

PRELIMINARY

UNEDITED

TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

3:00 p.m. - 6:00 p.m.

TUESDAY, APRIL 19, 1977

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

STATEMENTS BY MINISTERS

MR. SPEAKER: The hon. the Premier.

HON. F. D. MOORES: Mr. Speaker, in consultation with the Acting Minister of Rehabilitation and Recreation as well as the Minister of Rehabilitation and Recreation, I wish to make a statement regarding the immediate and the long-term situation at Exon House. First of all, I would like to point out that a lot of work was done over the weekend by the Acting Minister to take this unfortunate situation - a situation that has blown now into unfortunate proportions - and the fact that he did do a great deal of work on it over the weekend is to his credit for I think he was anxious to find out all the facts that were involved in the various allegations.

The Acting Minister, the Deputy Minister of Rehabilitation and myself this morning met with the President of the Nurses Association, the Secretary of the Nurses Association as well as Dr. Norah Browne from Exon House. I think it is fair to say that that meeting was worth-while and meaningful, and I felt it was, and I think the various people who were there felt it was as well. The fact is, Mr. Speaker, that complaints received from individual nurses and the Association were in fact sent to various government officials as long ago as last November. And in this regard I would like to clarify the business of any thought or any doubt whatsoever that there may have been regarding the credibility of individual nurses or 'the nurses' organization. They not only submitted complaints but in my view and in our view acted very responsibly in not doing battle, so to speak, in the media because they did not wish their complaints to be taken out of context; nor to cast any aspersions on Exon House generally itself.

What is upsetting to government is that these complaints were never brought to ministerial attention, and this applies to the Acting Minister and to the Minister himself. At the time there was a

Premier Moores:

vacuum in personnel at Exon House, with an administrator and a director of nursing to be appointed. However, even though this was the case it is obvious that there was a breakdown of communication between Exon House and the department, and possibly within the department itself.

MR. NEARY: Restructuring caused that.

PREMIER MOORES: With the consultation that I have had since that meeting this morning on the phone with minister, and together with the Acting Minister, we have instructed the Deputy Minister of Rehabilitation and Recreation to carry out a thorough investigation into exactly what happened and who was at fault, and I have further instructed him to bring in recommendations to correct any similar situation in the future.

Mr. Speaker, this present flair of publicity should not, and I repeat, Sir, should not in any way be taken to mean that there has not been significant progress made at Exon House over the years.

PREMIER MOORES: The fact is that Exon House in its treatment of retarded children has made considerable progress. The fact is, Sir, that generally speaking, I would say that Exon House now has the best staff it has ever had. I would also say, Sir, that Exon House has made more progress towards its end objective than we have experienced in the field of retardation in the Province before.

I would also like to say, Sir, that this in no way casts aspersions on a very dedicated staff of people and I am talking as well as the nurses, to the therapists, to the technicians, the psychologists, and the others who make that institution the place it is.

The fact is, Sir, that the institution has progressed from a hospital type institution to a training facility, and the parents with children there can rest at ease at least in the context that it is the best. Right now their children are getting the best attention possible.

I think, Sir, the understanding of the situation at Exon House is - or in that matter in the field of retardation is not always easy. But I know, speaking as a layman, the problem, I suppose the biggest problem with retardation is the ignorance of the problem itself and the understanding of how to treat it. The fact is, Sir, that all of us are human, all of us want to do the right thing; not always, I suggest as laymen, do we know the proper method of going about it. The fact is, Sir, I felt for a long while, and I know other people in this House as well, have a genuine dedication to rehabilitation itself. And I know as far as I am concerned there has been a lot of criticism for having a Department of Rehabilitation, But the very reason that that department was established and the reason it is still there is because I feel by its being there it will have a better opportunity for identification and for participation in government programmes that will allow it to do the job that it was set up for.

PREMIER MOORES: Sir, we do not want a good institution for the retarded in this Province. If it is at all possible we want, and we intend to get, the very best institution for the retarded in this Province.

This announcement I am making today is in fact in two parts. And I do not want the second part to be misconstrued, to be in any way connected with the first part of the announcement. In other words, the first is investigative - in-house, internal, investigative - as to why there was a breakdown of communications, and recommendations to deal with that.

Secondly, in the end analysis it is much more important that we have Exon House, as I say, to be the best institution of its kind in Canada. Towards this end I have today contacted Dr. Allan Roehrer, the Director of the Canadian Association for the Mentally Retarded, who together with the National Institute of the Mental Retardation at York University in Toronto, I have contacted them and they have agreed that within the next few weeks to send a team to assess the performance at Exon House as an institution and give us their advice on what needs to be done to make it even better in the future.

They will review personal performances, programming I suppose or the lack of it, drug dispensing, supervision, training, behaviour, staffing, the physical plant itself. In other words, Sir, all aspects of the institution. And more importantly, they will be establishing the philosophy that has to be accepted and adopted to put Exon House into the area of excellence that we all want it to be in.

In other words, Sir, everything is being done for the future benefit of the institution and it is government's intention to do the job that needs to be done when that report is received. But, Sir, in the meantime I would like once again to publicly apologize to the Nurses' Association and certainly any embarrassment regarding their credibility to ensure that it was not intentional but was a breakdown of communications between

PREMIER MOORES: Exon House and various departmental officials and an investigation is being carried out in that regard and also to assure all members of the public that it is our intention to have Exon House the best institution of its kind in Canada.

SOME HON. MEMBERS: Hear! Hear!

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

MR. ROBERTS: Mr. Speaker, I listened as did all members of the House with the greatest of interest to the Premier's statement which dealt with two separate points, as I understood it, and with the common link being the attitude or the policy of the administration with respect to this question of training handicapped children and the handicap in this sense was a mental handicap, a degree of retardation.

MR. ROBERTS: Let me say first of all, Mr. Speaker, that the Premier speaks for everybody in this House and for everybody in Newfoundland and Labrador when he says that it is a cardinal point of public policy to provide the best services we can for handicapped children, particularly in this context for children with a degree of mental retardation. This has long been a cardinal principle of public policy. It is a principle which has been implemented only in part. There are very real financial constraints ; these are very expensive services to provide and to maintain, but I do not think anybody in this Province would in any way criticize any effort by the government to improve them, to extend them and to expand them. And without going into it in detail, I think the Premier is as aware as I am that there are still very great needs that Exon House, which was a project conceived by the previous administration, - indeed, I think it began while I was minister and when the gentleman from LaPoile was the Minister of Public Welfare the project came to fruition and -

MR. NEARY: We opened it up as a training institution

MR. ROBERTS: Exon House was acquired from the Anglican Diocese, as it then was, of Newfoundland and it was acquired for the purposes of providing a training institution. There will be an opportunity to debate it and I hope we will get the estimates of the Rehabilitation and Recreation Department called so that we can debate the whole issue of Exon House and the way it is being handled.

Mr. Speaker, the two particular points that the Premier makes do not require a great deal of comment. I am very pleased that the government through the agency of the Premier, have been in touch with these leading authorities in this field and have asked them to make a study. I would hope very much that the

MR. ROBERTS: study will be made public so that we will all - not just in the House, but all of us in the Province-will be aware of what has been recommended, of the lines of development that should be followed. I think that this would contribute very much to the public debate, and I think as the Premier will agree that there is a great deal of interest among people. There are - I do not know how many children there are in Newfoundland with a degree of retardation. I am told that three out of every one hundred births in the statistics - the Minister of Tourism, who has spent some time as minister and involved in it, nods acquiescence. I think that is the generally accepted figure, three out of one hundred births. Well that being so out of the 560,000 Newfoundlanders we are talking of about 20,000 people in this Province who have a degree of mental retardation. And the degrees can vary all the way from a very slight handicap to a very large one.

So we are talking of a lot of people, Sir. We are talking of a lot of children and each of us in his own district, in his own district work, has run across situations where homes are crippled because of handicapped children in the homes, and at the same time homes where courage and devotion to children is shown on a scale that few other parents, parents not exposed to this particular handicap, can appreciate.

Mr. Speaker, though I cannot help but wonder what the Minister of Rehabilitation and Recreation, what the Department of Rehabilitation and Recreation have been doing for the last two or three years with respect to Exon House. The Premier, and I think I have his words, said that these people from the Mainland, these experts-and good people they are-are being brought into Newfoundland to review the programme and to establish the standards. I think I am quoting the Premier's words but I

MR. ROBERTS: know I am reproducing his thought. Well, I mean this is surely what the minister ought to be doing -

MR. NEARY: Dr. Stanley did it back in 1971.

MR. ROBERTS: Well, my friend from LaPoile says there were studies made earlier on. You know, we have all been under the understanding, Sir, that the administration, as represented in the House by the minister, had a policy with respect to the use of Exon House, its role as part of a spectrum and it is only one part, Mr. Speaker, of a wide spectrum of services.

MR. NOLAN: Why a Department of Rehabilitation?

MR. ROBERTS: Well, my friend from Conception Bay South says why have a department. Well we have had a department and apparently it has done very little in one of the central areas it ought to have been putting some attention and some thought into. That, Sir, is certainly a point which ought to be pursued and it will be if ever we are allowed to debate the estimates of that department.

It is also unfortunate, Sir, and I think the Premier will agree, that the whole incident came to this. It is unfortunate when the Premier of the Province had to apologize publically to a group as responsible and as important as the Association of Registered Nurses of Newfoundland, the ARNN. The Premier did this because it was the proper thing to do, but it is unfortunate that it came to this. I knew no more about it than was published in the newspapers. But it was obvious

MR. ROBERTS:

that the memorandum in question, or the memoranda if there was more than one, were given by somebody who had access to them. I do not think it was the ARN. I understand they have denied this. That settles that. But obviously given by somebody who had access to them to the newspapers, obviously out of a sense of frustration. It is obvious that that was a necessary act the way things have worked out because otherwise apparently this situation could have gone on. So I would ask the Premier, when he has a report from the deputy minister involved, Mr. Pyke, I believe, if he will undertake either to make a statement or to make the report public because it is obvious, Sir, there is something very wrong in the department when conditions - not only when conditions such as these went on - and it is obvious, Sir, there was something that was not proper going on. That is obvious or there would not have been an investigation or there would not have been a need to send for people from Ontario, nationally recognized experts, to come.

Sir, not only are these going on, not only have they gotten so bad that the nurses in question felt compelled to write a memoranda, not just to mention it or to raise it in a meeting in an oral form but to put it in writing, but, Sir, that memoranda was submitted and apparently disappeared. Obviously it never got into the hands of the deputy minister or the people here at Confederation Building. Sir, that is a serious matter because it raises very grave questions about the whole administration of that department. So while I think the Premier has done the right thing and while I am glad he has acted so quickly - he only got back in the Province yesterday afternoon and he has acted and I believe has done the correct thing - I do think think, Sir, there are these two further questions: Just what has the department been doing in the last three or four years that now they have to look for a policy, and secondly, Mr. Speaker, what happened in that department and what assurances do we have that it will not happen again or is not happening now. Because nothing will destroy the administration - and I do not mean with a capital 'a', I mean the ongoing process of running the government of this Province -

MP. ROBERTS:

nothing will destroy it quicker than the thought that somehow officials are not communicating frankly and openly one with the other.

It is obvious that in this case somebody somewhere for whatever reasons, negligence, bad intent, whatever reasons, somebody somewhere sat on a memorandum, pigeonholed it, delayed it, put it to one side. If it had not been for the decision to make it public by the somewhat unusual means of the front page of the Daily News, then the matter might never have come to the attention of the Premier or the ministers responsible. Well, Sir, I am sure the Premier is as concerned as I am about that. I am sure that every member of the House is concerned and I believe every member of the public of this Province would be concerned. I would hope, Sir, that when the report is received from the deputy minister, which should be a very quick matter, that it will be made public and that we can then take whatever steps are appropriate.

So let me conclude by saying that I welcome the Premier's reaffirmation of the commitment of the administration and I would hope and I assume that when the estimates are tabled we will see the reaffirmation reaffirmed in a concrete way with an increased vote for the provision of these services.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: Mr. Speaker, just one point of clarification regarding the statement I made. At no time do I suggest that there has not been substantial progress made in the treatment of retardation at Exon House; there has. That, Sir, does not mean to say that the people who are expert in their field should not come in under course review, the situation as it exists, how to improve it, to update the present knowledge we have. This was the intention of getting these people, who are the best in their field, involved.

Equally I would like to add that we hope this year to be able to call all the estimates, with the assistance of the Opposition,

PREMIER MOOPES:

so that this department as well as others can be dealt with. And also, Sir, I would like to close just these few remarks by saying that even though it was unknown to us, after we find out the information if we be wrong in any given situation or a given statement, members of the government are only too glad to say the fact that they were wrong and apologize if necessary.

MR. SPEAKER: Presenting Petitions.

MR. PECKFORD: Mr. Speaker, I would like to revert to statements.

MR. SPEAKER: Does the hon. member have leave to revert to Statement by Ministers? Agreed.

The hon. Minister of Mines and Energy.

MR. PECKFORD: Mr. Speaker, I just have a brief statement here relative to the recent dispute at Norris Arm concerning the quarry permit that has taken up some items of the news recently. The town of Norris Arm had a quarry permit for the area in question for the years 1972, 1973, 1974 and 1975. Their last permit expired on June 2, 1976. On June 4, 1976 the department received an application from A.C. Hunt Limited for a one year quarry

Mr. Peckford.

permit for the same area as was previously under permit to the town of Norris Arm. The application was processed and referrals were sent June 10, 1976 to the various agencies within various departments of the government for their consideration and approval or rejection. Our referrals came back from Crown Lands and Highways and Urban and Rural Planning, and there were no objections. No referral was sent to the town of Norris Arm as the subject area is approximately two and one-half miles West of their municipal boundary. The site is however within the planning area of the town of Norris Arm. It is the practice of the Mineral Lands and Mines Division of the Department of Mines and Energy to send referrals to a municipal authority only if a quarry site is within the municipal boundary.

It should also be noted that A.C. Hunt referred the matter to the Regional Appeals Board and was subsequently told by the board that council had no jurisdiction in the matter. Therefore, Mr. Speaker, it is obvious to me that this matter was handled correctly in accordance with the laws of the Province.

MR. SPEAKER: The hon. member for Lewisporte.

MR. WHITE: Mr. Speaker, I am not going to say very much on this particular matter. It is a serious matter, and it has been going on now for almost a year. It was a problem that I was dealing with the former Minister of Mines and Energy, John Crosbie, before he left the department, and with the former Minister of Municipal Affairs who is now the Minister of Mines and Energy. The main contention on the part of the people in Norris Arm, Mr. Speaker, is that they should have been notified before A.C. Hunt was given the permit, and that seems to be crux of the situation at the moment. They did have the permit in 1972, 1973, 1974 and 1975 as outlined by the minister. Two days after their permit expired in June, 1976 A. C. Hunt applied and got the permit for the same quarry which is, as the minister said, two and one-half miles from Norris Arm.

MR. WHITE.

