation, a piece of housekeeping legislation.

MR. BARRY: Make up your mind, is it important or is it not?

MR. ROBERTS: Mr. Chairman, the Minister of Mines and Energy stands exposed.

MR. BARRY: Make up your mind.

MR. ROBERTS: He in introducing this bill with this clause in it as central used the word housekeeping but then he went ahead and said it was more than that. I can find him, if he wishes, the exact references.

Mr. Chairman, my opinion of this bill is that the member, the minister, has, I do not think he has attempted to mislead the House, nor as the honourable gentleman for Bonavista South seems to feel, he was the only one who referred to anyone as being a liar, Nobody else did, but it now turns out that this bill does not do that which it was purported to do. This bill is hardly the centerpiece of a great policy of imagination and vision to develop the Lower Churchill. The minister's opening speech led us to believe that. Other ministers and honourable gentlemen speaking throughout the debate led us to believe that and, lo and behold, it turns out this is a piece of housekeeping legislation, that it is a piece of housekeeping legislation and a very offensive piece, a very offensive piece of housekeeping legislation because it gives the

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government too much power.

It gives the government power they do not need, power which they themselves have admitted they do not need. So I say to

the gentleman from St. John's South, I have some considerable degree of respect for his opinions in a way I do not have respect for many of his colleagues' opinions. I respect their right to their opinions, but I do not have the same respect.

But this bill is not the Churchill bill now. I do not know if he was in the Chamber when the Premier spoke and the Minister of Fisheries spoke to tell us that this is really not the bill for the Lower Churchill. We are going to have another bill come in and maybe two to talk about the Lower Churchill. In that light, Sir, this amendment should surely be granted. There is no reason to block this amendment now. There is no reason at all. There is no reason to have this power. The amendment should be accepted so that the power can be cut down. The government have given no reason now why they need this authority to borrow unlimited monies. They have told us that they are going to bring in other legislation. The Premier says that they are going to bring it in. I do not doubt his word. But that is not assurance enough for me. It is not calling the Premier a liar. The gentleman from Bonavista South seems to feel the Premier is a liar. Well he knows him better than I do. I will let him speak as he finds things. I am not calling the Premier a liar directly or indirectly.

MR. MORGAN: (Inaudible).

MR. ROBERTS: The only man -

MR. MORGAN: (Inaudible).

MR. ROBERTS: Mr. Chairman, what I wish to call the Premier is not a matter for consideration before this committee as this stage. Besides that, it might possibly be unparliamentary.

Mr. Chairman, the fact remains that this bill is a grab for power and it is too large, too much power. It is more than they need. If it is just a bill to set up some corporations they do not need unlimited borrowing authority, and yet they chose to take it.

MR. CROSBIE: There is a rule of relevancy and a rule against endless repetition of the same point. Now this point has been made by the honourable gentleman at least fifteen times in the debate on this clause.

MR. CHAIRMAN: I referred the honourable member to this point earlier in the sitting some time this afternoon. I must admit that there is a certain air of repetition, too, in what the honourable member says. I do recall having heard it a number of times before, whether it is fifteen or not, I am not sure. I do think the point has been made and he is getting relatively close to needless repetition.

MR. ROBERTS: Thank you, Your Honour. Your Honour stated the rule correctly, which the gentleman from St. John's West, for whatever purpose, did not. The rule is against needless repetition. I might be drawing too close to the point where Your Honour felt it was needless repetition. I am also drawing close to the close of what I have to say on this clause. There are a number of other clauses to come where similar amendments will be moved. The principle is so important that it must be fought at every stage of the way.

Let me just sum it up, Sir, by saying that the administration have put on a quite shameful show tonight. They have not approached the matter seriously. The gentleman from St. John's South did, the gentleman from St. John's North did and was treated with scorn. When the gentleman from Bonavista South speaks of respect for the House, one would expect some respect for a member who happens to be his own colleague, his own caucus mate. who was making points seriously and it was completely relevant to the debate, Sir. It is surely relevant in the debate to discuss the debate, to deal with points made by honourable gentlemen in speaking to the amendment.

The government say that they do not intend to use this power. They are going to bring in another bill. The assurances

are not good enough, not for us. We do not think they need the power and if the assurances are good, then they still do not need the power. So no matter which way the government chooses to argue it, Mr. Chairman, the amendment should be accepted. If it is not accepted, the government, it is obvious, have every intention of emasculating the House of Assembly, every intention of taking on to themselves the power to borrow and to spend very large sums of money without any further reference to the House. They do not need the power to achieve that which they say they want to do. If they truly intend to do only those things which they say they intend to do with respect to this bill, they do not need the power, and they will vote in favour of the amendment.

MR. EVANS: Mr. Chairman, I have two brief points I would like to make. Of course, we are all in favour of this bill, the greatest that ever came before this House -

SOME HON. MEMBERS: Hear! Hear!

MR. EVANS: - in scope and magnitude .

Now some of my colleagues have expressed amazement that the Member for White Bay North and some others on that side, colleagues of his, have intimated or more or less almost came out in the open and said that they do not believe the statement made by the Premier of this Province. I am not amazed. They are not accustomed to having somebody come out with a forthright statement as we are accustomed to getting from our Premier.

Some of these same gentleman over there spent years under a Premier who if he had told the truth, I am sure, and had found it out afterwards would die of a heart attack.

AN HON. MEMBER: Inaudible.

MR. EVANS: Another reference, the second point I want to make, the Member for White Bay North referred to the fact that our Premier was going to give the Member for St. John's North a second chance. Well according to the news here today that is more than Joey is going to give him. He is coming back tomorrow to pick his slate of candidates, and I am sure the Member for White Bay will not be amongst them. Thank you!

HON. MEMBER: Inaudible.

MR. CHAIRMAN: Order, please!

HON. MEMBERS: Inaudible.

MR. CHAIRMAN: Order, please! Fortunately the honourable member's remarks were short.

AN HON. MEMBER: Hear! Hear!

MR. CHAIRMAN: I think they were out of order. Should they be such as to provoke a similar response from honourable members to my right I will probably have to allow a certain amount of latitude in that direction but I am not going to allow a full scaled debate on the matters as brought out by my honourable friend to my left.

AN HON. MEMBER: Inaudible.

MR. CHAIRMAN: The Hon. Minister of Mines and Energy.

MR. BARRY: Mr. Chairman, I am provoked. Mr. Chairman, I am not going to spend any great amount of time replying to the Leader of the Opposition, other than to say that in one single thirty minutes of debate in this House I do not think I have heard as many inconsistencies, as many illogical non sequiturs in the past three years as I did tonight.

AN HON. MEMBER: common sense.

MR. BARRY: We had the Hon. Leader of the Opposition raving on for a time about the importance of this piece of legislation, the seriousness of this legislation, the tremendous importance to the Province,

criticizing honourable members opposite for not taking it seriously, and then in the next breath, Mr. Chairman, we have the Hon. Leader of the Opposition pointing out that it was merely housekeeping legislation.

Another logical train of thought running through the Leader of the Opposition's speech was to the effect that in moving this bill I had not referred to other legislation, Mr. Chairman. I suppose it is a compliment on the relevancy of my remarks. Well, Mr. Chairman, from there, from commenting on the fact that I had not referred to other legislation by some form of convoluted logic the Leader of the Opposition then got to the stage where the reference of other members of this honourable House to other legislation was a repudiation of my remarks.

Well, Mr. Chairman, I would submit that there are a number of philosophy students at the University who would have a very interesting week or month in trying to find a logic in those remarks. Let me just say, Mr. Chairman, that I would much prefer to have the Leader of the Opposition explain to myself, to honourable members in this House, to the people of Newfoundland how it is, how it is, Mr. Chairman, that the Leader of the Opposition can, first of all, support an administration that had this section in legislation, enacted by that administration; secondly, how can the Leader of the Opposition expect his voting for identical legislation, Mr. Chairman, not a year ago,

not twelve months ago, last June, June, 1974, he voted, Mr. Chairman, in this House for identical legislation.

Now, if the honourable Leader of the Opposition was to talk about repudiation, I would submit, Mr. Chairman, that he has repudiated himself, he has repudiated his principles from his own mouth tonight, the principles that presumably he held when he voted for the same legislation not twelve months ago. Mr. Chairman, at no time did this government, at no time did I in introducing the bill, at no time either in the House or out of the House did anybody on this side in any way directly or indirectly give anyone any reason for believing that this clause (26) and the following clauses were going to be the basis for the financing of the Lower Churchill project. What nonsense! What tripe!

Mr. Chairman, I pointed out in closing my remarks on second reading of this bill that like any other major project, this government will, at always contemplated and still contemplates bringing in an act. It will be proud, Mr. Chairman, to bring in an act to get the approval of this House for the Gull Island project. At no time was our intention otherwise. I challenge the Leader of the Opposition to point out anything in my remarks, either in the House or out of the House, that can be construed to the contrary.

I refer to the fact, Mr. Chairman, that this is an important piece of legislation. It is important because this is the corporation, Mr. Chairman, that will be not just developing the Lower Churchill project. This is the corporation, Mr. Chairman, that will be playing a major role in assisting government to formulate energy policy for our Province.

Now, if the Leader of the Opposition believes that this is not an important role, if he wants to assign this role as merely a housekeeping one, let him do so. But, Mr. Chairman, I submit to you that the people of the Province take note, the

people of the Province take note of the childish antics of the Leader of the Opposition in the course of this debate, the childish amendments he has thrown out, the purposeless amendments, amendments that would in no way change the existing law, Mr. Chairman. This particular amendment that he is proposing for this section, Mr. Chairman, in the light of the remarks that have been previously made by the Premier, by myself, by other members of this House on this side of the House, this amendment is again totally unnecessary and I ask all members of this House to join in unanimously rejecting this childish antic on the part of the Leader of the Opposition.

MR. CHAIRMAN (Stagg): Shall the amendment carry? Those in favour "aye", those against "nay". In my opinion, the "nays" have it.

On motion, clauses 26 through 30, carried.

MR. CHAIRMAN (Stagg): Shall clause 31 carry?

MR. SIMMONS: Mr. Chairman, clause 31 - before you put the question. I shall find them momentarily, if you will just give me a moment.

Mr. Chairman, clause 31, section 31, subsection (4) provides that the

aggregate of guarantees under this section shall not exceed a limit to be fixed, from time to time, by the Lieutenant-Governor in Council, and it is the duty of the Minister of Finance to see that this aggregate is not exceeded.

Mr. Chairman, I feel that it is wrong for the Cabinet, the Lieutenant-Governor in Council to have this kind of authority. Once again, without going into the details of the arguments which I presented earlier in speaking to section 26, I think it is wrong for Cabinet to have this kind of authority with respect to financial matters. With that in mind, Mr. Chairman, I would like to move an amendment to section 31, subsection (4) as follows, to delete subsection (4) of section 31 and replace it with the following: The aggregate of guarantees under this section shall not exceed \$5 million and it is the duty of the Minister of Finance to see that this aggregate is not exceeded.

SOME HON. MEMBERS: Hear! Hear!

MR. CHAIRMAN: Shall the amendment carry?

MR. ROBERTS: Mr. Chairman, the government are obviously at the point where they scorn any debate -

MR. EVANS: (Inaudible).

MR. ROBERTS: Mr. Chairman, the gentleman from Burgeo as always makes his own unique contribution. There is nobody in the world, Sir, who could equal the honourable gentleman. There is nobody in the world who would want to.

MR. EVANS: (Inaudible).

MR. ROBERTS: Now, Mr. Chairman, the amendment moved by the gentleman from Hermitage would limit the government's authority to guarantee money. It would limit it to a fairly reasonable amount, \$5 million, which is in itself a lot of money, but it is adequate to meet the sort of purposes which the honourable gentleman from St. John's South outlined, a fairly reasonable position. If the corporation need to act quickly, then they can do so. The Cabinet can whip an Order-in-Council

through eminently, just as quickly as a minister can be put out of the Cabinet. They can whip through an Order-in-Council and give the corporation authority to borrow up to \$5 million. We think it is reasonable. The government may or may not have reasons against it. I hope the Minister of Mines and Energy will state his reasons if he has them. But just to treat this matter the way the government do, as if it should be whistled through, as if they wished they never heard of the bill or of the House, is contemptuous, Sir. I do not mind them being contemptuous of us, we expect no better from them, but it is contemptuous of the House and contemptuous of the people of Newfoundland, contemptuous of the rights of the people of Newfoundland. I think the amendment is a very reasonable one. I think it should be supported, and I would hope that honourable gentlemen opposite will support it.

MR. EVANS: (Inaudible).

MR. ROBERTS: Or if they do not, then let them give some reasons for not supporting it. If the gentleman from Burgeo could dredge up a reason, then let him give the reason. If not, let some more balanced or rational spokesman for the administration give a reason. I would like to hear from the Minister of Mines and Energy on the point.

MR. EVANS: (Inaudible).

MR. BARRY: Mr. Chairman, do I gather rightly in understanding that the limit set for guarantees by the corporation is \$5 million?

MR. ROBERTS: The limit will be made by the Lieutenant-Governor in Council.

AN HON. MEMBER: The aggregate -

MR. ROBERTS: The aggregate - the limit by the Governor in Council, the Cabinet.

MR. BARRY: In other words anything more than \$5 million -

MR. ROBERTS: Will require action by the House.

MR. BARRY: - will require action by the House.

MR. ROBERTS: Right on.

MR. EVANS: (Inaudible).

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MR. BARRY: Mr. Chairman, do the honourable members opposite have any idea of what the normal costs of the corporation are in running its normal affairs? Does the

Opposition have any idea of just how much money it has been necessary for the corporation to borrow? Just forget Gull Island.

AN HONOURABLE MEMBER: Muskrat Falls.