The council felt that because they did not get their application in on time that they should have been given the option for courtesy reasons, if no other, to have at least been given the chance to resubmit in view of the fact that they had had a permit to the quarry for four years

Mr. Speaker, I would like to see the government take some action on this today. I was talking to the Mayor of Norris Arm this morning. It appears the town council in Norris Arm will resign tonight because of this situation. It is a serious one, and I do hope that government can take some action to prevent the council of Norris Arm from taking the action that is backed up by all the citizens in Norris Arm.

PRESENTING PETITIONS:

MR. SPEAKER: The hon. member for Fogo.

CAPT WINSOR: Mr. Speaker, I beg to present a petition on behalf of 113 residents of Musgrave Harbour. And the prayer of the petition is that - and it reads - I quote: "Whereas two-thirds of the residents of Musgrave Harbour have been served with the facilities of water and sewer; and whereas two and one-half years have passed since work on the project has halted leaving one-third of the people without these facilities, it has now come to be regarded as discrimination among the people on the part of the government. Therefore, we ask that the project be delayed no longer, and that funds be provided by the government to complete the system immediately."

Mr. Speaker, to put this petition in its right perspective I think perhaps a little background information is necessary. In 1970 a local contractor was given the contract to run a waterline to the school in that community using the water from a well to supply the water. I am not too sure whether there was a sewer pipe or not, a sewer outlet. However, I would suspect that septic tanks were used. However, in 1971 a contractor was given the contract

CAPT. WINSOR:

to carry out another phase of the installation of water and sewer in Musgrave Harbour. After the completion of the contractor's contract, the town council took over and they carried on until 1974, and I may add, Mr. Speaker, a fairly sizeable sum of money was spent on installing water and sewer in the centre of the town of Musgrave Harbour.

CAPT. WINSOR: Now, Sir, if the town did not get the best value for its money, then I feel that that responsibility rests with the government. Because I do not think the government carried out well enough the supervision of the installation of that water and sewer. I believe an amount well over \$1 million was spent there. But 20 or 25 per cent of that money went out in engineering consultants fees and taxes on the money which was borrowed from the bank. Consequently, Mr. Speaker, in 1974, the whole thing flopped and now what we have in Musgrave Harbour is one part of the town living in the twentieth century and the other part away back in the nineteenth.

In comparison, Mr. Speaker, we could use - supposing there was water and sewer running parallel on Freshwater Road and the people living on Merrymeeting Road had to still go back to bringing their water in buckets from wells. This is the sort of situation we have in Musgrave Harbour and it has created now almost class distinction there where people feel that they are a little better off than the other fellow across the road because he has water and sewer and a nice bathroom whereas the other poor devil across the road still has to go with buckets and hoops and bring water to flush out his toilet facility.

So, Mr. Speaker, there is a discrimination there locally, and because of this a former mayor resigned. I understand the present mayor came in a few days ago to meet with the present Minister of Municipal Affairs and Housing. I do not think he was successful because of other engagements by the minister. However, they did meet with some of the officials of that department but I do not know if they got any assurance or not. I would strongly plead with the minister to make an effort this year to try and

CAPT. WINSOR: complete that water and sewer at Musgrave Harbour. Because, Sir, Musgrave Harbour is now becoming self-sufficient, and it is a productive area. It is one of the areas along the Northeast coast where we have, and I have said this before, where we have a creation of new dollars and that is very important to the economy of this Province today, I can assure you.

Mr. Speaker, I can do nothing less but to plead with the minister to give special attention to this request and I ask that the petition be received, laid on the table of the House and referred to the department to which it relates.

SOME HON. MEMBERS: Hear, hear!

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

MR. ROBERTS: Mr. Speaker - does the minister wish to say a word? Because I will give way to him.

MR. DINN: After you.

MR. ROBERTS: No, let the minister speak.

MR. DINN: No, after you.

MR. ROBERTS: Oh well, if the minister wishes to follow after he will in this and a number of other things. I should like to support the petition, Sir. I think it is a very reasonable request which these people in Musgrave Harbour make. Where there is no water and sewer system provided, there is usually a very great need, and where there is a very great need there is a very great demand for it. I would think the minister has a very large pile on his desk of requests from communities around this Province for water systems or for water and sewer systems.

Perhaps I have generated a number of them myself. I have certainly written to him on a number of occasions. I have even had answers from him once or twice although he does not always answer his mail.

MR. ROBERTS: Mr. Speaker, there are many communities that need water and sewer systems. And where there is no water and sewer system, the need gets greater as time goes on because people will not settle now, nor should they settle, for conditions which a few years ago were tolerated and were even regarded as being the norm. That in itself should comment this petition to the House and more importantly to the Cabinet, because it is the Cabinet that must find the money that will enable the people of Musgrave Harbour to have access to a proper system.

But how much greater is the need, Sir, where the situation is as it is in Musgrave Harbour that three-fourths, I think my friend from Fogo said, three-fourths of the homes in Musgrave Harbour do have a water and sewer system provided by public funds and financed in the usual and normal way? How much greater is the need of the one-fourth of the homes that do not have it? How much more intolerable is the pressure to provide that additional service?

So I would say to the minister, that while he has many needs, and while they all have a degree of priority, many have a high degree of priority, that

Mr. Roberts:

the needs of this particular community and this particular type of work within this community should be given a very high priority indeed. I do not know what the cost will be and I do not think my friend from Fogo (Capt. Winsor) mentioned the cost, because I assume he does not have access to the engineering studies, which I have no doubt have been done, but I do hope the government will be able to find the money this year so that all of the people of Musgrave Harbour can have access to adequate sanitary facilities. These are becoming essential, Sir, I do not think there is anything really that the government have more demands for; even roads, we are largely over the hump now with roads in this Province, We have to upgrade some, parts of my district still barely have any, but on the Southern Labrador Coast the road can barely be called a road. But it is a big item in public discussion, it is a big item say for the subject of petitions to the House; the day of roads is gone, the day of water and sewer systems has come.

I would hope, Sir, the minister is successful in getting a lot of money this year for water and sewer systems throughout the Province and I would hope that a share of that, Sir, goes to the people of Musgrave Harbour. I support the petition.

SOME HON. MEMBERS: Hear, hear!

NOTICES OF MOTION

MR. SPEAKER: The hon. Minister of Finance.

MR. W. C. DOODY: Mr. Speaker, I give notice that I will on tomorrow ask leave of the hon. House to present a bill, "An Act To Amend The Retail Sales Tax Act, 1972"; A bill, "An Act To Amend The Tobacco Tax Act", and a bill, "An Act To Amend The Insurance Premiums Tax Act." 44

SOME HON. MEMBERS: Oh, oh!

MR. DOODY: No these are metric system things, partially, impartially loopholes.

SOME HON. MEMBERS: Oh, oh!

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

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MR. J. DINN: Mr. Speaker, I give notice that I will on tomorrow introduce a bill, "An Act To Amend The Urban And Rural Planning Act."

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

MR. A. B. PECKFORD: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act To Amend The Mineral Act, 1976."

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

MR. J. MORGAN: Mr. Speaker, I give notice that I will on tomorrow introduce the following bill, a bill, "An Act To Amend The Department Of Transportation And Communications Act, 1973".

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MR. SPEAKER: The hon. Minister of Justice.

MR. T. A. HICKMAN: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act To Repeal The Private Investment Holding Companies Act."

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ORAL QUESTIONS

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

MR. E. ROBERTS: Mr. Speaker, my question is for the Minister of Fisheries who was here a moment or so past, but apparently has felt a slip -

AN HON. MEMBER: He is on the telephone.

MR. ROBERTS: I am told he is on the telephone. Well let me ask the question of the Premier because it is a major matter of policy; it relates to the \$35 million longliner programme. I think the Premier was at the dinner where the minister announced it, or the dinner that was part of the conference where the minister announced it, And as I understand it from the press reports there is going to be \$35 million spent in the next five years to build longliners, which is a very valuable and worth-while step indeed.

My question is this, Sir, if the Premier could tell us whether this programme is any way conditional upon assistance from the Government of Canada?

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: It is not conditional at all, but hopefully there will be assistance, Mr. Speaker.

MR. ROBERTS: Mr. Speaker, a supplementary.

MR. SPEAKER: A supplementary.

MR. ROBERTS: I am told that the boats in question will cost between \$250,000 and \$300,000 each, Actually that is a little less than \$35 million but a part of the \$35 million of course is for the currently existing programme of subsidizes, so these boats are \$250,000 to \$300,000 each, If it is not conditional upon the subsidy from Ottawa, can the Premier tell us whether there is to be any subsidy provided by the Government of the Province?

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: I would assume so, Mr. Speaker, and if my colleague was back here he could answer it better than I could, but I assume there will be a subsidy involved obviously. Certainly the programme is going to be initiated by the government and then the terms of payment, of course the terms of payment through the loan board in this Province it is a very elaborate form of subsidization anyway. But as to the exact subsidization formula I think, Sir, that will depend on the amount of subsidy as to what the arrangement we can make with the Federal Government.

MR. ROBERTS: A further supplementary.

MR. SPEAKER : A supplementary, the original questioner.

MR. ROBERTS: The Premier, if I heard him correctly, said that the subsidy from the Province depends on the subsidy from Ottawa, Presumably what he was saying, if I understood him, is that if the subsidy from Ottawa is relatively high, than the subsidy from the Province can be relatively low.

AN HON. MEMBER: Ottawa has lowered the subsidy.

MR. ROBERTS: Well, I know Ottawa is dropping the subsidy, and this crowd have no assurance they are going to get it, but that is another story, Mr. Speaker.

AN HON. MEMBER:

The hon. crowd.

MR. ROBERTS:

gentleman.

The hon. crowd. I apologize to the hon.

MR. ROBERTS: Mr. Speaker, my question is this, will the subsidy— these boats of \$250,000 each are very large and very expensive boats— will the subsidy be paid in the form of a cash grants, presumably reducing the price to the fishermen, or will it be paid through the Loan Board mechanism, and a very important point as I know the Premier will agree.

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: It is a very important point, Mr. Speaker, and I would suggest that the fisheries programme, both for the offshore and the inshore in regarding this longliner programme, will be a part of a total proposition that will be put before this House. I also say, Sir, that even though this crowd, or this hon. crowd may know what the Ottawa position is, irrespective of what that position is, Sir, we are going to provide boats for the fishermen in this Province.

SOME HON. MEMBERS: Hear! Hear!

MR. SPEAKER: Is there a supplementary? No, the hon. member for Twillingate.

MR. ROBERTS: I would say you just saved Don MacDonald a number of millions of dollars.

MR. SMALLWOOD: Mr. Speaker, would the hon. the Premier tell me whether he has become aware of the news in the papers, There is a suggestion the CLB Armoury be demolished. Is he aware of the remarkable historic record of that building, not that it is all that old, but that it has been the scene of some of the most remarkable events in our modern history. Two Prime Ministers of Canada, Mr. Pearson and Mr. Diefendbaker, have held public meetings in it; and that both parties of this House have held remarkable meetings in it; that the great campaign for Confederation was fought in part in that building; that all the recruiting done for the Royal Newfoundland Regiment in World War I was done in that building, and that it has been the scene of some very historic events in our history and does the hon. gentleman not agree that it would be too bad, simply just too bad to see that famous and historic building demolished?

MR. SMALLWOOD: Now I do not know if the Premier is aware of it. He has been away. I never leave the Province. I stay right here in the House, as the Premier knows. But he has been away and this news has appeared recently, If he is in sympathy with the questions I am asking, would he perhaps interest himself and see if anything can be done to preserve this bit of living history of our Province?

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: I agree with the question, Mr. Speaker. And having said that, coming across the Atlantic with the hon. member for Twillingate (Mr. Smallwood) yesterday I guess that was about the only subject that was not discussed.

But, Sir, it was new to me when I came back. There has been no official notification to the government. I do not know if there was some plans to have Fort Townshend developed, which this would be part of or not. I just do not know what is the answer but certainly the sentiments expressed by the hon. member for Twillingate I am sure are the sentiments of most if not all of us here. And I am sure that the responsible people in the Heritage group that are trying to preserve old St. John's, and the City Council as well that have the jurisdiction, I am sure that they will not be making any recommendations of that sort without having first of all canvassed the sentiments in the City.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: I would like to put a question to the hon. the Premier. During the height of the seal hunt controversy this past Spring, Tom Hughes, President of the Ontario Humane Society, came out with a spirited defence of the hunt and of Newfoundland and Newfoundlanders. Is the Premier aware that Mr. Hughes was the subject of a savage attack both inside of his own organization and by the President of the Toronto Humane Association, and will the Premier agree that this House should pass a unanimous resolution to forward a letter of

MR. NEARY: appreciation for Tom Hughes for coming out in defence of the seal hunt and of Newfoundlanders?

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: Mr. Speaker, I do not know if a unanimous resolution is in order or not. Certainly you know we could be doing that for everything we all agree with, which would be substantial I would think. I think it is most unfortunate that the uninformed people in organizations of which Mr. Hughes is associated would do as the hon. member for LaPoile (Mr. Neary) suggests they would do. The fact is, Sir, that we do appreciate of course what Mr. Hughes has done but he did after all what was correct. It is not like he did something on one side of an argument when the other side of the argument was just as valid. The fact is that he stated the truth as has the members of this House and as have many other people at the Fishermen's Union level and the

PREMIER MOORES:

media level and other concerned people. And I think whilst he experienced attacks within his own organization, the others of us, all the people involved, have also experienced attacks from the same uninformed people. And I am sure if he has the spirit of his convictions, Sir, as I know he does, he like the rest of us will carry on the fight to another year when he hopefully will get the truth of it across.

MR. NEARY: Mr. Speaker, a supplementary question.

If it is in order, Mr. Speaker, I would like to move a motion if the Premier will second it -

MR. SPEAKER: Order, please!

MR. NEARY: - that we send a letter of appreciation to Mr. Hughes.

MR. SPEAKER: Order, please!

It would not be in order to give notice of a motion now. The House is master of its own rules, and by unanimous consent can do not anything, but many things.

MR. NEARY: Could we by leave, Sir, pass a motion to send a letter of appreciation to Tom Hughes for his coming out in defense of the seal hunt and in defense of Newfoundland. I am prepared to move it if the Premier will second it.

MR. SPEAKER: Is there unanimous consent?

SOME HON. MEMBERS: No!

MR. SPEAKER: I understand that there is not.

The hon. member for Conception Bay South, followed by the hon. member for Terra Nova.

MR. NOLAN: Mr. Speaker, a question for the hon. the Premier.

The hon. the Premier has been overseas, one, on the fishery, we understand, and he has already given some information on that. Secondly, he has also, I understand, had perhaps discussions regarding the Come By Chance refinery and other perhaps industry in

Mr. Nolan.

Newfoundland. I wonder if he can fill us in and bring us up to date on that?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Not in detail, Mr. Speaker. I did have meetings with some of the people who are involved in the financial, the British financial position on Come By Chance. To ascertain exactly what their position was, to let them know what our concerns were, and to try to work out mutually, as well as other concerned people, what the procedure from here on should be. All these things were discussed, Mr. Speaker, and hopefully as quickly as possible - hopefully that will be soon - all these discussions and negotiations will have been brought to a stage where the hon. House can make some decision.

MR. NOLAN: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. NOLAN: Could the hon. Premier tell us if he met with anyone from the Roman Group or with Mr. Shaheen while in England?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: The answer is, No, Mr. Speaker.