MR. BARRY: Forget Muskrat Falls or Twin Falls or anything else. Just, Mr. Speaker, to carry on a normal programme, to keep the lights on - I cannot find anything in this - who put together this budget. I am trying to find - where is Mines and Energy here?

SOME HONOURABLE MEMBER: Inaudible.

MR. BARRY: Energy resources: Mr. Chairman, just for the Rural Electricity Authority alone, we see here that the corporation requires a grant in aid for operations of \$8,800,000. That is for operations, a grant in aid capital, \$3,715,000. That is a total of \$12,579,000, Mr. Chairman, just for the Rural Electricity Authority, just for the Rural Electricity Authority and that, Mr. Chairman, that is not saying that the corporation will not need to borrow anything above \$12 million. The corporation in the normal course of events borrows, Mr. Chairman, monies that will be repaid out of normal rates recovered by the sale of power to consumers. This amount here is a direct grant from government. This amount here -

AN HONOURABLE MEMBER: Inaudible.

MR. BARRY: Which I am just giving you as an example. This is the amount of the subsidy. That gives you some indication of the amount now. Now, if you wanted to take your time and go through and get the details of the budget which shall be going into my estimates, Mr. Chairman, honourable members opposite will get all the details, but a \$5 million limit, having to call the House together, Mr. Chairman, every time the corporation borrows \$5 million, honourable members opposite would be

coming back and forth like yo-yoes. That is an unrealistic limit, Mr. Chairman, even if any limit would be acceptable by government, even if we were going to accept any amendment to this section. That is totally unreasonable. The honourable member who proposes it, if he does not know that it is unreasonable, then I suggest that he must be suffering from nervous exhaustion and he should take some time out for a rest cure. Mr. Chairman, that -

AN HONOURABLE MEMBER: Inaudible.

MR. BARRY: I do not know. Obviously it could not have been a serious amendment. It could not have been a serious amendment, Mr. Chairman. Let me just say that that amendment cannot be supported by this side of the House. I do not think the honourable member opposite believed that we would support it. So, Mr. Chairman, I suggest that before the estimates of the department come up that he take, just go into the operations of the Power Corporation a bit and get some understanding of what is going on down there, of the type of dollars that are necessary in order to provide the services that our people require in the field of electricity today. Mr. Chairman, let us not have any more of these nonsensical amendments that are suggested here.

MR. CHAIRMAN (Stagg): Shall the amendment carry?

MR. ROBERTS: Mr. Chairman, not quite yet, Sir, if I might. The honourable gentleman from Placentia West has made the weakest of weak defenses. He has made a number of weak defenses in his time. He has made a number of weak defenses this night and this day in this committee and, Sir, his defense now is the weakest I have ever heard.

He made two points in attempting to justify his refusal to support this amendment. It would have been better, Sir, if he had been silent and then at least reasonable men would have been willing to imput to him a reasonable degree of reason and intelligence.

The minister first of all attempted somehow to maintain that the fact that the Power Commission spend in a year infinitively more than \$5 million, either on their own account or on the account of the Rural Electrification Authority, that somehow justifies his refusal to let the House of Assembly approve in advance the expenditure of funds. And how did he attempt to justify that? By quoting from the budget, by quoting from the estimates which amount to nothing more or less than a request by the minister for the House to do the very thing which he says they should not do, that is, to approve the estimates before expenditure. Because under the law of Newfoundland, Sir, the money which the honourable gentleman so glibly refers to the REA and the Power Corporation will spend this year, that money cannot be spent without approval from the House. That is why it is in the budget. That is why there is a request in the minister's estimates for authority to spend a certain amount of money, so many million dollars. It may or may not have been the figures he quoted, but the authority to spend the money. And the fact that the estimates apparently will not be through by the end of March, we saw it today we are going to have Interim Supply, authority to spend some money, a grant of authority by the House. So even for the minister battered as he is by the whims of fate that is a pretty weak a defense. That was one point of his defense.

The second one was attempting to say, oh we have the House together every week or every day. What nonsense! Even for the minister what nonsense. His standards of piffle are piffler than the average piffle, but what piffle for the piffing minister to try to maintain that somehow the House would have to meet each week -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: or each moment.

MR. ROBERTS: Now, Mr. Speaker, Mr. Chairman, I am sorry, Sir, Mr. Chairman, the House meets at least once a year. The honourable gentleman opposite may not realize why. The House meets at least once a year because under the British North America Act it is required to meet at least once a year to approve financial legislation. There is

no reason why in approving financial legislation there could not be included legislation to authorize the the Power Commission, the Hydro Corporation in this bill, to guarantee a number of dollars to exceed \$5 millions. No, Sir, no reason at all. The minister is guilty not of sophistry, sophistry at least has the pretense of reason. He is guilty of dissimulation, guilty of trying to make a case where none exists. It is far better for him, Sir, to be silent and shame-faced and just wish the deed be done quickly, which is what his colleagues wish that it be done without any delay,

AN HON. MEMBER: Inaudible.

MR. ROBERTS: that it carry on, than to try the sort of defense. The junior Member for Harbour Main likes the word "piffle". I think piffle is a very good word.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: It is a lot better than the pickle which the honourable gentleman would normally be more intimately associated with.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Mr. Chairman, I should say the honourable gentleman, the junior Member for Harbour Main has become associated with piffle when he has colleagues who piffle as the gentleman for Placentia West piffles, You think the gentleman for Placentia West would piffle privately and not piffle publicly.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: But, Mr. Chairman, the amendment as proposed by my colleague for Hermitage is a reasonable one. There is no reason in the world why this House could not be asked each year to approve an amount of money that would constitute the Corporation's financial programme for the year. After all that is what we do with the government's financial programme. The gentleman for St. John's East if he wished could tell us about the requirements of the Financial Administration Act that each year there would be brought in a loan bill. The Minister of Finance gave notice of it today. So I say to the honourable gentleman for Placentia West that his colleagues are ashamed of him, they have already repudiated him. Let him hold his tongue and let him hang his head -

AN HON. MEMBER: Fair haired boy.

MR. ROBERTS: and then he may be the fair haired boy, Sir.

AN HON. MEMBER: That is right.

MR. ROBERTS: He is about as fair haired as the honourable gentleman for Port de Grave.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Mr. Chairman,

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Mr. Chairman, this amendment is a reasonable one and it should be accepted. Five million dollars is enough money for the Corporation to borrow without getting prior approval from the House. There is no reason why they cannot come before the House, no reason they cannot bring in the appropriate legislation and the appropriate resolution, an Act, and ask the House for authority to borrow the money. And for the minister to maintain otherwise is less than candid, Sir. The minister,

Sir, should be ashamed of himself. The minister is asking for power to spend, power to spend the people's money without any reference to the people's House. He should not be allowed to get away with it.

MR. BARRY: Mr. Chairman, after that slashing attack which cut me to the very quick, I have to inform my colleagues that this vote I am going to consider a vote of confidence in myself.

MR. CHAIRMAN: Shall the amendment carry? Those in favour "aye", those opposed "nay". In my opinion the "nays" have it.