MR. SPEAKER: The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, a question for the Minister of Finance and President of the Treasury Board. I wonder if the minister is in a position to inform the House whether there are any new developments with respect to the strike at the Waterford Hospital, whether the government have made any new approaches or whether the union have made any initiatives to the government?

MR. SPEAKER: The hon. Minister of Finance.

MR. DOODY: No, Mr. Speaker, there have been no changes that I am aware of. We have not heard anything further from the union except for the very important fact that they are holding a membership meeting to discuss government's latest offer, or government's current offer,

Mr. Doody.

the arbitration offer, and we hope that this meeting will be held as soon as possible so that the feelings and wishes of the membership can be made known.

MR. LUSH: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. LUSH: I wonder if the minister is in a position to inform the House as to what other negotiations are going on between government and employees of the public service and probably a progress report of each?

MR. SPEAKER: The hon. Minister of Finance.

MR. DOODY: That would take a considerable length of time, Your Honour. I think there are somewhere between forty and fifty different units of various public service sectors who negotiate with government. During the past few years we have been very fortunate to be able to manage to get one year agreements. We have some eighteen month agreements, some fifteen month agreements, and it is an ongoing process. Right now off the top of my head I can tell the hon. House that we are engaged in conversations with the Police Brotherhood. Shortly behind them undoubtedly, as has been the pattern, will come the firemen and wardens. The nurses, the Nurses Union are currently at conciliation. We signed an agreement with the College of Trades and Technology and vocational school instructors on Friday. There are various other units in various stages of negotiation, but for a detailed progress report, you know, I quite honestly would not be able to give it at this point off the top of my head.

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

MR. ROWE: Mr. Speaker, I have a question for the Minister of Education. Did the member for Grand Falls, the Minister of Industrial and Rural Development, make representation to Cabinet regarding the unfairness of the -

MR. SPEAKER: Order, please!

As I understand it the question really relates to the activity of another minister, and I would think that that should be addressed to the minister whose

MR. SPEAKER:

activity is being questioned rather than the presumed recipient of a communication.

MR. ROWE: I am not finished.

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

MR. ROWE: Mr. Speaker, could the minister of - really, Mr. Speaker, I am not questioning your ruling, but it is not the activity of the minister, it is the activity of the person as the member for the district that I was relating to. But I will address the question to the Minister of Industrial and Rural Development.

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

MR. SPEAKER: A point of order.

MR. LUNDRIGAN: I would be quite delighted, Your Honour, if Your Honour would so oblige the legislature, that the Minister of Education be permitted to answer the question regarding the representation that the hon. gentleman is making in putting a question.

MR. ROWE: Mr. Speaker, well anybody can answer the question.

MR. SPEAKER: Actually I did not quite understand the point of order.

MR. LUNDRIGAN: The point of order is the hon. member knows what his question is so I figured he would understand the point of order. The hon. member is asking a question as to whether the Minister of Education can confirm that representation has been made to the executive council regarding a particular matter respecting school taxes. I am suggesting to Your Honour that I would be most delighted to have that question put to the Minister of Education.

MR. SPEAKER: Order, please!

There is no point of order before the Chair. The hon. member for Trinity-Bay de Verde is recognized to ask the question. If the question is in order that will be that. The point I was making - and it may be that when he had finished that would or would not have been the case - it appeared to me that he was asking someone with respect to the activity of another minister. I recognize the hon. member for Trinity-Bay de Verde now to ask his question.

MR. ROWE: I would like to ask the Minister of Education, Mr. Speaker, whether the member for Grand Falls (Mr. Lundrigan) has made representation to the Cabinet regarding the unfairness of the school tax authority in the Grand Falls area?

MR. SPEAKER: Order, please!

I do not think I could allow that question as asked because to do so would open up such a broad area. It is really asking a minister to comment upon or reveal what has been discussed in Cabinet. It is the wording, It is not the substance. It is the form. As I understand it the hon. member is asking whether a certain matter was discussed in Cabinet. Perhaps I have misunderstood the hon. member, and I am not endeavouring to be difficult towards him.

MR. ROWE: No, I respect Your Honour. Maybe I can try to rephrase it. Has the Minister of Rural Development in his capacity as member for the district of Grand Falls, has he made representation to Cabinet regarding the unfairness of the school tax authority in Grand Falls?

MR. LUNDRIGAN: Mr. Speaker, first of all I am not sure that that is the thing to do.

AN HON. MEMBER: He is avoiding the answer to the question.

MR. SPEAKER: Order, please!

I think this is quite an important point. The hon. members want to submit argument I will hear it. But as I understand the hon. gentleman's question it is that he is asking whether a certain submission or recommendation or position was made at Cabinet. Now before giving a definitive decision I would be glad to hear hon. members. But it seems to me to be an important point.

The hon. Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, to that point: I think it is an important, a very important point, and I think it raises an issue. If I can find the references in Beausheue I might be able to direct Your Honour to a specific reference. But as I understand it and recall it there is a precedent in Beausheue to the effect that a member may not ask a minister what advice he has tendered to the Cabinet. Obviously that is

MP. ROBERTS:

so because of the principle of Cabinet solidarity, of Cabinet responsibility. I mean the gentleman for Grand Falls (Mr. Lundrigan) may or may not agree in Cabinet with a government policy, but outside the Cabinet he of course agrees with that policy or he is no longer a minister. That is the principle which every minister accepts. It is fundamental. It does not even require anything other than the mention of it. But at the same time, while a question cannot be asked obviously - here we are, it is page 147, if I can find the - I am sure there is a citation there which - yes, here we are. Page 148, Your Honour, may be relevant. It is citation 171 C (c).

MR. ROBERTS: " A question may not ask what advice a minister proposes to give the Crown but may ask what advice he has given. " And then E(e) a little below that relate to communications alleged to have passed between a member and a minister. So it is not proper, obviously, to ask, you know, what passed in Cabinet but I submit it is proper for the member for Trinity-Bay de Verde, my friend and my colleague, to ask the Minister of Education whether the minister has advised the Crown, the government of which he is a part to change the school tax authority as it exists in Grand Falls - I think it is the point of the question- and if so whether any changes are going to be made. And then the minister in answering may say that I am very happy to say there were such changes and it is a result of representations made by the gentleman from Grand Falls or the gentleman from anywhere else. That I think is proper. What is improper - and my friend was not doing this , what would be improper though, Your Honour, would be to ask what passes in a Cabinet. We have a right to ask what decision was taken. We have a right to ask what advice the Crown is to be given. We may not ask for the legal opinions, we may not ask whether every minister agreed with it. The fact that a minister is still a minister carries with it the inescapable and unavoidable conclusion that the minister does agree with it. Every minister agrees with every single point of government policy. That is the very heart of the principle of cabinet solidarity, and if a minister does not agree with it then he has but one choice and that is to wait upon the Premier and to say "Premier I must resign from your Cabinet and I do so herewith". So I think the question is a perfectly in order one. Perhaps it ought to have been rephrased. It is sometimes difficult to

MR. ROBERTS: rephrase them but I think the information which my friend is seeking is a proper subject for a question, Sir.

MR. SPEAKER: Hon member for St. John's East.

MR. MARSHALL I rise because this is an important point of order and the quotation read by the hon. Leader of the Opposition is a relevant one but it does not give the connotation that he gives to it. Section (171) that he referred to contains what questions may be asked and what questions may not be. And as he referred to it, (171), he says a question may not relate to a communication alleged to have passed between a member and a minister. Now whether or not this particular question is allowed I do not - Mr. Speaker, I would submit it ought not to be because it may create a precedent here. I think it is a very dangerous precedent. if a member of this House is allowed to get up and ask a minister of this House as to whether that member made a representation to him or to the government or to what have you. It is not just what I think it is what is here crystal clear in the rules of Beauchesne that this particular question is out of order and all questions relating to matters and communications passing between members and ministers, be they on this side of the House or that side of the House, are completely out of order.

MR. SPEAKER: Hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, may I in pursuing the submission made by the hon. member for St. John's East direct Your Honour's attention as well to Sub-paragraph G(g) on page 140 of the Beauschene which says that a question oral or written must not seek information about matters which are in their nature secret, such as decisions or proceeding of Cabinet, advice

MR. HICKMAN: given to Crown by law officers. Pardon!

MR. ROBERTS: (Inaudible) the Crown, I said.

MR. HICKMAN: Yes but the hon. Leader of the Opposition was relying in his argument on submission on E (e) and C (c).

What I am saying, Mr. Speaker, that surely any representation made by any hon. member to Cabinet falls clearly and absolutely within the restrictions imposed under E(g) because that surely constitutes a proceeding in Cabinet.

I agree with the submission made by the hon. gentleman from St. John's East that we most assuredly would be treading upon the very firmly established and unquestioned right of secrecy of all matters dealing with any Cabinet and/or the Lieutenant-Governor in Council.

MR. SPEAKER: Hon. member for Trinity-Bay de Verde.

MR. ROWE: Speaking to that point of order, Sir, I would ask, Your Honour, respectfully to take into consideration the fact that the member for Grand Falls had, in fact, made the statement publicly himself over the news media before he brought the matter before Cabinet. So it is

MR. ROWE:

inconceivable that a member of the House of Assembly cannot ask a question about something that the minister himself has made public through the media.

MR. SPEAKER: Order, please!

I think we are in a position now to make a decision on this. First I think I should refer to the submission by the hon. member for Trinity - Bay de Verde (Mr. Rowe) that with respect to the meaning or application of the rules of the House, obviously I cannot be governed by what might or might not have been done or communicated outside the House by any hon. member. That would make the application of the rules too relative and dependent on things totally outside of the House's control or jurisdiction. So that would not be a factor which I should direct my attention to.

I have no doubt that the question is one, the information that the hon. gentleman is looking for, is something which can quite legitimately be asked. I have no doubt of that at all. That is what the hon. Leader - one of the rights that he made. I have no doubt that the subject matter on which he is asking the question or the information that he wishes to elicit may be asked. And my reason for interjecting in the first place was because I did think there was an important principle at stake relative to the manner in which it was asked, not to the subject matter, to the manner in which it was asked. The particular information he is looking for is something not, in my opinion, something particularly secretive. But the manner in which it was asked, as I understand it, did come under the rubric of a proceeding of Cabinet - a proceeding of Cabinet. Proceedings of Cabinet must be decisions, discussions, submission, points of view, agreements, disagreements, and whatever. And it was my understanding, and it is my understanding that as the question was asked it referred to a proceeding. That was the reason I originally interjected. And in terms of the manner in which it was asked, I would not allow it.

MR. SPEAKER.

I have no doubt that the subject matter itself is one upon which a question may be phrased. And I now recognize the hon. gentleman for Trinity - Bay de Verde for his question.

MR. ROWE: Mr. Speaker, I will try to rephrase the question to the Minister of Education. Has the minister received any representation at all from the member representing Grand Falls relating to the unfairness of the School Tax Authority in Grand Falls? And is the minister contemplating any changes in the government's policy with respect to School Tax Authorities as a result of the representations that have been made by the member representing Grand Falls regarding School Tax Authorities?

MR. SPEAKER: The hon. Minister of Education.

MR. HOUSE: Mr. Speaker, there has been some while getting around to the questions.

MR. SPEAKER: Yes.

MR. HOUSE: I have had representation from numbers of people about school taxes and inequalities of school taxes, and I guess from the hon. member for Grand Falls (Mr. Lundrigan). Of course, we have had meetings with people from Grand Falls. We have had meetings with the School Tax Authority, and anything that is discussed in Cabinet, of course, is going to remain secret until there is a decision made and ready for announcement, as far as I am concerned. But we have had representation from the School Tax Authorities themselves, that is the Provincial School Tax Authority, trying to get some legislation that will bring about more equality, and that is being worked on. And, of course, obviously the members from the districts concerned have had input, and certainly the member for Grand Falls has had input into me about that as well as have other members from other districts.

MR. ROWE: A supplementary.

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

MR. ROWE: A supplementary, Mr. Speaker. Is the minister contemplating any changes in the government's policy towards School Tax Authorities or any changes in legislation during this coming session relating to School Tax Authorities in this Province.

MR. SPEAKER: The hon. Minister of Education.

MR. HOUSE: Yes, Mr. Speaker, we are contemplating changes. I would not say they would be major.

MR. MCNEIL: Mr. Speaker -

MR. SPEAKER: The hon. member for Stephenville.

MR. MCNEIL: Mr. Speaker, a question to the Minister of Forestry and Agriculture. In the report of the Newfoundland Federal Provincial Task Force on Forestry in March of 1973, it stated that Labrador Linerboard must be supplied wood at a competitive price from the Island. In light of this

MR. MCNEIL:

what is the status of negotiations with the existing timber limit holders on the Island?

MR. SPEAKER: The hon. Minister of Forestry and Agriculture.

MR. MAYNARD: Mr. Speaker, there have been negotiations going on for a number of years with the timber limit holders on the Island.

There is another set of negotiations or not negotiations but discussions going on at the present time in relation to the committee that is looking at the whole linerboard operation. I am not prepared to say at this time what that committee is going to report.

MR. SPEAKER: The hon. member for Baie Verte-White Bay followed by the hon. member for LaPoile and the hon. member for Terra Nova.

MR. RIDEOUT: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. The Minister of Municipal Affairs and Housing was in the House yesterday and he will recall that the member for LaPoile (Mr. Neary) announced the incorporation of a community in his district. A number of us on this side, Sir, and probably the other side are waiting to hear from a number of communities in their own districts. I wonder if the minister could tell the House whether or not he is prepared to table in this House now or some time in the near future a list of communities to be incorporated by his department this year.

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

MR. DINN: Mr. Speaker, I would be willing to table a list of requests for incorporation. But until they are investigated and we find out what the story is on all of them - and they will be done as we are doing with Burnt Islands and Brig Bay and other areas - we will completely investigate them and then approve them.

MR. RIDEOUT: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. RIDEOUT: Mr. Speaker, I know the minister has tabled a list of requests but I am wondering if the minister - some of them certainly must have been investigated - I wonder if the minister

MP. RIDEOUT:

would take any steps to let members know rather than just phoning up and saying, you know, is this one ready yet, could he table a list in the House of what is now ready for incorporation?

MP. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. DINN: Mr. Speaker, what is ready for incorporation has already been incorporated.

MR. RIDEOUT: You mean the only one is Burnt Islands.

MR. DINN: Right now yes.

MR. ROBERTS: A supplementary.

MP. SPEAKER: A supplementary.

The hon. Leader of the Opposition.

MP. ROBERTS: Mr. Speaker, the minister as I understand it has undertaken to table a list of the requests that have been received from communities or people in communities requesting incorporation. Could I ask him whether he could include in that list, which I hope will be tabled shortly, a list not just of requests received in the last few months or the last calendar year but a list of all the requests outstanding, you know, that have not been disposed of. If they have been disposed of they may have been rejected. But a list of all outstanding requests together with an indication of the status of them. Are they under investigation? Are they pending Cabinet decision or have they just been received and nothing has happened to them yet?