On motion clauses (31) and (32) carried.

MR. ROBERTS: Clause (33). Your Honour I wish to move an amendment to section 33. It is, if you wish, the more usual amendment to delete the words 'Lieutenant-Governor in Council' to replace them with the words 'House of Assembly.' If I may just say a word or two with reference to this. This section, as the side note so succinctly tells us, is the section which will authorize, if it is not changed, the Governor-in Council, our old friends of the Cabinet, to guarantee the performance by the corporation of any obligation of the corporation contracted by it with any person to pay any monies or installments thereof or to perform, fulfill or observe and covenant, obligation or provision of any agreement, deed bond or promisory note or any other document or instrument whatsoever.

Now, Mr. Chairman, this is the clause under which the government if they wish, can, may and I venture to say will issue a performance guarantee for the Lower Churchill Project. This is the one, this is the clause under which the bond holders, the customers will be given a guarantee that the Government of this Province will see that the project is built. That is not an unreasonable commitment to make to the bond holders and to the customers. The bond holders are going to put up a number of millions. They will want assurance that their number of millions is accompanied by a sufficient number of millions of dollars to bring the project into play. It is not an unusual assurance for the customers to ask. The customers are going to have to sign take or pay contracts, be they the Government of the Province or be they some commercial

customer, they will have to sign those contracts.

Mr. Chairman, what is unreasonable is that this commitment be given without any consultation with the House of Assembly. If this clause goes through unaltered it can be given. That will make all the financial legislation meaningless. I think the gentleman from St. John's South will have to agree with me on that.

The financial legislation, we are told there is going to be legislation coming before the House to give the House a look at financing and to ask the House for approval before the financing is done. But if this clause is unaltered the performance guarantee can be given and the government of this Province are then obligated. It is the Minister of Finance who gives the guarantee, acting for and on behalf of Her Majesty in right of the Province. Under this the Minister of Finance, with a requisite Order in Council, can sign a bit of paper which says, "To whom it may concern, I, the Minister of Finance, acting for and on behalf of Her Majesty in right of the Province and by virtue of the authority of section (33) of the Newfoundland and Labrador Hydro Act 1975, do hereby guarantee the performance by the corporation which contract to build certain power facilities and certain facilities to transmit the power developed at those facilities."

The Premier and the Minister of Fisheries have very carefully avoided mentioning this section, That may or may not have been deliberate. They may have overlooked it or they may have said ah ha, we will bring in the bill but it will be meaningless because we will give the performance guarantee and then the House is faced with a fait accompli. The House will have no choice but to approve it. We will already have said we will finish it.

AN HON. MEMBER: Say it.

MR. ROBERTS: Say what? Somebody over there is saying say it.

So, Mr. Chairman, honourable gentlemen opposite should be willing to accept this amendment if they are men who subscribe to the principles they

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have annunciated, But the House of Assembly should control this Province, not the government. The government are to answer to the House of Assembly and hold office by virtue of their support by a majority of the members of this House. Then, Sir, they will accept this amendment. It is a reasonable one and I would urge it upon honourable gentlemen.

MR. CHAIRMAN (Stagg): Shall the amendment carry? Those is favour "aye", those opposed "nay". In my opinion, the "nays" have it.

On motion, clause (33) carried.

MR. CHAIRMAN (Stagg): Shall clause (34) carry?

MR. ROBERTS: Your Honour, I wish to move an amendment to clause (34) and I have a copy of it. It is a fairly lengthy one. The Minister of Mines and Energy has had a copy for some time and there is one here for Your Honour. I wish to amend section (34) by deleting it and replacing it with the following section which reads as follows: "(34) Where under this act, the approval of the House of Assembly is required, such approval may be given by means of a resolution introduced in the usual manner and in the proper form and if such resolution is adopted by the House of Assembly, then the approval of the House of Assembly shall be deemed to have been obtained for the transactions and matters authorized in the aforementioned resolution, provided always that no such resolution shall confer any power to borrow money in an amount to exceed \$200 million or to be exercised over a period longer than the financial year during which the resolution is approved by the House of Assembly."

Mr. Chairman, that is a very straightforward resolution. What it says is quite simple. It says that the House of Assembly shall have the approval of all loans and all commitments of our credit and it says that it shall give that approval by means of a resolution which is debated according to the rules of the House. Every member may speak once, debate it in the normal way, and if adopted, stands as the decision of the House. But it says that the government may ask authority in any one resolution for as much as \$200 million or for a lesser amount, but always no more than the amount which they intend to spend in any given year on this project or any project.

Now, that is a very reasonable amendment. It is a substantial amount of money. There will be years during the Lower Churchill development when more than \$200 million is spent and that means that there will be more than one resolution needed in the House of Assembly and that means there will be more than one debate, but I see nothing wrong with that, Sir. If this Province is going to be committed to spend more than \$200 million, surely every \$200 millions is worth one debate. There may be years when less than \$200 million will be needed to be spent and then the government will need to bring a resolution before the House, but this will insure, Your Honour, this resolution, that in any year the House of Assembly is given the opportunity, at least once, to debate the government's hydro programme and that means, in the most immediate context, to debate the Lower Churchill project.

There can be no sound reason for opposing this. Indeed, Sir, this should be the very fundamental basis. The government should come before the House, should report on their progress and when they have reported on their progress, should ask permission to spend a further sum of money. I think the amount is reasonable. The \$200 million is approximately one-eighth of the present estimated cost of the Lower Churchill. In some years we may need more than one resolution. \$200 million is one-fifth of the budget of this Province. According to the administration's claim, it is about one-fourth of the budget as the Minister of Finance has outlined it. It is not a sum of money too large for the House or too small for the House to be concerned with.

So, I put forward the amendment in the hope that while the minister for reasons known only to him, he has not disclosed them to us in the House, the minister will accept this one even though he has not accepted any other amendment. I think this would

give the House control, Sir, control over the expenditure on this project or on any other, would give us control in a reasonable manner, a manner that is reasonable to the House and a manner that is reasonable to the government. I would hope the amendment is accepted, Sir.

MR. CHAIRMAN: Shall the amendment carry? Those in favour "aye."
Those against "nay."

MR. ROBERTS: We cannot divide the committee, Your Honour, and I do not propose to but we could have a division in the committee.

MR. MURPHY: On division.

MR. ROBERTS: No, no, it is a standing vote.

MR. MURPHY: (Inaudible).

MR. ROBERTS: Yes, you can.

MR. MURPHY: On division -

MR. ROBERTS: No, Mr. Chairman, I believe you can have a standing vote in committee. The gentleman from St. John's Centre has been a long time in the House but I do differ with him on the point.

MR. MURPHY: (Inaudible).

MR. ROBERTS: No, I think you can have a standing -

MR. MURPHY: (Inaudible).

MR. CHAIRMAN: Order, please!

MR. ROBERTS: It is not a matter for the government to allow or disallow, Mr. Chairman. It is a matter for the Chairman to rule and the Chairman will rule. I asked if we can have it and it is up to the Chairman to tell us what the rules say. That is his function.

MR. MURPHY: (Inaudible).

SOME HON. MEMBERS: (Inaudible).

MR. MURPHY: Mr. Chairman, I am only going by precedence. It happened on many occasions in past years when we were in Opposition. We asked to divide, and we were not allowed to divide but to record the vote on division. That is the way it was recorded.

MR. ROBERTS: Your Honour, I do not have all the precedents researched, but with the greatest respect to the gentleman from St. John's Centre, who has been around for a while -

MR. MURPHY: I am not an expert on it.

MR. ROBERTS: - we have divided the committee, Your Honour, and we will find it in this present House of Assembly. We have divided

the committee in the sense that members stand and the numbers are counted. What is not done is one does not have a division in which the members are called by name. All that stands in the records of the House then is that so many were for and so many were against any given motion and not a formal division in the sense that each individual member's name, if he is standing in his place, is called and recorded. I think Your Honour will find that our precedents do support that.

I do not think the rules, Sir, have any specific point on it. The rules deal with divisions.

MR. AYLWARD: Mr. Chairman, I think I have the rule here in Beauchesne 242, subsection (6): When a vote is taken in Committee of the Whole or in Committee of Supply or Ways and Means, the members rise and are counted by the clerk assistant who declares the number on each side. No names are recorded. The Chairman has the casting vote and in giving it he is ordered by the same rules as the Speaker under a similar situation.

MR. CHAIRMAN: I thank the honourable member.

AN HON. MEMBER: Citation 242.

MR. CHAIRMAN: Those in favour of the amendment please rise. Those opposed please rise.

I declare the amendment defeated. Three in favour and eighteen opposed.

On motion clause 34 through to clause 37 carried.

MR. ROBERTS: Mr. Chairman, clause 38, I think, is the only place in which this has been raised. This is the clause that requires -

MR. EVANS: (Inaudible).

MR. CHAIRMAN: Order, please!

MR. ROBERTS: This is the clause, Sir, under which the corporation, the board, well, that is the effective agency of the corporation, are required to prepare and to submit to the minister a report each year, a financial report, an annual report we will call it for want of a better term.

Now I do not think it is in order to move an amendment to achieve the purpose which I have in mind. but I would raise it in the hope that the administration would agree to make it a matter of practice. This project, Sir, is going to go on for a number of years. It will start hopefully this year. Indeed I suppose it could be said, Sir, that it has already started. We see tender calls in the newspapers and that sort of thing and, hopefully, it will be in full swing later the Summer or in the Fall. There is no provision for a regular review by the House of Assembly, and

I do not mean at this point the sort of review we talked about in the amendments which the government decided in their arrogance to reject, the amendments which would give the House control over expenditures and so on.

As I say, I do not think it is appropriate to amend it but it is a matter of statement of government policy. I think there should be a Standing Committee of the House or a Select Committee set up which would be constituted each year or each House of Assembly as appropriate for the duration of this project which would have as its purpose, that Standing Committee, to review the project. The problem with the procedures set forth in section (48) Mr. Chairman, is that members have no way to question any official and I do not mean the clerks or the bookkeepers, I mean the board, the spokesman for the board, the president, the chairman, whoever speaks for the board in these matters, All we will have is we will have laid before us a report which the minister will receive and which he will give to us within fifteen days of the session beginning. I do not think that that, Sir, is adequate to enable members to gain the information they would need if they are to be kept abreast of this, if they are to be able to discuss it intelligently and to vote intelligently on questions that do arise with respect to the projects. So I would ask the minister, I would move an amendment, Sir, but I really do not think it is appropriate in a bill to constitute a Select Committee, whether we could have an assurance that the administration will undertake to set up in each session, and the minister is shaking his - I do not know if he is shaking his head at me or - I am sorry, he is shaking his head at his colleagues, well that is fine. I do not know what his colleague said to him -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: No. The Public Accounts Committee, Sir, surely would not be an appropriate vehicle here. We are talking of expenditures here that in any given year may amount of a third of the total expenditure of the Province and I would think it sufficiently worthy, sufficiently

important to have a special committee constituted, with a view to each year they would sort of have the report referred to them, the report to be tabled by the minister. They would have the power to require officials to appear before them, to answer questions and to make points. This, after all is what happens in Ottawa quite regularly with respect to estimates but also with respect to Crown Corporations, Air Canada, CN, the National Harbours Board, they all appear before these committees on a regular basis. It is one of the more useful parts of the legislative programme at Ottawa, at the House of Commons. So I would make the request of the minister. I think it is something that is very sensible, very reasonable, and while he may or may not feel the House of Assembly should have control, and he obviously does not accept the ideas I put forth and the amendments I moved, this is a different matter and one which I think would be entirely appropriate and entirely relevant. So I would hope it will be accepted.

MR. BARRY: Mr. Chairman, I am not prepared at this time to say that we are going to accept or reject the suggestion of the honourable member, the honourable Leader of the Opposition. I will say that I have no hang ups about this particular suggestion and I think that if any member of this honourable House cares to go back and read my statement with respect to supply of information by the corporation to this House when I clued up the remarks on second reading of the bill, that any member who cares to read these will find that my policy is that whatever information is necessary to come to the honourable members of this House should come to the House and whatever is the best mechanism for doing this is the one that should be adopted.

Mr. Chairman, I will say that we will take this suggestion under advisement and give it careful consideration and if government decides that this is the most appropriate way for getting full details and adequate information to this House and to the people of the Province with respect not just to the Gull Island Project but with respect to the operations of the corporation generally, then, Mr. Chairman, as I say we will give it careful consideration and we will bring back an answer once we have made a decision on this.

MR. AYLWARD: Before this section carries, this is a very, very important Board and it appears as a result of the reorganization this Board will control CFLCo, of which the Province has the main share, one of the main purposes if it. So what this means in effect is that this board will have the jurisdiction over that company which has that very important contract between CFLCo and Quebec Hydro and that is that contract which all honourable members know whereby CFLCo has contracted that all power generated, practically all power, most of it will go to Quebec Hydro for a period of sixty-five years

and for forty years the price has been set at something around three or four mils.

AN HONOURABLE MEMBER: Three-and-a-half.

MR. ALYWARD: Three-and-a-half mils and we all know from further -

AN HONOURABLE MEMBER: Inaudible.

MR. ALYWARD: Two-and-a-half, is it? We all know from the further discussions and debate in this honourable House, when we discussed the matter, debated it at second reading, what this really means to the Province of Newfoundland, And as I said, I think it was the honourable Minister of Industrial Development quoted the figures, that if that contract price was increased by just five mils only, it would have the effect of generating for this Province \$150 million a year.

So, Mr. Chairman, you can imagine what that means to the Province of Newfoundland, another \$150 million. As I said, over ten years that is \$1.5 billion which is the amount that the Province is going to have to go all over North America, Europe and indeed, I suppose, the Middle East to try to get that capital. I do not think there is any contracts or any issue facing this Province as important as that, Mr. Chairman, and that is whether or not if there is any possibility of doing anything about that contract between CFLCo and Quebec Hydro because the desperate part of that is this. Mr. Chairman, that after forty years, for the remaining twenty-five years of the sixty-five year contract, the price is reduced, the price is reduced.