I wonder too if the minister could tell the House - tell us now, he does not need to take this as notice - whether the government have altered their policy with respect to incorporation which following the Whelan Commission Report, as I recall it, was established as we are not going to incorporate anything until we deal with the Whelan Report. The Whelan Report has not been dealt with. It is two or three years old now. There has not been any change that I am aware of. Can the minister tell us accordingly whether that policy position has been changed and requests for incorporation are now being dealt with?

MP. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. DINN: Mr. Speaker, we are dealing with requests for incorporation and indeed have incorporated several areas since the Whelan Report has come in and the Henley Report.

MR. ROBERTS: Has the freeze been lifted?

ORDERS OF THE DAY:

MR. SPEAKER: Order 1, Address in Reply. The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, to make my thirty-seconds time well spent in this hon. House, Sir, and in anticipation of the provincial budget next Thursday, I want to lay this document upon the table of the House, Sir. It is a document I have prepared overnight based on my observations in what is being done in other provinces of Canada and my own observations on the needs of Newfoundlanders themselves. And in the interests of the people who elected us here in this House, Sir, I believe that the ten pointers that I have listed are very worth-while and I think that members of the House would be well advised, especially the Minister of Finance, to study these ten pointers before the 1977-1978 budget is brought down next Thursday. I would like to have Your Honour's permission to have copies for members, to circulate copies of these ten pointers to all members of the House.

MR. J. CARTER: The ten commandments.

MR. SPEAKER: I trust I will have one myself.

MR. DOODY: Read them out.

MR. NEARY: I do not have time.

MR. HICKMAN: By leave.

MR. NEARY: By leave? All right, Sir? By leave?

MR. SPEAKER: The hon. gentleman is tabling a document. It is automatically available to all hon. members.

MR. NEARY: By leave I would read it out Your Honour.

MR. SPEAKER: I am looking forward to a copy.

MR. ROBERTS: Hold on now. What about the hon. gentleman for Harbour Grace (Mr. Young)?

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: No?

MR. YOUNG: No.

MR. NOLAN: Shame on the member for Harbour Grace (Mr. Young)!
Shame!

MP. ROBERTS: The hon. gentleman for Harbour Grace (Mr. Young)
will not allow it.

MR. YOUNG: You can read it if you want to.

MR. NEARY: Okay, I will read it, Sir. "Ten ways to save
Newfoundlanders money, Mr. Speaker." This is headed.

MR. SPEAKER: Order, please! The hon. gentleman's time is up. Has he asked for leave to -

MR. NEARY: Leave to read out the ten points, Sir.

MR. SPEAKER: continue? To read out the ten? Does the hon. gentleman have leave?

SOME HON. MEMBERS: No.

SOME HON. MEMBERS: Agreed!

MR. SPEAKER: I will have to ask it again.

MR. ROBERTS: Can we vote on it, Mr. Speaker?

MR. SPEAKER: No. It has to be unanimous. Does the hon. gentleman have leave or not?

SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: No.

MR. SPEAKER: It is not unanimous in my understanding.

MR. NEARY: Thank you Your Honour.

MR. SPEAKER: The hon. member for Mount Pearl.

MR. N. WINDSOR: Mr. Speaker, there are a number of things that I want to talk about this afternoon, and the hon. member for LaPoile (Mr. Neary) will be happy to know that I am going to give him some words of advice on the Urban Regional Study, hopefully in language that even he can understand. Before I do, Mr. Speaker, the hon. member before the Easter recess or just after the Easter recess was on the airways saying he hopes that hon. members of this House use the time of the recess well in preparing for the next - or when we come back to sit again. I did, I can assure you. I had trouble contacting the hon. member on a couple of days, but very well.

I have a few statistics that I would like to pass on to the House. The hon. members opposite have been screaming that government has not spent enough time talking about the fisheries in the House of Assembly. we have not devoted enough time to problems of rural Newfoundland, problems of Labrador. So I used some of the time of the Easter recess, Mr. Speaker, to get a little information on this, a little data which I think is interesting to the House. First of all

Mr. N. Windsor:

I would like to have a look at the way in which the House has used its time since this session started. To date or up to the April 5, recess, Mr. Speaker, the House had a total of one hundred and thirty-six and-a-half hours of which some fourteen and a half are taken up in procedures, so we are talking about 122 productive hours, Out of that petitions took a total of eleven hours and forty-nine minutes, 9.7 per cent of the total time sitting in this House on petitions. Many of them, of course, Mr. Speaker, were very valid petitions, all expressing concerns of people from various parts of our Province, very valid concerns, very ably presented by hon. members, Some of them, of course, were dragged out needlessly, taking up unnecessary time of the House. But be that as it may.

Statements by ministers, Mr. Speaker, took up five hours and thirty-nine minutes, 4.6 per cent of the House's time. The Address in Reply thirty-three hours and fifteen minutes. Now hon. gentlemen say they have not had time to discuss the fisheries. There were thirty-three hours that anybody could have, and a great deal of that time, Mr. Speaker, was spent on that. Private Members' Day took up twelve hours and forty minutes of which twelve hours and ten minutes was spent on Labrador, the motion by the hon. member from Eagle River (Mr. Strachan); Interim Supply one hour and forty minutes; And a motion of Privilege of the House, Mr. Speaker, two hours and ten minutes, the hon. Leader of the Opposition on a trival matter of a television, almost 2 per cent of the House's time spent on that issue, trival; Legislation twenty-six hours, well spent no doubt; The late show three hours and twenty-six minutes; Oral Questions twenty-two hours and thirty minutes.

Mr. Speaker, the hon. Leader of the Opposition in The Daily News of, I think, it is April 18, yesterday, is quoted as saying "There is no time for fishery in the House, says Mr. Roberts." Well, Sir, up to April 5 out of twelve hours and forty minutes total spent on Statements By Ministers 33 per cent of that time was taken up by the hon. Minister of Fisheries or the Premier dealing with matters

Mr. N. Windsor:

of fisheries.

SOME HON. MEMBERS: Hear, hear!

MR. N. WINDSOR: Very important no doubt.

SOME HON. MEMBERS: Hear, hear!

MR. N. WINDSOR: Legislation, Mr. Speaker, 30.5 per cent of the time that was spent on legislation, a total of 475 minutes was spent dealing with matters pertaining to the fisheries.

SOME HON. MEMBERS: Hear, hear!

MR. RIDEOUT: Particularly the Fisheries Advisory Board.

MR. N. WINDSOR: Yes.

The Late Show, Mr. Speaker, fifteen minutes, a total of 7.3 per cent of the time and so forth. Now added to that the amount of time taken by hon. members speaking on their districts in the Address in Reply, there was thirty-three hours spent on total on the Address in Reply, certainly a good portion of that was spent by hon. members dealing with the fisheries. The hon. member for LaPoile (Mr. Neary) spent forty-five minutes

MR. N. WINSOR: yesterday dealing with fisheries, and Oral Questions, a fair portion of those. So, Sir, a total of 8.6 per cent of the time spent in the House of Assembly so far, plus the amount of time spent on the Address in Reply and Oral Questions on fisheries, has been dealing directly with the fisheries, and the hon. the Leader of the Opposition says there is no time in this House for the fisheries, or for Rural Development, Sir, or for rural areas of the Province, dealing with the problems, government is not paying enough attention to rural parts of this Province.

Sir, I would like to have a look for a moment at the amount of time spent - very quickly - on discussing the St. John's urban regional area, a very important part of our Province, Sir. One-third of the population of this Province lives in this area.

8 per cent, I think it is, of the Province lives in Labrador and 59 per cent reside in the balance of the Island portion of our Province.

Now, Sir, obviously I am not implying by any means that because 33 per cent of the population of this Province reside in this area that we should spend 33 per cent of our time dealing with it. Obviously we deal with the problems as they occur and on a priority basis.

Petitions: Two hours, Sir, have been spent dealing with petitions relating to the St. John's urban region. Two hours almost exactly and that, Sir, was the three petitions dealing with the Waterford Hospital, a very vital, a very important issue, time well spent, no doubt.

Labrador, Sir. Twenty-one minutes is all we spent dealing with petitions from Labrador, and the balance of the Island nine hours and twenty-eight

MR. N. WINDSOR: minutes, 80 per cent

Statements by Ministers: 13.9 per cent has been spent on the urban region, 10.6 per cent on the island 4.1 per cent on Labrador and 70 per cent is very general for dealing with the whole problem.

Private Members' Day: Again 96 per cent has been spent on Labrador on the motion by the hon. the member for Eagle River (Mr. Strachan), 4 per cent on the fisheries.

Now, Sir, let us also have a look at the amount of money that government has allocated over the past number of years for various areas in our Province. Again I point out very clearly that I am not saying that because one-third of the population lives in this area or only 8 per cent lives in Labrador, that money should be allocated on that basis, certainly not, but we will just use it as a basis for comparison of the amount of funds spent by various departments of government.

Transportation and Communications,
Sir: In the year 1975 - 1975, 7.2 per cent of the budget was spent in the St. John's area; in Labrador 3.4 per cent; the Island portion almost 90 per cent. 1975 - 1976 similar, Sir, 10.7 in St. John's, 4.4 in Labrador, 85 on the rest of the Island. In 1976-77, 20 per cent in St. John's, gone up a little bit probably due to the Harbour Arterial Road; 3.6 per cent, Sir, in Labrador and 76.5 in the Island portion.

Rehabilitation and Recreation,
Mr. Speaker: 1974-75, 8 per cent in St. John's; Labrador, 7.1 per cent, Island, 84.8 per cent; 1975-76, 12.1 in St. John's, 7.1 in Labrador, and 80.8 on the Island portion.

MR. N. WINDSOR:

In 1976-77, Sir, 16 per cent in St. John's area, 5.7 in Labrador and 78.3 on the Island portion of the Province.

Forestry and Agriculture, Sir: Obviously, St. John's would not do too well in this area. The urban areas certainly would not. 3.0 per cent, Sir, in St. John's, 96 per cent on the Island, Sir, 1 per cent in Labrador; in 1976-77, 7.8 per cent in St. John's area, 11 per cent in Labrador and 82.2 per cent on the balance of the Island.

Rural Development, Sir: 1 per cent for St. John's. Well, fine, you would expect that. Labrador, 68 per cent would you believe?

MR. WINDSOR: 68 per cent of the capital budget of the Department of Rural Development.

AN HON. MEMBER: Why not?

MR. WINDSOR: I am not denying it. I am not denying it. I am simply trying to point out here that hon. members have said that this government is not paying any attention. I am saying, Sir, that if there is an area that is not being paid attention to it would be the urban area. I am not begrudging for a moment any time or any money that is spent on the Province of Labrador or on the rural part of our Island, it should be doubled or tripled, or ten times as much.

MR. STRACHAN: But rural development you would naturally expect it to be spent in rural Labrador or the Island but not St. John's.

MR. WINDSOR: Yes. I have said that.

MR. PECKFORD: But there are other reasons too, there are more rural parts of the Province besides Labrador.

MR. WINDSOR: Sure. I have said that. That is fine.

Let us look at Municipal Affairs, very interesting figures here, Sir. Government guaranteed loans, Sir, 1976 - St. John's - 27.5 per cent, not bad, close to our population percentage. Labrador - 3 per cent, and the Island 69.5. In 1975 St. John's had 16.6 and the Island 83.4.

Special grants, Mr. Speaker, it is quite interesting. St. John's - zero per cent, and the Island - 89.3 per cent, and Labrador - 10.7 per cent.

Water and sewer subsidies, Sir, these are subsidies on water and sewer systems. St. John's Urban area - 0.65 per cent, amazing, Labrador - 3.4 per cent. It is to be expected, Labrador is not greatly blessed with water and sewer services unfortunately, and the Island portion - 95.05 per cent. Most interesting.

Industrial development, Mr. Speaker. St. John's - zero. Three years in a row, 1974, 1975, and 1976 - zero. Labrador - zero. 100 per cent spent on the Island. Now the Newfoundland and

MR. WINDSOR: Labrador Development Corporation which is part of that department, or answerable to that department, changes it slightly - 7 per cent in St. John's in 1974, 11 per cent in 1976. Combining the last four years, actually, it goes up a little more, 71 per cent in 1975, you get 35.6 per cent for St. John's, 64 per cent for the Island, and less than one per cent for Labrador.

MR. SMALLWOOD: What are these for?

MR. WINDSOR: These are the amounts of money spent by the Newfoundland and Labrador Development Corporation, percentages of their total.

MR. SMALLWOOD: Over what period?

MR. WINDSOR: Over four years was the figures I gave you. I have the four years here. I just gave you the average for the last four years.

So, Mr. Speaker, these are some very interesting figures, I think, to indicate that this government certainly is paying attention to rural Labrador, to the fisheries. I think we need to spend some time, Sir, talking about the major urban area, St. John's Urban Region. Not enough time, Sir, has been spent. We have major studies completed which I will get into. I think the hon. member for Mount Scio (Dr. Winsor), and the hon. member for St. John's South both spoke briefly about it in their remarks some time ago. But, Sir, I think a great deal more has to be said about these studies, a great deal has to be done, of course, and a great deal is being done.

Sir, we had a number of very important studies recently, not the least of which, of course, was the St. John's Urban Region Study, a major study all encompassing, dealing with all aspects of development in government taxation in the urban region. And the urban region, Sir, is defined as the area Northeast of a line drawn between Holyrood and Witless Bay, of course.

Well, Sir, that was a very general study. That dealt with everything you could imagine for the future and development

MR. WINDSOR: of this area. Sir, from that it became very evident that further studies were required, more detailed studies such as the St. John's Regional Water System Study, the St. John's Solid Waste Disposal Study, the St. John's Sewage Disposal Study, all these studies, Sir, have been done now.

We also, Sir, had at much the same time the Royal Commission on Local Government and Taxation, known as the Whelan Royal Commission, the whole Province, which also, of course, dealt with this area.

So then, Sir, all those were taken and there was a commission of enquiry

MR. N. WINDSOP:

to consider all of these matters, to receive input. This is known Sir, commonly as the Henley Commission. The proper title was the Commission of Enquiry on the St. John's Urban Region Study. This is the third and final volume of their quite exhaustive report; Sir, and they dealt, of course, with the regional plan which is the basis that has been adopted as a result of the Urban Region Study and subsequent studies and hearings and Henley Commission hearings, the first phase of it. A regional plan lays down a guideline for zoning developments and what pattern development will take in a region.

The second portion, Sir, was the Municipal Services Plan, of course, which deals with the more technical matters of water and sewer services, and this sort of matter.

And the third one, Sir, which is one that I would like to make some remarks on now is the Local Government and Taxation which was the third volume of the report. It deals with future forms of local government, the urban region. Sir, it poses two great questions, I think, two major questions here that we have to consider. Number one is this whole question of regional government. Should we have regional government, Sir? Should there be a regional form of government at all? And the report makes a very clear, straightforward recommendation of what the commission feels should be adopted. The second one, Sir, of course, will be the boundaries in municipalities within any form of regional government. What communities would exist, the lower level, the lower tier so to speak of local government in a region:

Sir, let us deal first with regional government itself. Do we need it? Is it another level of bureaucracy? It could be. It could become just that, Sir. Well, I would suggest that not only do we need it, Sir, but I think it is absolutely essential that this area have a form of regional government, certainly some form of regional co-operation, absolutely essential. And I do not think it needs to become

Mr. N. Windsor.

a great bureaucratic nightmare. Properly put together, properly organized, structured, I think it could become very useful of expediting matters of government. It could become a very good liaison or a logical transition between pure municipal government and the provincial level of government, Sir. We already, Sir, have rudimentary forms of regional government in this area. The water supply system that we are using at the moment is essentially a form of the regional system. It is a regional system. It is being operated by the City Council. Various municipalities are purchasing water from them and paying for it.

MR. LUSH: We are over-governed now, boy, you know that.

MR. N. WINDSOR: Solid waste disposal is much the same way and City Council has a dump at Robin Hood Bay which many municipalities are using. Sir, it can be successful here. It has been successful in other areas depending of course, on the characteristics of a particular area, the structure of government that was chosen, and there are many, many structures. The Urban Region Study itself outlined three possible structures. The Henley Commission has recommended another entirely different one, of course. They are all very valid. They all have their good points, and their bad points, their weaknesses and strengths. Sir, I think we should consider the method of implementation of a regional government. Should we accept the recommendation of the Henley Commission? Should we come in here and drop like a bomb a whole new level of government, a whole new structure under this area, or should we phase it a bit? Should we start off with parts of a regional form of government? Should we phase it in gradually as it becomes imminently essential? Should we perhaps look at some form of regional council at the moment, immediately? Should we look at the boundary changes, the second question, a little more gradually?

Sir, I sort of think that the third option here is the one that we should look at. We do need a regional government. We desperately need it, Sir, in this area.

MR. WINDSOR:

There are so many matters that need some form of regional council to control them such as the Bay Bulls water supply, for instance, coming on stream July this year, the regional facility not to be owned by the city, Sir, for the moment at least. Who will own and operate it then, Sir, 17 million or 18 million gallons of water per day coming from that system?

MR. BRETT: There are going to be a lot of people going to be all wet.

MR. WINDSOR: There is going to be a lot of water going somewhere.

Sir, let us consider then for a moment the effect that regional government can have on municipalities, some of the objections and some of the strengths of it. I would like to deal specifically, of course, with the effect that regional government will have on my district of Mount Pearl, the town of Mount Pearl and the New Town area, Brookfield Road and Topsail Road areas and why, Sir, the majority of the people of Mount Pearl are saying that we do not accept it as laid down in this report, not entirely. We accept parts of it. We have advocated parts of it. We made representations to the commission, to government before the commission was even formed, in fact, requesting that certain things as well as being recommended in this report, be implemented.

Sir, people have said that the town of Mount Pearl, for instance, does not want to be part of this enlarged city of St. John's - I will not use the term 'Super City', that is a misnomer - but enlarged city of St. John's. And why should not Mount Pearl become part of the city of St. John's? Why should not Conception Bay South become part of the city of St. John's?

MR. NOLAN: Hear, hear!

MR. N. WINDSOR: If I suggested it for one moment, he would come over at me. But seriously, Mr. Speaker, why not?

People have suggested it is emotionalism. Certainly there is a certain amount of emotionalism involved. You have a community

MR. WINDSOR:

that you have identified with for 22 years, built up from nothing. There is an emotionalism involved. Sir, at a public meeting I held some time ago I said to the people there, and these were all people from Mount Pearl, I said we have to put aside emotionalism in this issue and let us consider the facts, the economics of it, the pros and the cons. One gentleman, Sir, stood up and said, "don't tell me that this is not an emotional issue, it is emotional." Certainly it is. The point I was trying to make to them is, emotionalism is valid but I think we have to look at the important implications here. There are implications much more important than emotionalism. An identity. Question, is identity a factor?

The report Sir, says here that identity should not be a factor simply because residents of urban areas have a similar life style. Sir, I take exception to that. Obviously the people who served on this commission have no concept of what it is like to live in a community such as Mount Pearl, to be able to identify with the community and become a part of it. Sir, you cannot do that in a city, in a large city it is impossible. It cannot happen. I could give you, I could go on ad nauseam giving you examples of comments that people from my constituency have said to me in relation to that particular part of the report, saying, Look, here is what I have been doing in here and I could not do that in the city. I lived in the city for years. I have lived in here for three or five years or ten years and look what I have done, look how I have become a part of the community. I could never do that in the city, never. There is a different attitude Sir. We drive past the playground for instance, that we have just developed, and we say, "what a nice job we did on that. I was part of a commission or a committee or somebody who worked and received a funding and constructed that playground. Look at the kids there, they are enjoying it, _____"

Mr. N. Windsor:

and it makes me feel good. And you drive through the city and you see a vacant lot, and you say, why does not City Council do something about that? Now there is a distinct difference there, Sir. In a small community you say, why do we not do something about that? In a major city you say, why does not council do it? Why does not somebody else do it? Or why not do it for yourself, Mr. Speaker?

That is what happens in smaller communities, Sir. The report says "Identity is not a factor," and yet it says, page 173, I think, 137 - "To enlarge the city of St. John's there will be no need of a duplication of effort by having recreation committees for Mount Pearl, St. John's and Wedgewood Park." Now, Sir, is that not a loss of identity? Mount Pearl and Wedgewood Park have accomplished more with recreation committees, and we have two of the finest recreation committees, Sir, in Eastern Canada. I have yet to be able to find the city of St. John's Recreation Committee. So you are going to disband to extremely active groups of people, volunteer groups of people, and replace them with an non-existent city one. Then it says, "A stadium commission should be retained, however its role should be expanded to include the administration of all other publicly owned arenas in the enlarged city." Interesting! I suspect that the first one who walks across the culvert to the Mount Pearl Arena will be shot, to try to take control of that one.

But, Sir, the emotionalism and identity are there. They are real things. We cannot deny them. You can play them down as I have, but they have to be considered. But there are many more far important considerations, Sir, such as the loss of autonomy. I think this is what we are talking about when we speak about identity, the loss of autonomy, Sir, self control.

And what this report is saying to the Town of Mount Pearl and the people of Mount Pearl itself, Sir, is that gentlemen at the moment you have your own council or seven governing your own affairs, but we think we have a better idea. We think you should be a part of a major city and you should have one representative based on a ward system. The wards have not been designed but looking at population distribution,

Mr. Windsor:

Sir, the Mount Pearl-New Town area, all of it combined, would possibly be a logical ward of this expanded city, one ward out of ten, and there are to be ten ward councillors. That means that that area would have one representative on the city council of fifteen. Possibly we would get another one, there would be five elected at large or a mayor and four councillors elected at large. There is a possibility that we would manage to get another representative elected, we could have two. We are only guaranteed one.

Sir, then the regional level of government, Sir, that is recommended in the report talks of another council of fifteen members, six of whom would be chosen from among the city councillors. There is no guarantee, Sir, that the one or two possibly representatives of the Mount Pearl area would be one of the six chosen to sit on the regional council, so it is entirely possible that Mount Pearl area would not have any representative on a regional council. Now, Sir, that is a great loss of autonomy. From your own council of seven, looking after your own affairs, the affairs of 10,000, 12,000 people to having one representative on a council of fifteen looking after 150,000 people. It is much more important, Sir, than identity. It is a matter of self control.

Sir, we have many people say, Oh the Town of Mount Pearl cannot support itself financially. But that is a lot of nonsense. A whole lot of nonsense. People say that the level of servicing in Mount Pearl is not comparable to the city of St. John's. Perhaps not quite, not quite. We are

MR. WINDSOR: not far behind, Sir. We are not far behind, if we are behind at all in fact. Certainly when you want to contact somebody you do not have as far to go. Accessibility to elected officials is certainly much better. Financially, Sir, the city of St. John's budget is something in the order of \$20 million to service their 100,000 people. The town of Mount Pearl has a budget of \$1 million to service their 10,000, which means the city has \$2 to every \$1 for the town of Mount Pearl. And I can assure you the level of service in St. John's is not twice as good as the level in Mount Pearl.

MR. SMALLWOOD: Are there 10,000 in the municipality?

MR. WINDSOR: 10,059, Sir, in the town of Mount Pearl itself. 15,000 in the immediate area.

MR. SMALLWOOD: Does that include Glendale and around there.

MR. WINDSOR: Glendale does not exist. It is all the town of Mount Pearl now. It does not exist as an identity. It is still there.

MR. SMALLWOOD: It is within the town?

MR. WINDSOR: It is within the town of Mount Pearl, yes. You are referring to the Mount Pearl Park and Glendale which were at one time two separate identities and have amalgamated to form this viable town. Glendale is still there in the minds, of course, of many people who live in there. And when you go west of Commonwealth Avenue, you refer to, "I am going up to Glendale," very often. Certainly some of the older residents. Newer ones tend not to.

Sir, the town of Mount Pearl has said, Look we can survive and survive very nicely. And they have said, We think though to be a much more viable community we need an industrial and a commercial tax base. Certainly logical. Any town, Sir, to survive today needs an industrial and a commercial tax base. Mount Pearl is very weak in that regard at the moment. So why

MR. WINDSOR: is it weak?

Sir, in 1958 the original town plan for the town of Mount Pearl was drawn up. It was a very good plan, had a commercial area, had an industrial park, had its own water shed, own water shed reserve, and it is Birmingham's Pond near where the Trans Canada is, for a water supply and it eventually became apparent that it was more appropriate to tie in with the city system. And, Sir, in 1965 there were some provisions made and in the 1958 plan provided there was a town of Mount Pearl, a town boundary and there was what is known as a municipal planning area which is an area many times larger than the actual town, but an area within which the town council had a certain amount of control, or at least will be consulted before any development proposals were approved. In 1965, Sir, there were provisions made for the town plan and that planning area was taken out of there. So now all of a sudden the town of Mount Pearl does not have control of what is happening in the Donovan's area or in the Topsail Road area or in Brookfield Road area. In 1971, Sir, there came this great proposal to - it started before that but certainly the plan was slated for what is known as Mount Pearl, New Town, the Donovan's Industrial Park.

The council in Mount Pearl were approached and they said, Look, you have an industrial park planned here and we do not think that is where that should go. We are planning on a much larger, a regional industrial park at Donovan's, with adequate rail sidings and transportation links and whatnot. We think you should rezone your area and make it residential, Sir, make it part of the New Town plan. The town agreed. It was very logical. Why have this great industrial park and then two miles away have a small

MR. WINDSOR: local industrial park? A very logical thing to do.

One thing that was missed, there was no commitment that this industrial park would become part of the town of Mount Pearl. So there goes Mount Pearl's industrial base. Yes, gone. So what do we have? We have a residential area which eventually became neighbourhood two and part of neighbourhood three of a new town, four neighbourhoods really, neighbourhoods one, two, three and four, and the area that we generally refer to as Mount Pearl-New Town at the moment is the neighbourhood one of New Town. That area where the new Mount Pearl High School now stands, the Lunar and Satellite subdivisions were built was neighbourhood two, Sir, of the new town, the completely integrated

MR. N. WINDSOR:

completely integrated, properly planned proposal for development of an area, both within and outside the boundaries of the town of Mount Pearl. It was never planned, Sir, to have Newtown and Mount Pearl as two separate communities. They are not designed that way, neither is Donovans designed to be separate from these communities. The overall thing was taken. It was designed with a commercial base, and an industrial base and a residential area - proper sound town planning.

Services, Sir, are integrated, roads and streets, across the town boundary of the town of Mount Pearl now is as if it does not exist, and it does not exist. It exists only as a line on a map, an arbitrary line that was chosen because it was a fenced boundary properly owned by the late Rolland C. Morris. And that fence, portions of it are still visible if you want to go up and see it. That is how the boundary was chosen, because the late Rollan C. Morris made representation years ago that when the town was formed, I want all my land to be within the town boundary, And he had a defined line, fenced property, which became the boundary. And, Sir, planning has not respected an old fence line. And so now we have many cases where boundaries, where streets criss-cross, the town boundary, water and sewer services are all inter-connected. It is almost impossible, Sir, to separate the two.

And so, Sir, I think there are very many logical reasons why that area should be allowed to develop in that manner and on its own. And, Sir, we are talking now about - to get back to the regional aspect again, Sir - can the town survive? Sir, I would submit to you that the town of Mount Pearl has done very nicely financially over the years. The report itself makes reference to it. Revenue of municipalities in the St. John's urban area, the percentage of revenue that the various municipalities are receiving

MR. N. WINDSOR:

from the provincial government - and these are 1961 figures here, Sir - Holyrood, fifty-five per cent; Petty Harbour, sixty-five per cent; Pouch Cove, sixty-seven per cent; Wabana, seventy-five per cent; Mount Pearl, thirty-three per cent. And, Sir, I have some updated figures here for 1975, Mt. Pearl now receives only twenty-three per cent and for 1976 twenty-five per cent of its total budget.

Sir, I think that shows very clearly Mt. Pearl is a viable community, extremely viable. And, Sir, an expanded Mt. Pearl, an amalgamation of Mt. Pearl, of Newtown, Donovans certainly would be viable. No question about it. So, Sir, how do we tackle the urban region study, the Henley Report? Do we adopt it in its entirety as it is here, as recommended by Mr. Henley? And Mr. Henley is going around lately making statements such as this Province needs good leadership and we should adopt that because it is the right thing to do. Is it the right thing to do, Mr. Speaker? In the opinion of that commission it is, but it does not make it right. That is his opinion. I have heard him quoted as saying that there are too many politicians who do not know what they are talking about running around making statements about the urban region study. I take very strong exception to that, Mr. Speaker. Quite a number of people here in this hon. House of Assembly who are directly affected know a great deal about this study and the effects it will have on their people.

And so, Sir, I think we need something to happen. We need some action. We have had action taken. Bay Bulls Big Pond water supply is one example of what has been done since the urban region study was brought in. And the minister has indicated he will have some form of regional control, either a regional form of government or a board of some sort to control that system when

MR. N. WINDSOR: it opens in July.

MR. NEARY: That will not be metric.

MR. N. WINDSOR: That will not be metric. If the hon. member restricted his comments to something he knows something about he would say nothing in here.

Sir, we do need a regional form of government and -

MR. NEARY: Like we need a hole in the head.

MR. N. WINDSOR: - I think it should be brought in. I think the form that this regional government should take must be looked at carefully. I think that the boundaries of the municipalities within that must be looked at very carefully. I think the feelings of the people who reside in those municipalities should be considered very carefully. Sir, I do not think that we need to bring in this great all-encompassing report immediately. I think what we need is a form of regional government to look after immediate problems - the basis, let us start at the beginning. Let us build on it as it becomes obvious that more is needed. Let us incorporate some of the communities that have been asking for incorporation for a long time. Some communities, Sir, should perhaps be deferred for the time being and it will become evident. Sir, communities should only of course be incorporated if it can be shown that they will be viable entities, properly planned, properly structured, able to support themselves.

We have had petitions come in here from all kinds of people asking government to build water and sewer systems for us, from all around the Province. Fine, Sir, certainly these people need water and sewerage systems. But how are they prepared to pay for them? Do they want government to pay 100 per cent of the costs or a portion of the cost? Or are they looking for approval to borrow money? What are they asking for government? Residents in St. John's, Sir, and Mount Pearl have paid very heavily for the services they have. Sir, I think the time has come when people can no longer expect the government to give handouts.