AN HONOURABLE MEMBER: Two mils.

MR. ALYWARD: Instead of escalated, it has de-escalated.

As I say, I do not really feel that the full financial significance of that has hit the people of Newfoundland, what a terrible financial loss this is to the Province to be tied up for a period of sixty-five years under a contract where we

are selling that power. I think, Mr. Chairman, as I said earlier, a contract of this nature which today appears so inequitable, you know, should give this Province - we hold the majority shares now in CFLCO - the right to go to Quebec Hydro and say to them, we just cannot continue to sell the power at the prices negotiated, or surely, Mr. Chairman, surely when circumstances have changed as much as they have since the Province or since CFLCo made that contract, the people who are the beneficiaries of that contract should be prepared to sit down and negotiate and apparently this board will be the ones in the first instance that will have the authority to try and open up that contract because, Mr. Chairman, I really do feel myself personally that that particular contract could mean the difference between success and failure of this Province. When we figure - if you can imagine, Mr. Chairman, I am told by some ministers who are familiar with this that the cost of the James' Bay power is going to be estimated at twelve, fifteen mils.

AN HONOURABLE MEMBER: Closer to twenty-five.

MR. ALYWARD: Closer to twenty-five mils.

MR. OBERTS: It is a great example of government-run hydro projects.

MR. ALYWARD: Now, can you imagine, Mr. Chairman, that the power generated at James Bay will be in the vicinity of twenty to twenty-five mils and here we are tied up for a period of approximately another sixty years at two-and-a-half mils.

AN HONOURABLE MEMBER: Twenty years - two mils after that.

MR. ALYWARD: I think, Mr. Chairman, it would stagger the imagination for someone to sit down and calculate the loss to this Province of that contract. Every time the issue arises, I think, Mr. Chairman, all members of this House of Assembly should speak out and make clear to the ministers concerned, to the government, how strong the feelings are on this particular point. I think that that was a desperate contract, a desperate,

desperate, Mr. Chairman, words defy you, you are just unable to muster words that can express the loss to this Province from being tied up for sixty-five years selling power at two mills. Imagine what it is going to cost in about ten or fifteen years.

Now, I know, Mr. Chairman, it can be said that the Quebec Hydro as a result of the contract they had with CFLCo also had a contract, but undoubtedly, along the line, both the domestic and the industrial consumers who are buying that power are getting a bargain that is,

I suppose unknown in the history of industry. So surely the recipients of these great benefits should be prepared to sit down and negotiate because as I said before, Mr. Chairman, when speaking on this matter, that is what happened in the underdeveloped countries when the average person began to realize that the multi-nationals or other big companies or even government were just not giving them a fair deal. They refused to honour contracts.

AN HON. MEMBER: Inaudible.

MR. AYLWARD: It happened in Chile with Allende, it happened in Cuba with Castro -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: The point I am trying to make, Mr. Chairman, is this, that when the average Newfoundlander finds that there are not financial resources available in this Province to provide them with the basic services, when they realize they cannot get their roads paved, they cannot get a piece on their hospital, when they realize that their demands for increased wages cannot be met because there is just not enough money in the chest, and when they realize that the greatest resource that this Province has is being sold, being given away, being given away, they just will not take it. And I predict, Mr. Chairman, in years to come if this contract is not renegotiated any person or any group of candidates or any party that will stand up and say to the people of Newfoundland that if elected we will through one means or another seek a review of that contract, I would say that they will receive a great mandate from the people. Because this province just cannot afford to continue to sustain the financial loss that we are sustaining under that contract.

And once again, Mr. Chairman, I think we cannot, as I said earlier, over-emphasize the great need of seeing to it that this particular board, and this board, they only represent the government, and because we now are the majority of shareholders in CELCO - that we should make it clear to Quebec Hydro and to the Premier of Quebec how strong, how strong the people of Newfoundland feel with respect to that contract. And I sincerely trust that when this board reports to the House of Assembly they will have some report on the negotiations with respect to

that contract.

I understood from a speech made by one of the ministers, or maybe it was the Premier, that the Minister of Mines and Energy in Ottawa, Mr. Macdonald had suggested at one time in the negotiations with the Province that the Province should go to Quebec Hydro to seek renegotiation of that contract. I say, Mr. Chairman, that time is running out for Quebec Hydro on that. And all members of this House of Assembly should give the ministers concerned and the government our wholehearted support that whatever action is necessary to see that this situation is rectified, is taken, and taken forthwith. And it should be made abundantly clear to Quebec Hydro and to the Government of Quebec that Newfoundland just cannot afford for sixty-five years to sell that power at the price as it is contained in that contract.

MR. CARTER: Mr. Chairman, I cannot sit here and listen to the Member for Placentia East without rising to say how heartily I agree with him, and concur with every point that he is making. We are nearly at the end of the debate now, and unfortunately, I think, that this particular debate has pointed out some of the fundamental weaknesses of the House rules. We are committed to the adversary system, and with such an important bill going through it is a great pity that we cannot find greater unanimity, and that we cannot have worried through each clause of this bill so that we all finally agree in our discussions about it.

This, I think, in the debate on second reading, the Minister of Mines and Resources pointed out that the Churchill River is worth something over 70 million barrels of oil per year in energy equivalent. This is our last major resource. Once this is gone, once this is disposed of, once this is tied up in contracts we have nothing more to barter with or to bargain with. And I would just like to say that I hope the government in its future deliberations will certainly try to renegotiate the price which we get for the power.

MR. CHAIRMAN: The gentleman for Labrador North.

MR. WOODWARD: Mr. Chairman, I may be straying away from the subject somewhat, seeing that the Member for Placentia East was given latitude to debate the past performance of the CFLCo and to consider that the public of Newfoundland is getting a raw deal on the revenue that is now coming from the development of the Upper Churchill, and he stated that since circumstances have changed, maybe we should be looking for a better deal. I think that maybe the whole House do agree with him. But, Mr. Chairman, what have we seen in debating this bill, or debating any other hydro development in the Province, that there is going to be continued revenue from the Upper Churchill. Has the minister said that we are selling "X" number of millions of horsepower after development in a four or five year period? Have we seen that? Have we seen any evidence of industry coming to the Province whereby we can get a good deal, we can generate a lot of funding to go into the Provincial Treasury? Have we seen that? Have we seen the minister say that we are going to get some twenty-five mils for kilowatt electricity that we are now going to develop? Have we seen that?

Mr. Chairman, what are we talking about when we think in terms of development for the sake of development? Is that the case? Have we got a customer for the power that we are going to develop? Have we got a user? Has the minister told us there is someone to use it? We have a recall rights presently on the Upper Churchill for 440,000 horsepower. Have we seen fit to recall that to get a better price to turn in additional revenue to the Provincial Treasury? Have we done that?