AN HON. MEMBER: They are satisfied to pay.

MR. N. WINDSOR: Satisfied to pay, and you are saying that the people from the rest of the Province are not satisfied to pay?

SOME HON. MEMBERS: Oh, oh!

MR. N. WINDSOR: Well, Mr. Speaker, I am just about out of time.

MR. HICKMAN: Order, order!

MR. N. WINDSOR: I just want to refer very briefly. I will have to have some more remarks some other time but I think we have to take a very close look, Sir, at some of the other problems in this area. Such as the outer ring road, Sir, critical- crosstown arterial, Kenmount and Topsail Road, Sir. The bottleneck that we tackle out there every night is unbelievable.

AN HON. MEMBER: (Inaudible) the ring arterial.

MR. N. WINDSOR: Sir, we are waiting for an upgrading of course of the Trans-Canada Highway, and when will Mr. Lang make some decision on that?

SOME HON. MEMBERS: Oh, oh!

MR. N. WINDSOR: Sir, there are a number of roads in this area that need major upgrading jobs on them. The question, Sir, of solid waste disposal for the urban region has not yet been finally settled. We had a report on that. The water system, as I mentioned, is progressing. The sewerage system is progressing. Hopefully some major trunk sewers will be constructed this year. And, Sir, these are matters that need to be considered and as I said in my opening remarks I think I have shown very clearly here that rural areas of the Province have been treated very fairly, have been given the attention they require and I think, Sir, it is time that the problems of the urban region also be given due attention.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Hon. member for Twillingate.

MR. SMALLWOOD: I have listened with great interest indeed to

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MR. SMALLWOOD: the speech of the hon. gentleman who just sat down. It was a thoughtful speech and it was informative and it was worth hearing, and it was

Mr. Smallwood:

the kind of speech very frankly that I have come after a good many years in this House to enjoy, the kind of speech I think the House needs -

SOME HON. MEMBERS: Hear, hear!

MR. SMALLWOOD: - informative, and I believe very sincere.

I rise for the purpose really not at all of making a discursive speech about the Speech from the Throne or the Address in Reply, but rather to address myself to a theme on which I wish to move an amendment to the Address in Reply, to add some words to it. And my intention is to use all of the forty-five minutes to which I am entitled. I am told that I could have an unlimited period of time to speak, five or six days or a week or two or three, no limit only the power of a human voice to survive, I could do that by moving the amendment in a rather different way. But, Sir, I can say quite comfortably and I think completely what I have to say on the subject of the amendment that I am about to move. I have not asked anyone to second it. Will you second it?

MR. F. WHITE: Sure I will second it.

MR. SMALLWOOD: My amendment is, Mr. Speaker, that we add to the words of the Address in Reply certain words. The Address in Reply, as Your Honour knows, says "May it please Your Honour, we the Commons of Newfoundland in legislative session assembled beg to thank Your Honour for the Gracious Speech which Your Honour has addressed to this House." That is the motion which is presently before the Chair. To that I move, seconded by the hon. member for Lewisporte (Mr. White) district, that the following words be added to the Address in Reply, "And urges Your Honour's ministers to introduce legislation designed to purify election of members to the House by putting severe limitations on the amount of money that any political party or candidate or any person or organization in their behalf may spend by requiring the detailed reports of all expenditures be made to the public authority by all who spend or receive such money, that no person or corporation or organization of any kind be permitted to contribute any money or

Mr. Smallwood:

money's worth to a party, candidate, agent, canvasser, or any other person or organization in their behalf at any time, that all lawful and proper expenses of parties, candidates or their authorized agents or representatives be paid out of the public funds of the Province."

Mr. Speaker, I move that seconded by the hon. member for Lewisporte.

MR. HICKMAN: On a point of order, and I -

MR. SPEAKER (DR. COLLINS): On a point of order.

MR. HICKMAN: - realize the hon. gentleman for Twillingate (Mr. Smallwood) in his opening remarks indicated the length of his speech so anything that is used up here should not count, not that it has to under the rules. But may I draw to Your Honour's attention, a bit of a conundrum that seems to be evolving from the proposed amendment. I have not got the Gracious Speech from the Throne in front of me, and it was so long since it was read by His Honour the Lieutenant Governor, but I cannot remember precisely the wording, but it is my very clear recollection -

MR. SMALLWOOD: I can send it over.

MR. HICKMAN: - within the Speech from the Throne there is a statement by His Honour the Lieutenant Governor saying "There will be laid before hon. members legislation to control the financing of elections." That being the case, it seems to me that the hon. gentleman's motion is not really an amendment, because it is very clear, Mr. Speaker, that any amendment to the Address in Reply to the Speech from the Throne falls into the category of a motion of non-confidence. And obviously if the government has already indicated through the Speech from the Throne its intention to bring in

MR. HICKMAN:

this legislation to deal with the matter that is presently referred to in the motion just put by the hon. gentleman from Twillingate (Mr. Smallwood), it does not and cannot fall within the category of a motion of non-confidence which Beauchesne says very clearly is what that kind of a motion is. The other, and this is purely for a matter of record and I am not being technical, I cannot recall whether the hon. gentleman from Lewisporte (Mr. White) has already spoken in the -

SOME HON. MEMBERS: No, no.

MR. HICKMAN: He has not. Well, that is only because again this has been the longest debate, Address in Reply, in the history of this legislature since Confederation and it is hard to remember who has spoken and who has not.

AN HON. MEMBER: Now, now.

MR. HICKMAN: Oh, a very delightful thing! But I do raise this point, Mr. Speaker, and I think it is a matter of substance that the hon. gentleman's motion is most assuredly not a motion of non-confidence. And an amendment to the Address in Reply to the Speech from the Throne is a motion of non-confidence and must be.

MR. SPEAKER: The hon. member for Twillingate.

MR. SMALLWOOD: Mr. Speaker, in the first instance may I say that I am not moved by any powerful desire whatsoever to move a motion or an amendment of lack of confidence in the government. My motive is far more constructive than that. I was hoping that I could make a contribution to the creative and constructive thinking of the House. I am not sure from my recollection of the rules of parliamentary procedure, practice, precedent whether an amendment has got

MR. SMALLWOOD:

necessarily to be a motion of lack of confidence. In the second place, Your Honour, may I point out to you that what His Honour's Speech declared was as follows: My Government is satisfied that streamlining of the Election Act is necessary. It is my Government's intention to introduce legislation to modernize election and voting procedures, to reform the present method of financing elections, and to impose controls on contributions to political parties.

Now, Your Honour, you will see that that is a very broad and somewhat vague general statement of the government's intentions. My motion deals with only one aspect of the Governor's speech at this point where he talks of the streamlining the Election Act. My amendment has nothing to do with streamlining the Election Act. And it goes on to say, to introduce legislation to modernize election and voting procedures. My motion has nothing to do with that. To reform the present method of financing elections and to impose controls on contributions to political parties. Now, the strength of the word control may be opened to debate. There is doubtless a dictionary meaning to the word "control". But what my amendment proposes is not to control but to abolish contributions completely. And which, as Your Honour heard my proposed amendment, you will agree it says, I repeat that I have no particular desire, I am not trying to bring about the downfall of the government. I am trying to get the House to consider a matter of the gravest possible importance, the gravest possible consequence to the democratic system in this Province and indeed in other provinces of Canada. I do not know whether other hon. members have anything to contribute

MR. SMALLWOOD:

to this matter but it does seem to me that the Speech from the Throne in this particular matter, part of a sentence only, nothing specific, extremely general and forming part only of a sentence, one of two sentences, two sentences in the paragraph in question and one part of one of the two questions in the broadest most general terms possible.

MR. SMALLWOOD: says that the government intends to introduce legislation not to do, not, Mr. Speaker - I would ask Your Honour to hear what I am pointing out, to hear me. The amendment that I am proposing is not on all fours at all with the concluding part of sentence two, the second sentence and therefore it seems to me it is not out of order.

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

MR. ROBERTS: Mr. Speaker, if I might address myself to the point of order which I am told has been raised by the Minister of Justice, I understand he has raised two arguments in favour of the point he submits which is that the amendment moved by my friend from Twillingate is not in order. I understand his points are first of all that it is not a matter of confidence therefore it is out of order or/and - and I think he has put them alternatively and serially—that some of the matter is referred to in the Throne Speech and that is the point to which my friend from Twillingate just addressed himself.

Mr. Speaker, I submit that the amendment moved by my friend from Twillingate is in order. The hon. gentleman from Grand Bank says that no amendment may be made to the Throne Speech, if I understand him correctly. I was not in the Chamber but I am told by my colleagues, he says that no amendment may be moved to the Throne Speech amendment unless it is a matter of confidence. Well, Sir, that is a completely ridiculous argument. There is no precedent. There is no citation. There is no nothing. The motion before the Chair, Your Honour, is simply that an address be presented to the Governor and the words of the address are to thank Your Honour for the gracious speech which Your Honour read to us at the opening or words to that effect. It is a very simple procedural motion. It could be maintained to begin with that any amendment to that is a matter of confidence and that if the administration do not carry the House, if they do not carry the

MR. ROBERTS: vote, then they have forfeited the confidence of the House and they must forthwith resign or seek a general election, seek a dissolution I could argue that if Your Honour wish to hear argument on that point.

But in any event, Mr. Speaker, it does not matter a hoot whether it is a matter of confidence or not because all that the amendment purports to do is to add certain words to the Throne Speech. And I would refer Your Honour, if I have Your Honour's attention. I realize Your Honour wishes to consult with the clerk and I think that is a wise procedure to get advice. But, Your Honour, citation 201 in Beauchesne says that the object of an amendment may be to effect such an alteration in a question as will obtain the support of those who -

It is on page 168, Your Honour. - the support of those who without such alteration must either vote against it or abstain from voting thereon. It goes on and says some other words but they are not relevant to the point right now.

Oh, it is citation 201. It is the main one on amendments. It is the rule -

AN HON. MEMBER: 201

MR. ROBERTS: Citation 201. It is page 168 and I read the initial words from that citation and this is the major citation, the lead citation, the head citation on amendments. There is no reference anywhere to the fact that any amendment to the Throne Speech unless it is a matter of confidence must in itself fail. Secondly, Mr. Speaker, if Your Honour were to find, and I submit there is no rule of parliament which would require Your Honour to find that an amendment to the Throne Speech must be a matter of confidence, then if that is so then I will submit that the matter raised by the gentleman from Twillingate in his amendment is one of confidence. An amendment does not have to say we no have no confidence in the government before it is a matter of no

MR. ROBERTS: confidence. An amendment has merely to raise a substantive issue and this is what this one does. Secondly, the second ground raised by the Minister of Justice, as I understand it, is that since there is a sentence or two in the Throne Speech that refers to the government's intentions to introduce some election expenses legislation that that precludes any amendment dealing with that topic. Have I correctly understood the minister's point?

Well, Mr. Speaker, that too is a pile of parliamentary nonsense. The motion before the House is not the Throne Speech. The motion before the House is to thank His Honour for reading a speech, and we may add to that words as far as I am concerned, and I think parliamentary tradition, Sir, will buttress this irrevocably and unarguably. We may add to it if the House so wishes any words as long as they are properly respectful, may add to it any words dealing with any subject that falls within the legislative competence of this House and

MR. ROBERTS: It is certainly within the legislative competence of this House to urge the ministers to introduce legislation -

MR. NOLAN: Right!

MR. ROBERTS: It does not matter whether the words of the amendment are the same as those of the throne speech or not.

They are not as it turns out - but so what? That has nothing to do with the fact that the House if it wishes can attach to the motion now before the Chair some additional words. That is the whole purpose of an amendment, Your Honour. As citation (201) says the whole purpose of it is to change a motion and to change it so that it will gain wider support than it would gain if it were not changed. I have never heard of any suggestion that unless an amendment is a matter of no confidence it cannot be moved. And I would ask the House Leader to cite some authority, to give some precedent, to give some rule. I know of neither, Sir, I really do not know of anything that would say that a motion must be one of non-confidence before it can be moved. But secondly, even if it were, I would argue in the alternative that this matter is one of lack of confidence.

Obviously it goes to the heart of the government's policy and I would suggest, Sir, that the only substantive difference, the only way in which that question would become of importance, Sir, would be that if the gentleman from Twillingate is moving a matter affecting confidence, the confidence of the House in the administration, then he has no time limit on the time on which he wishes to speak. If on the other hand he is merely moving an ordinary amendment he has a forty-five minute time limit, that which applies to any hon. gentleman other than the Premier and myself and some others. Standing Order 49.

So, Mr. Speaker, as I submit - and I realize I have been a little long, but you know, it is not an unimportant point.

MR. ROBERTS: In any event the Minister of Justice has raised two arguments which I think are quite fallacious. I do not know of any authority that says it must be a matter of confidence. Even if it is, if there is such authority, then this is a matter of confidence I submit in any event, and secondly, Sir, the fact that some words are in the Throne Speech does not preclude any amendment.

If it did, Your Honour, all the government would have to do is head off any contentious issue by putting words about it in the Throne Speech and there could never be an amendment on it, and therefore there could never be a debate. And, Sir, that is patently absurd. The motion before the House is simply to thank His Honour for the gracious speech, or whatever the precise words are, and then all that we wish to do is to add to it some words in the terms of the gentleman from

Twillingate's amendment and I submit it is perfectly in order to do so, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: I may respond very briefly and I repeat as I said earlier this is not an attempt to restrict in any way the hon. gentleman from Twillingate addressing himself to what is a very, I think, topical issue and one from which I would very much like hear the views of the hon. gentleman from Twillingate. But may I direct Your Honour's attention to page 143 - right at the top of the page, Beauchesne, which says; "An amendment to the Address in Reply to the Speech from the Throne is a motion of no confidence." Now, Mr. Speaker, if it is a motion of no confidence it has to be made abundantly clear from that motion as to whether or not hon. gentlemen in this House voting for or against the motion are showing their confidence in the government. And the government very clearly

MR. HICKMAN:

has set forth in the Speech from the Throne, which is really the main motion, that the government is satisfied that the streamlining of the election act is necessary. "It is my government's intention to introduce legislation to modernize the election and voting procedures, to reform the present method of financing elections and to impose controls and contributions to political parties." And, Mr. Speaker, no matter how you read a motion that is presently before the House - the difference is the purification of elections is used instead of modernization and voting procedures and the control of expenditures it is very much identical and the same. So if the government obviously has to treat this, which it must, as a motion of non-confidence then the government would be duty bound to defeat the motion.

MR. J. WINSOR: The government is -

MR. HICKMAN: And the government having defeated as they must the motion of non-confidence has put itself in a position where then there is some question whether the House any longer wishes it to pursue or introduce legislation for the streamlining of the elections under the election act which I am sure is not what hon. gentlemen intend.

MR. HICKMAN: and again, as Beauchesne says, that an amendment which produces the same result as the original motion is again out of order, and surely it seems to me that we are aiming for the same purpose, and I repeat, so that I do not want any honourable gentleman to say that this is in any way an attempt to curtail the hon. gentleman from Twillingate (Mr. Smallwood) giving us the benefit of his views and the views that we have heard him express before with respect to the modernization and the financing of elections and the control of financing of elections, which it is clear that the government agrees with, I do not believe that this is the proper procedure and that we should establish this kind of precedent when it can be accomplished by some other means. If the hon. gentleman feels that he cannot, as he already indicated in the beginning, deal with the matter in forty-five minutes, but if he is concerned that at the end of forty-five minutes he may not have sufficiently and adequately dealt with the subject matter, I am sure that I speak for every hon. gentleman on this side of the House that he will have no difficulty at all in gaining the unanimous support or the unanimous consent to continue on.

MR. NEARY: The gentleman from Harbour Grace (Mr. Young) would not agree.

MR. HICKMAN: I say on this side of the House. I cannot speak for the hon. gentlemen opposite, but I am sure that they will do so. And this is why I think that it is important and I repeat that the hon. gentleman said that he only required forty-five minutes anyway.

MR. SMALLWOOD: Even that much.

MR. HICKMAN: Or even that much.

MR. PECKFORD: So why the amendment?

MR. HICKMAN: Anyway what I say, Mr. Speaker, that I do feel that this is a motion -

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

MR. HICKMAN: upon which we need a very definitive ruling bearing in mind, I cannot go back more than eleven years, but I can say that within the last eleven sessions this would create a somewhat different precedent that we had encountered heretofore.

SOME HON. MEMBERS: Hear! Hear!

MR. ROBERTS: If I may in turn respond briefly to the points made by the Minister of Justice. First of all, Sir, he read citation 170, part 2, he read the first words of it, "An amendment to the Address in Reply to the Speech from the Throne is a motion of no confidence." Well that is re-enforcing what I earlier said, any amendment to the motion is a matter of no confidence which merely gives the gentleman from Twillingate (Mr. Smallwood), should he wish to use it, as much time as he requires and is not barred by the forty-five minutes, that forty-five minute rule. So we have disposed of that point. I do not think there is any difference between us. The gentleman from Grand Bank has shifted his ground. Earlier he said it was not a matter of confidence and therefore would fail but we now agree it is a matter of confidence.

Now, Mr. Speaker, the real issue is whether an amendment to the Throne Speech can be moved to add to the motion some words which refer to a subject which is dealt with in the Speech from the Throne. I think that is the point before the Chair, Sir. And I submit that it is quite in order so to do. Indeed the precedents of this House - we have time and time again, in fact I would think we have almost inevitably in amendments to the Throne Speech touched upon matters dealt with in the Throne Speech. That is mother's milk. It is as clear as the fact that the night must follow the day, and the sun in turn must rise in the morning.

This amendment will spell out certain principles, which I submit are different than those spelled out in the Throne Speech, and in any

Mr. Roberts
~~MR. HICKMAN:~~ event the Throne Speech is but a statement of the government's intentions. I would remind Your Honour, Sir, that in the Throne Speech which opened this General Assembly of this Province, Your Honour will find therein almost exactly the same words as are in this year's Throne Speech, but Sir, no legislation was introduced by this administration in the first session of this General Assembly. So the mere fact it is in the Throne Speech does not mean anything except it is in the Throne Speech. I could also refer to the redistribution precedent, where we had a solemn commitment made by the Minister of Justice in behalf of the government that was subsequently broken, dishonoured.

Your Honour, there is nothing that I am aware of in Parliamentary practice or procedure or precedent that would prevent an amendment of this type being added. It is perfectly in order. It produces an alternative which the House can vote upon. It urges the ministers and it introduced legislation and it sets forth the principles.

MR. ROBERTS:

We cannot demand that we do it because this legislation would involve the expenditure of money and that is improper. Only a minister may do that. No member of the House other than a minister may introduce legislation requiring the expenditure of money. If we could demand it we certainly would.

But, Your Honour, it is quite in order. It is an amendment to produce an alternative. Of course it is a matter of confidence. But the government can accept it, and then it is no longer a matter of no-confidence. However the government can stand and say, "We find this perfectly acceptable. We are going to vote in favour of it." Sure. It has been done time and time again. The government may choose to defeat it, in which case members of the House will have expressed their opinion on a set of principles. But the mere fact, Mr. Speaker, and let me conclude by saying that the issue is whether an amendment can be moved to the Throne Speech that touches upon the amendment to the Throne Speech motion that touches upon matters raised in the Throne Speech. The mere fact, Sir, that something is raised in the Throne Speech does not prevent a subsequent amendment. If it did, then the government could head off any contentious issue merely by mentioning it in the Throne Speech. That would be absurd, Sir.

The purpose of the rules of this House is to facilitate debate. This is a topic which ought to be debated, which must be debated and that is why we put the amendment down and I submit, Sir, it is in order.

MR. SPEAKER (Dr. Collins): Order please, I think one of the duties of the Chair is that when the House debates a question and renders a decision it should do so intelligibly and decisively, so bearing that matter in mind I propose to take a brief recess to consult with others over this question. Therefore I recess now briefly.

MR. SPEAKER (Dr. Collins): Order please! I would thank hon. members for bearing with me whilst I looked into this matter with advisors and that having done so I think that one can render a decision on the point of order that has been raised. A number of issues were raised. In commenting on it I will not go over them in detail but I think that there were three in particular. Firstly, the question of whether the amendment is technically in order—in my understanding the amendment adds to the main question before the House, and there is nothing in Beauchesne or anything in our precedents that would render an amendment out of order because it adds to, an amendment that adds to is clearly in order.

Secondly, a question was raised as to the non-confidence aspect of the amendment. This is particularly mentioned in Item 170 in Beauchesne. I think in reading that item it is clear that the no-confidence aspect is a technical matter. It indicates that any amendment to the Speech in Reply is a non-confidence motion. Whether the hon. member making the amendment states so or not it is ipso facto a non-confidence motion.

The third point, I think, that was raised if not specifically stated in these terms was that the matter raised in the amendment would place the government and its supporters in a particularly difficult position in view of what was stated in the Speech from the Throne. The fact that this may or may not be so would not of itself render an amendment out of order. How the ministry, how the government and supporters would choose to vote on an amendment would not of itself render an amendment out of order. I think these are the main points that were covered in the discussion on the point of order raised in regard to the amendment.

MR. SPEAKER:

In view of my consideration of them with the others who were involved I would therefore rule that the amendment is in order. X

SOME HON. MEMBERS: Hear, hear!

MR. SMALLWOOD: Mr. Speaker, I thank Your Honour. And I want to say to the Minister of Justice that I fully appreciate the position he took. He turned out to be wrong but then who has not been wrong at one time or another. I have once or twice in my life, maybe even two or three times.

I think perhaps, Mr. Speaker, that I can say without undue vanity that I know more than any man in Newfoundland today about the subject of campaign funds, the election funds and other funds of political parties because, Sir, the funds of a political party are not required only in the six or eight weeks preceding polling day. A political party exists all the time between elections. And a political party has expenses. And a political party cannot run on fresh air. It must have funds. I think I know more about that than anybody.

Sir, as I recall, Sir William Whiteway led his party in five general elections, and Sir Robert Bond in four, and Sir Richard Squires in five, and the hon. Walter Monroe in one, and Mr. Alderdice in two, or perhaps it was one - two I am pretty sure, two. I, Sir -

MR. HICKMAN: Do not forget my name. I did one.

MR. SMALLWOOD: Well, Mr. Hickman did one, yes, and other individuals did one. But the largest number was that of Sir William Whiteway and that of Sir Richard Squires. Five

MR. SMALLWOOD:

general elections, each of them led his party in Newfoundland. Well I have led a party through fifteen elections in Newfoundland. Surely therefore - that is to say, two referendum campaigns that were very viciously fought as the House will agree; and provincial general elections, seven, and federal general elections, six. Now I was personally as leader responsible for finding the funds to enable those elections to be fought by the party that I led in each one of the fifteen campaigns. Sir, if those fifteen campaigns cost on an average \$100,000 each of the fifteen, we are talking of \$1.5 million. Any politician would tell you that to average those elections, even number seven which is six years ago, average them at \$100,000 is the height of absurdity. So that it is altogether wrong to say that the probable amount of money that had to be raised to conduct those fifteen elections by our party alone was a mere \$1.5 million, an average of \$100,000 each. I am told that a general election today in Newfoundland costs the winning party \$1 million to contest a general election, \$1 million. Now I do not believe for a moment that both parties, or say all three parties - Liberal, so-called Tory and NDP - I do not believe for a moment that all of them spend the same amount of the campaign funds. They probably would if they had it but they do not have it. The party that has the largest single amount of campaign funds is the party that happens to be in power leading up to the holding of the election.

Sir, I would be surprised if a general election in Newfoundland today is in fact fought by the three parties at a total cost for the three of them of less than \$1.5 million. I would be greatly surprised, I would be most skeptical about it.

Mr. Smallwood:

Quite frankly, to put it brutally, I would not believe it because I know the difference. Now there was a time at the beginning of Confederation when there was a large army of idealistic people who had campaigned for Confederation and who threw themselves heart and soul into the first general election. We had volunteer helpers in hundreds piled on hundreds. Today how many freelance, freewill volunteers do parties get outside perhaps of the NDP, and I believe they do get some.

MR. NEARY: I had 175 in LaPoile in the last election.

MR. SMALLWOOD: Well, there will be exceptional cases, but generally speaking, Sir, election affairs, election activities have to be paid for, and we are talking of a million and more than a million dollars for a general election. Now that is too much. It ought not to cost that. Parties and politicians and their agents and representatives ought to be prohibited, prevented from spending such enormous sums because remember in the last nine general elections, Provincial general elections, the cost has been rising each election. The last general election cost much more than the one before it, as it did the one before it, and so on right back for twenty-eight years. And if you look forward to the next five, ten, fifteen years you will see that arc in the same direction, and it will cost ever and ever more because our people become ever and ever more cynical, ever and ever more suspicious, and ever and ever less and less inclined to get in and help a political party or a candidate without getting darn well paid to do it.

So that what we face is a rising cost of conducting elections in Newfoundland, and the same thing applies of course in every one of the other nine provinces, and the same thing applies to the Federal general elections across Canada. When you hear of \$12 million, and \$15 million, and \$18 million being spent by one political party in one province alone in a Provincial general election, you are now talking about big, big money.

Mr. Smallwood:

Sir, what is the source of all that money? Do the candidates dig down in their pockets and pay their own way? I had a candidate who used to do that. He was a well-to-do man, and he never asked the party for a nickel or got one from the party; he always went and paid his own election expenses, he was in six general elections and won them all.

MR. NEARY: He got it back in other ways though.

MR. SMALLWOOD: Well I will not comment on that.

SOME HON. MEMBERS: Hear, hear!

MR. SMALLWOOD: Sir, what is the source? It is not the candidates, it is not the leader of the party, it is not the committee men. What is the source of all this money? Where does it come from? Sir, where does it come from? Who gives it? And why?

Now, Mr. Speaker, if this were to be the last speech I ever delivered in this House the theme of the speech would be the theme that I have adopted, because I believe there are other issues of absolutely staggering importance, staggering in Newfoundland today, frightening, disturbing, enough to cause any thoughtful and knowledgeable man the deepest kind of concern for the future of our beloved Province, and our people. There are other great issues, but the one issue that supersedes all others in the present century up to now, and it is now three-quarters of this century, and in this century the greatest single issue with regard to democracy, parliamentary democracy, the greatest issue of them all is the issue of purging and purifying the election of members to this House, so that with the purpose as

MR. SMALLWOOD:

as far as is humanly possible to do it for the purpose of having every individual member of this House come in here, completely, absolutely independent financially of everyone on earth under God except only the people of the Province,

Every hon. member here should owe the people for their votes, and no one else; should owe the people for the election expenses, and no one else; and should draw their salary from the people, and no one else. If we are to be completely and absolutely independent then we should not accept one dollar from private corporations or companies or organizations or rich men. We have to do it now. We have always had to do it in the past. We did it. Every party did it. Every party is doing it now in the ten provinces of Canada. And we must not be misled, however, by this little thing that has happened in New Brunswick. Mr. Speaker, let us not be deceived, let us not think for one moment that the bulk of the funds of the party in office at the moment, by the way, would be any different from the party that is out of office. There is really no difference. But let us not think for a moment that the millions of dollars - what was it it said, at the moment they have \$3 millions in the kitty, \$3 million, the present administration party in New Brunswick, in office, in the pocket, in the till, \$3 millions. Let us not think for one moment that that came by collecting little kickoffs from fellows with a contract to haul liquor to the liquor stores or other little trucking contracts and little tupenny-hapenny two by four picayune peanuts stuff. That is not where the millions come from. I suppose they look on this and say, Every mickle makes a muckle. And they get

MR. SMALLWOOD:

\$10,000 from here and \$5,000 there and \$1,000 from somewhere else, add it on to the \$50,000 and the \$100,000 and the \$250,000 and the \$500,000, it soon mounts up to \$2 million or \$3 million or \$4 million.

In the last century, Mr. Speaker, in the nineteenth century there were five great reforms, five political reforms, reforms aimed at purifying parliament, the Parliament of England, five great reforms aimed at making the members of the House of Commons (a) more representative of the people, and (b) more independent. That is why reform number one was brought in when they swept away the rotten burroughs - constituencies with three voters, two voters, one voter, with no voters, electing members of parliament. The rotten burroughs were swept away. Legislation was brought in to widen and broaden the base of popular representation. The electorate was increased in number by the hundreds of thousands and then by the millions so that parliament would represent far more people than it had done. And the third great reform was to pay members a sessional indemnity, not a salary, a sessional indemnity to indemnify them for the time and effort they put in as members of parliament. Until that was done, Sir, until members of parliament in the United Kingdom received some form of payment, only rich men could be members of the House, could afford to be members, and if not men who were themselves personally wealthy, hirelings of men who were.

MR. SMALLWOOD: There were men - perhaps the oldest son of a great family - he had no money himself, but his father bought a constituency for him and he went in and though not himself rich he was hireling of someone who was. By paying members, at least men of modest means could afford the honour and the privilege of holding a seat in parliament. And then reform number four was manhood sufferage under which all you needed, the only qualification you needed was that you were a man, that you were twenty-one years old, that you were a British subject and you might be a pauper or a multimillionaire it made no difference. You were a man - manhood sufferage. Your right to vote depended entirely and exclusively on the fact that you were a man of twenty-one and a British subject. Before that you could not vote unless you had a certain amount of land, a certain amount of property, a certain amount of money. That was swept away in the great fourth reform of the nineteenth century. And the fifth and final one was the secret ballot where you went into a polling station and the deputy returning officer gave you a ballot paper with the names of the candidates in alphabetical order and you went in behind a curtain or in another room alone and you marked there in secret the 'X' across from the candidate of your choice. You folded it, you brought it out, it was pushed down in the ballot box and your ballot was secret - a secret ballot. There you have the five great reforms of a whole century, a hundred years, from 1800 to 1900, to the year I was born. Five great reforms.