Mr. Chairman, there is no evidence, or the public have seen no evidence of any development in this Province that is going to generate any funding to go into the public Treasury of this Province.

AN HONOURABLE MEMBER: No development is better than what we have.

MR. WOODWARD: I am not saying that no development is better,

but what are we talking about? In what big terms are we talking about generating unless we go with the strong arms to Quebec and say, look we got a bad deal, we want to revise the contracts that we already have and we want to get more money. But what are we going to get from the developments that we are talking about now? We are thinking in terms of plunging the Province in debt to the extent of \$1.6 billion. But no one in this House during all this negotiation has assured us that we are going to get a return or there is going to be a return on that investment going into the public Treasury or to attract industry to this Province.

AN HONOURABLE MEMBER: Inaudible.

MR. WOODWARD: It has not been done and no one has seen any evidence of it. So, maybe if we are going to continue the debate in the order that it is now being presented to the House by the Member for Placentia East, maybe the minister in his wisdom can tell us if there is going to be any revenue. The first contract there were such shortfalls and near-sightedness on the part of the developers who developed that great project.

Mr. Chairman, that is all I have to say.

MR. BARRY: Mr. Chairman, I have to answer that.

MR. WOODWARD: You do not have to.

MR. BARRY: I have to answer that.

MR. WOODWARD: You do not have to and you got -

MR. BARRY: The honourable member opposite, I assume he has been here for part of the debate anyhow. I assume he has seen some of the materials that have been distributed. I assume he realizes that what we are talking about in the development of the Gull Island project is to meet the energy needs of our Province, that the main objective is to meet the needs of our existing domestic customers, commercial customers and industrial customers for the next fifteen to twenty years.

AN HONOURABLE MEMBER: How much?

MR. BARRY: How much? We have gone through all this before, Mr. Chairman. It has been pointed out that by the year 1990, without any new industry, that by the year 1990, the early 1990's that the existing domestic, commercial and industrial customers will take up the full amount of energy generated from the Gull Island site.

MR. WOODWARD: How much is it going to cost us?

MR. BARRY: Mr. Chairman, look, the honourable member opposite either has not heard a word that has been said over the last month here in this House or else he chooses to ignore it.

Let me direct my statement to the concerns raised by the Hon. Member for Placentia East. This board that the honourable member referred to will, of course, have to operate according to government policy and will be subject to government direction, and there will be no such fundamental decisions made such as with respect to the Quebec Hydro contract without the full direction of government. This will be made clear to the board, whatever board is appointed. So the honourable member can rest assured on that point. It is not going to be a matter of appointing a board and the board merely going off and making its own decisions. Now with respect to the matters raised by the Hon. Member for Labrador North, let me only say that if he took out Hansard and went through, I say this in all sincerity, without meaning to put - because I do believe the honourable member was absent for a few days when this debate started .

MR. WOODWARD: (Inaudible).

MR. BARRY: I am not saying it was. I am not saying it was. But if he went through Hansard, he would see that a lot of the, and I think most of the questions that he is raising now, were dealt with but maybe not in complete detail. Some of them cannot be dealt with in complete detail yet, at this stage. There is nobody pretending that they can be. There are some question marks. There is no question about that. There is going to be, and this is the whole exercise that must be engaged in, that there will be a continuous re-evaluation and re-examination of the cost. The final cost of the project is going to determine the final cost of power that is going to be available from it because one premise that this government accepts - I do not know about the Opposition but I know it was not accepted by the previous administration - but one principle that this government

accepts is that power will be sold at cost plus. The minimum return will be that sufficient to recover the cost of producing it.

MR. ROBERTS: The honourable member will have to be careful.

The previous administration were told that ERCO power was economical.

MR. BARRY: Well, you know, there are different stories on that, I know.

MR. ROBERTS: I happened to have been there at the time.

They were told -

MR. BARRY: That is always one of the hazards and this is why any contract that is entered into as well must keep in mind this possibility and must have some room for re-evaluation, a re-opener clause, an escalation clause. But the honourable member opposite, if he wanted to take a look at Hansard - presumably the estimates of my department will be coming up within the next few weeks, if the honourable members need time in the consideration of the other departments, and I will be happy to answer any specific questions that the honourable member has. But I do think that many of the questions that he raised in his few brief remarks there tonight have been dealt with and nobody is pretending that there are not any uncertainties or questions left to be answered. But, Mr. Chairman, I think we can give the honourable member the information to the extent that we have it. And I think we have made it clear to the House the types of information that we are going to need as this project proceeds. All I can say is, Mr. Chairman, if the honourable member has any specific questions, then I will be happy to try and answer them either inside the House or outside.

MR. ROBERTS: Mr. Chairman, if I could say a word or two with reference to the remarks made by the honourable gentleman for Placentia East. I think they were well worthy of some comment and perhaps, although the hour is early, I can say a few words. I think there is a great deal in what he said. I think he was fair, and it should be noted he was, when he pointed out that the contract which BRINCO made back in 1964 or 1965 or 1966, whenever it was made, was

a reasonable one then, but certainly the way energy costs have escalated, it is no longer reasonable. Now my understanding of that contract, Your Honour, is that it was made in Newfoundland. It was made within this Province. In other words, it is subject to the laws of this Province. I do not have the contract in front of me, and I suspect the contract would speak to this point.

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: I am sorry.

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: No,

the Member for Bonavista South thinks it was made in -
I do not know where it was physically signed. When we talk of making a contract in this sense we do not speak, Mr. Chairman, of where the document was acutally executed. My understanding is that it was made under the laws of Newfoundland. But the way to solve that one is to look at the document because at some point in the contract of power it would say that this contract is subject to the laws of the Province of blank. That avoids any question that may arise in the future.

I am under the impression, but I am speaking from memory, that it was made under the laws of the Province of Newfoundland. You see, Your Honour, the sale of that power is in the Province of Newfoundland. The sale of the power is at point "A", that is where title to the power passes from CFLCo, who were its owners, to the Quebec Hydro. Point "A" is within the territorial boundaries of the Province of Newfoundland. Indeed, Sir, if Your Honour were to look at the contract, and I would certainly have a look at the whole contract but I remember this point being thoroughly debated, this point "A" was within the Province of Newfoundland because there is no reference anywhere in the contract to the border. The then Quebec Administration, Mr. Lasage was Premier at the time the contract was negotiated. He met the usual fate of premiers in elections and was succeeded by Mr. Johnson, or Bertrand? Well he was succeeded by Bertrand in - or was it the other way around? Who was the one died in office?

SOME HON. MEMBERS: Johnson.

MR. ROBERTS: Johnson died in office and then in turn was succeeded by Bertrand. Or did Bertrand die in office?

AN HON. MEMBER: It was the other way around.

MR. ROBERTS: I thought Daniel Johnson died in office, did he not, and Bertrand succeeded him and in turn was defeated by Bourassa in 1971. But in any event the contract was originally negotiated under the administration of Mr. Lasage and was signed and executed under the administration of

the Union Nationale Administration which was elected when Mr. Lasage was defeated, in 1966, I guess.

Indeed it was negotiated, or largely, by Mr. Joseph Pigeon who has since been appointed to the Supreme Court of Canada. It is now of course Mr. Justice Pigeon.

But I think this is a very relevant point and I would raise it for the consideration of the gentleman from Placentia East and only for consideration at this point because it is a very serious matter. If that contract was made subject to the laws of this Province then I think the honourable gentleman will agree with me that it is in the hands of the Legislature of this Province to affect that contract. Am I on sound ground legally? I am not talking about policy, that is a very large issue, altering a contract unilaterally is not something which should be done except in very extreme circumstances, very extreme. The contract was openly entered into between two consenting parties. The parties who had capacity to contract and who certainly were of the mind to contract and they did arrive at a concensus and the concensus was expressed in a document.

But in view of the fact, as the gentleman from Placentia East told us and so rightly so, that the value of energy has escalated by leaps and bounds. When the contract was signed nobody I am sure envisaged that within ten years the twelve and fifteen mil hydro power would be cheap power and if the government can get this Lower Churchill power to the island for twelve mils they will be talking cheap power in today's world.

I did not know the James Bay thing was up to twenty-five mils, that is -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Closer to twenty-five. Well I think the Government of Quebec, Mr. Bourassa and his colleagues will live to regret the day they ever went ahead with the James Bay project and I would hope we learn from their problems, learn from their difficulties. But perhaps the honourable gentleman from Placentia East could dilate upon that fact that the contract, I believe, now I am subject to correction on this, was made in Newfoundland

and is subject to our laws. After all, why should it not be? The sale was in Newfoundland, I am quite clear on that point, and the power was produced in Newfoundland. It is being consumed in Quebec, we assume. I do not know. Quebec have power links with Ontario and with New York State, Maybe the power which we are sending them was consumed in Quebec and other power which otherwise would be consumed in Quebec is being consumed in Ontario or in New York State, the United States.

Perhaps the honourable gentleman could speak on that, Would he think there is any merit under any set of circumstances in perhaps bringing the matter before the Legislature? Not likely. Not until there had been intensive, extensive negotiations. I think that is a point and it is one which he did not bring out, I am sure, because he overlooked it, it was not quite the main thrust of his comment, The main thrust of his comment was that some steps should be taken. Well, I agree and I would hope that Quebec Hydro will do the reasonable thing and agree to pay an increased price. They are getting a better bargain than they bargained for. I think probably that is the best way to put it, they got a bargain back in the '60s but if they had not made that bargain there would have been no Upper Churchill project. Maybe there should have been none, although I have not heard anybody say that, nor would I. But it turned out they got a far better bargain than they could have ever hoped to get. They may have figured that the price of power would escalate over thirty or forty years, that it would go up from two-and-a-half mils to three mils or four mils or five mils, and by the way that two and a half mils figure, I think is at the busbar, it would cost a couple of more mils to move it from the busbar at Churchill to the Hydro Quebec grid at point A and on into to their grid to the point where it is consumed. So it is not quite two-and-a-half mil power. It is two-and-a-half mil at the busbar - the transmission costs us - what are they, half the cost of moving the power - half the cost of Gull Island power, will be moving it from Gull Island to Newfoundland, the other half will be, you know, the cost of actually producing it on the site.

So would the honourable gentleman, you know, I would like to hear him speak to the point, I think he has raised the question several times. He has made it a bit of a hobby horse. I think it is a good horse to ride. I think it is one that is in the interest of the people of this Province. What about using the power of the Legislature? Should we do that under any circumstances?

MR. AYLWARD: My view of it is certainly - I realize the implications of any unilateral action by any party to a contract, and I would trust

that this would be the last resort because I realize that the financing is predicated upon long term contracts which Quebec Hydro had with certain customers of the power. And you have to think of these bondholders because you would not want to disservice the financial relationship event. But I would assume certainly that with the demand for power as it exists today there would be no question of the security of the bondholders of CFLCo.

So what I would say, Mr. Chairman, is that I certainly realize the rights of the Legislature in a matter of this nature. Certainly the Province has the legislative authority to deal with contracts, and we have the right if we so decided to author rights of existing contracts. Now that would be a very, very serious step. But, Mr. Chairman, I would certainly first like you would with any matter of this nature and of this magnitude consider all types of negotiations, and I would sincerely trust that Quebec Hydro and in turn, of course, customers whom they service would realize the position of the Province and the benefits which they were receiving. Now if all negotiations failed, if all negotiations failed then certainly I would myself personally, I do not speak for the government, or the Cabinet or the Province, but everything else failed and if the financial needs of this Province dictated some actions and I could certainly see that situation developing, I for one as an individual, I would certainly seriously consider if I felt as I do myself that we are getting a raw deal on that, and if all negotiations failed I would be prepared myself to vote in favour of a change of that contract. I would trust that is not necessary but if we had to I certainly would. But I sincerely trust that will not be necessary because if people are reasonable then they will certainly realize that a benefit that they are getting from that. And do not forget, Mr. Chairman, that is what happened with the oil producing countries.

I will only take a moment on this, I do not think, Mr. Chairman, that really we were one hundred per cent justified in coming down on OPEC for the increases in the price of oil. I think if we realized -

AN HON. MEMBER: Inaudible.

MR. AYLWARD: I will only be another moment - if we realized over the next ten years - or if we realize that for ten years proceeding that crisis I do not think the price of oil and gas went up all that much in relation to everything else.

AN HON. MEMBER: Inaudible.

MR. AYLWARD: Certainly, it certainly was not. So why considered the increases at the time terrible, you know what I mean, such substantial increases. But if we looked at the rate we are paying today, at the rate that we paid for oil and gas ten years ago, there is no doubt that the industrialized nations of the world were getting a great benefit from these underdeveloped countries. I do not think that they were all that extravagant in their demands. So I say the same situation applies to Newfoundland with respect to the sale of that power. My own view is, as I have said earlier, if negotiation failed and compromise, I would certainly myself be prepared to seriously consider legislation but I would hope that that would not be necessary.

MR. ROBERTS: Mr. Chairman, I do not know if we need to move the adjournment. If so it is not my place to move it, but as I read Standing Orders it is now 11:00 o'clock, and the Chairman, Standing Order 8 says that at 11:00 o'clock P.M. unless the closure will be then in operation, which it is not at this point, Sir, -

AN HON. MEMBER: The fourth line, Mr. Speaker shall adjourn.

MR. ROBERTS: Shall adjourn the House without question put.

AN HON. MEMBER: Presumably that means the Speaker.

MR. ROBERTS: Well I guess does that mean we rise the Committee and report progress?

AN HON. MEMBER: Right.

MR. ROBERTS: Well okay then. The point is that it is 11:00 o'clock. I think we should carry on with this tomorrow. I think, it is a very fertile and worthwhile field.

MR. OTTENHEIMER: Shall the Committee rise and report progress?