Try to think of parliament, Mr. Speaker, you especially, Your Honour, who are a graduate of a university in England, and you who are a lawyer and you who are so well versed in the history of parliament, try to picture England today, the House of Commons, the Parliament of England, try to picture it if these five reforms - no secret ballot, no manhood sufferage, no paid members of the House, lots of rotten burroughs and a very narrow representation of the people. Try to think of England without those reforms. Well now if that is too

MR. SMALLWOOD: difficult, is it also difficult to imagine men sitting in ten legislatures across Canada and the Parliament of Canada who are in there every single individual man or woman thanks to the private and secret cash contributions of rich men and rich companies and banks and insurance companies and industrial companies and breweries and distilleries all kinds of rich people contributing in thousands, in hundreds of thousands and in millions.

AN HON. MEMBER: Unions.

MR. SMALLWOOD: That is what I always mean when I say organizations. That is what you have. I was very daring, Your Honour, when I spoke here last year and said that every member of the House is in here, even those perhaps who dug down in their own pockets and paid part or even all of their own personal election expenses, and some do that, even they enjoy their seats in this House because of the secret cash contributions of rich men and companies and organizations, and I was so daring as to say even you, Your Honour, your seat in this House is owed not by any cash that Your Honour received but Your Honour's party did and every party did and there has never been a party in Newfoundland that did not.

What my resolution suggests—and when the Premier goes out I know that he listens to the speeches as we do when we go out on this side. There is a PA system and you listen to the speeches—I hope the Premier listens to this because what I would hope is that the Premier would ask his friends on that side of the House to vote for this amendment. Technically it is a vote of lack of confidence. Actually it is a plea to all members on both sides to adopt the one great reform, parliamentary political reform so desperately needed in Newfoundland and all across our nation today.

MR. SMALLWOOD: They are doing it gradually in the United Kingdom. In the United Kingdom no party is allowed to spend more than ten cents, no party in Britian is allowed to spend more by law, more than ten cents for every voter in the constituency. Now each member here mentally can make up - he can remember roughly how many voters there are in his constituency, multiply that number by ten cents and you have the British limit. That is not good enough, because they can still collect that from whatever source they find available to them.

In Canada, in some provinces and in the Parliament of Canada they have had some reform, not enough. In the USA the presidential candidates receive - what? - \$12 million, \$15 million \$18 million each, each from the Treasury at Washington as a cash contribution from the people, public money. That is a beginning but it is only a beginning. In Australia, in New Zealand you have this same move going on, trying to purge elections, to purify, to make sitting members absolutely independent of all rich men, companies, organizations or anyone else.

If under my resolution, my amendment adopted, if it were adopted, if the Treasury is called on to pay the full expense of each political party, and each party then pays the cost of each candidate, if that were done, Sir, provided expenditures were severely limited by the law, how much a party or a candidate or anyone in their behalf may spend on radio, how much on television, how much on newspapers, how much on the hire of halls, how much on the hire of taxies, how much on the paying of agents, of canvassers, limit on every item, if that were done it would still cost probably \$250,000 in a general election for all parties and candidates combined. And some people may rather shudder at the idea of the Minister of Finance having to find \$750,000 cash to be passed over, distributed among the political parties on some scale or by some arrangement which could easily be

MR. SMALLWOOD: devised without any trouble.

But, Sir, that \$750,000 would be for a general election, and your general election will average about one every three years. And if you divide \$750,000 into \$1,250,000,000 that the government spends, \$1,250,000,000, you divide \$750,000 of that into that sum and what you get is one half of one per cent, one half of one per cent of the budget with an election occurring on the average every three years. Now if it is on the average every four years, it is an even smaller proportion.

\$750,000 - even if it were \$750,000 each year for the term of the General Assembly and if the term lasted the full five years, \$750,000 a year, Sir, on an expenditure of \$1,250,000,000 is not a high proportion nor is it a high amount, relatively speaking. And, Sir, that could save the people. This money would come out of the people's pockets, the people of Newfoundland, the people of Canada, because a lot of the revenue of the Newfoundland Government does not come directly from the Newfoundland people, it comes from the Canadian people, the Parliament of Canada. That amount coming out of the pockets of the people, one-half of one per cent of what the Government of Newfoundland spends, that would save the Newfoundland Treasury, the Newfoundland Government, therefore the Newfoundland people, that would save then tens and tens of millions of dollars.

Now I said here when I spoke last year that I dared to say that the saving could be as much as \$10 million a year. I repeat that today. I say it could be as much as \$10 million a year, not that it was that twenty-eight years ago when the full budget was only \$30 million. The entire budget of the new Province was between \$30 million and \$35 million, I forget the precise amount. There was

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no \$10 million of that, one-third of it, 33 per cent of it did not go to party contributors, people who had contributed to the party fund, But there was some, without a doubt there was some, and there was some the next year, and every year for the twenty-three years we were there; and every one of the five years, now going on six, that the present administration are there, because we are all the prisoners of that system and the victims, the prisoners and the victims, and the people of Newfoundland are the victims. Because remember, Sir, if donors contribute, say, leading up to the next general election a total of say \$1.5 million between the three parties, the bulk of that will go to the party in office, it always did, nothing new about that; the next large amount will go to the Opposition, and the smallest will go to the NDP, If people contribute \$1.5 million to the three political parties leading up to the next general election, why will they do it? Why? Out of the goodness of their heart? Out of patriotism? Out of love, of Liberalism? Love of Toryism? Love of Conservativeism? Love of Socialism? Is that why they will do it?

Sir, we know why they will do it. They will do it in the hope of getting paid back one hundred, two hundred, three hundred fold. How? By getting orders from the government. How? By getting contracts? How? By getting favours of one kind and another. Not just this administration, mine. I had an administration, and I had one for twenty-three years, and every year I was there that was the system of financing the party that I led. It is the system of financing the present Liberal Party that I do not lead; it is the system of financing the present Conservative Party sitting across from me. That is the system in the ten provinces. That is the system in Canada as a whole, federally. And I say the time has come when this great reform, which will be the greatest constitutional and political reform of the twentieth century, the time has come to introduce it. Let Newfoundland be the pioneer. We were the first land on all the earth to introduce daylight saving, and that was an absolutely astounding reform of its kind when

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it was done. The first land of the earth to introduce daylight saving, Newfoundland pioneered. The first place in the world with the automatic telephone was Corner Brook. Let us be the first part of Canada, the first part of North America to introduce this plan of financing elections with public money. After all, the public is already financing a large part of the cost of an election, I do not need to recite here to this Chamber today as to the things that the government pays for directly as a government out of the public chest; they pay for a Chief Electoral Officer and his staff, they pay for fifty-one Deputy Returning Officers, they pay for election clerks in maybe a thousand election booths, they pay the rent of the polling stations, they pay the cost of taking the voters list, they pay the cost of printing the ballots, they pay the cost of advertising, they pay the cost of collecting the ballots, all that now comes out of the treasury, But they do not presently pay the cost of political parties have in getting elected, and individual candidates have in getting elected:

Sir, I suggest to you that a general election ought not to be a battle, a war between money, sums of money, the Tories have this much, the Liberals have that much, the NDP have this little bit, and the money is competing with each other, the battalions with the heavy guns, with the big money. That not ought to be what an election is, a contest between money. It should be a contest surely between ideas, philosophies, programmes, platforms, and also personalities, so that the people can judge, you know, who are the best crowd to govern us, and not to be influenced by how much money has been secretly spent to bring them to that opinion. Because that is what the money is spent for; the money is spent by the political parties to convert the people to vote Liberal or to vote Tory or to vote something else. That is what the money is for. And so it is the money that wins. It ought not to be so. Political victory ought to be the victory of a set of ideas, a set of philosophies, a set of programmes, of platforms, and also of course you cannot, above all in politics, you cannot separate individuals, Personalities are bound to play a part in it, but let it not be the sheer

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brutal savage dead weight of cash. Let it not be a case of political parties buying their election by spending enormous sums in all kinds of ways, some of them legitimate, some of them illegitimate, some of them serious, some of them funny, humorous. We can all tell funny stories. Every practical politician who has ever run two or three elections can. I do not know if the House is going to meet. The House is going to meet, I take it, tonight. And therefore, as I said, Mr. Speaker, before I began, I was not going to take more than forty-five minutes, hardly that. I think at the moment I stand at maybe thirty, forty minutes. So I will resume and complete my remarks after dinner.

MR. SPEAKER: It being six o'clock I leave the Chair until eight this evening.

PRELIMINARY

UNEDITED

TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

8:00 p.m. - 11:00 p.m.

TUESDAY, APRIL 19, 1977

The House resumed at 8:00 p.m.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

The hon. member for Twillingate.

MR. SMALLWOOD: Mr. Speaker, I said when I introduced this amendment to the Address in Reply that I did not do it for the purpose of bringing about the downfall of the government. I did not do it for the purpose of giving me the opportunity to go on for hours and hours and speak. And I assure you, Your Honour, that if there was any sense in it I could go on for hours and hours on this subject which is very dear to my heart. I assured the House that I introduced it for the purpose of asking the members of the House to consider this matter which I believe to be one of paramount importance and that I would not speak more than the forty-five minutes allowed me; in fact, that I would not speak even all of the forty-five minutes. Now the Speaker of the House who occupied Your Honour's Chair in your absence ruled that my amendment was in order and being in order I am entitled under the rules to go on and on and on, indefinitely, forever and ever and ever as long as my voice might last.

AN HON. MEMBER: Amen.

MR. SMALLWOOD: Notwithstanding that fact I have no intention of going on. I wish merely to summarize in the hope - I suppose a vain hope; it ought not to be vain but I suppose it is vain hope - that all members of the House will adopt my amendment.

MR. SMALLWOOD:

The amendment adds to the Address in Reply certain words. The Address in Reply says, "May it Please Your Honour, we the Commons of Newfoundland in Legislative session assembled beg to thank Your Honour for the Gracious Speech which Your Honour has addressed to this House." It was signed George Cross, Dr. Hugh Twomey, Martin O'Brien. Mr. O'Brien is no longer a member of the House.

MR. NEARY: We are going to need a new appointee there now.

MR. SMALLWOOD: Well, I am sure I am not sure what the constitutional position is, whether Your Honour will ask someone else to sign this. I do not know or care very much. That is the Address in Reply, the courteous response of this House to the Queen's representative who was gracious enough to come, occupy Your Honour's Chair, and read to the House the government's programme known as the Speech From the Throne. To that I have moved that we add these words: "Beg to thank Your Honour for the gracious Speech which Your Honour has addressed to this House and urges Your Honour's ministers to introduce legislation designed to purify elections of members to the House by putting severe limitations on the amount of money that any political party or candidate, or any person or organization in their behalf may spend, by requiring that detailed reports of all expenditures be made to the public authority by all who spend or receive such money, that no person, corporation or organization of any kind be permitted to contribute any money or money's worth to a party, candidate, agent, canvasser or any other person or organization in their behalf at any time."

Now the reference 'at any time' has to do with the fact that not only are contributions received by political parties during or leading up to the holding of a general election, but in between general elections as well, and such under this would be prohibited 'at any time' leading up to elections or during

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MR. SMALLWOOD:

elections. "That all lawful and proper expenses of parties, candidates or their authorized agents or representatives be paid out of the public funds of the province." That is what I ask this House to adopt. I have already said that if this were to be the last speech ever delivered by me in this Chamber the theme that I would prefer would be this theme. I know enough about party contributions and who gives them, and how much they give and to what parties they give them and the reasons for giving them, I know enough about all that to be well aware of the fact that it is quite impossible to have thoroughly honest government, to have thoroughly honest lawmaking while members of this House occupy their seats by virtue of secret cash gifts given to the parties under whose aegis we have been elected here.

MR. SMALLWOOD:

I challenge this House, Mr. Speaker, to this extent that I ask every individual member of the House to examine each his own conscience and ask himself whether he is really and truly independent of all companies, corporations, organization, rich men, from whom his party has received secret cash donations. The donations are in cash, they are made to the parties in various ways, or sometimes by cheque, sometimes in bank notes, in cash.

MR. NEARY: Bank draft.

MR. SMALLWOOD: Sometimes in bank drafts. Sometimes they are paid to the parties in other countries, what they call offshore contributions. It may be Switzerland. It may be - what is the name of the island lying off Jamaica which is now a great centre of international banks? What is the name of that island?

MR. NEARY: Not Nassau, no.

AN HON. MEMBER: Tobago?

MR. SMALLWOOD: It used to be run by Jamaica and they used to send a commissioner there and sit there -

MR. ROBERTS: Grand Cayman.

MR. SMALLWOOD: Grand Cayman. The money may be paid to the Liberal Party or the Tory Party or any party, anywhere in Canada, to a bank in Switzerland, to a bank in Grand Cayman, to a bank in Panama or a bank in Nassau, to a trust account here in St. John's, to a trust account in Montreal, to a trust account anywhere; there are various ways, indeed there are many ways that have been devised, that have been invented, that have been created to enable the secret cash donations to be made to the political parties.

Has anyone in this House got the temerity to challenge what I am saying? Does anyone other than the Leader of the Party opposite, or the Leader of the Liberal Party here, does any other hon. member of this House assume that he knows enough to be able to challenge me? I led a political party in this Province for

MR. SMALLWOOD: twenty-three years. Is there anyone sitting here tonight who can tell me more than I know myself about how political parties in Newfoundland finance themselves? Surely there is no one who would be so daring as to say, "Smallwood, you are talking through your hat. You do not know how it is done. I know how it is done and I know better than you how it is done." Is there any hon. member here who can say that to me?

I am not differentiating-and I hope the House will see this - I am not differentiating between Liberal and Tory. We are all equally guilty. I used to wonder how the CCF financed themselves and I led myself out to find out. The CCF were the first Socialist Government in North America. They won the Province of Saskatchewan and Tommy Douglas was the Premier there of a Socialist or at least a CCF Government for nearly twenty-three years. He was Premier of Saskatchewan for just a little less than I was of this Province.

MR. SMALLWOOD:

Now they were the reformers. They were the socialists. They were against big business. Yet they had election after election after election. The Liberal Party fought them. The Tory Party fought them and they won. And they won election after election after election after election for twenty-odd years in Saskatchewan. And I used to wonder, Elections do cost money. Where were the CCF getting their funds? I knew where the Liberals were getting theirs and the Tories theirs. I knew they were getting theirs in Saskatchewan exactly as the Liberal and Tory parties were getting their funds all across the rest of Canada. But where were the CCFers getting them in Saskatchewan? I remember well when the late M.J. Caldwell, that great and honourable Canadian statesman who was the leader of the CCF in the House of Commons - he succeeded the great founder, J.S. Wordsworth, the Rev. J.S. Wordsworth. I think he was a Presbyterian or a Baptist minister who turned to politics and was the great founder and the leader of the CCF. Caldwell, his successor, served in the House of Commons. I knew him very well. And after he left the House of Commons, the Government of Canada, Liberal Government - I forget who the Prime Minister was - appointed him a commissioner to go into the question of party funds. And he travelled across Canada and he came in to see me in this very building in the office of the Premier. And we were well acquainted. We were - in fact I had enormous respect for him and he had some little respect for me. I knew why he was there, to see what I was willing to tell him off the record about party funds. I said "Mr. Caldwell, you are not pulling my leg, are you?" He said, "No, no, no." "Well," I said, "You were the leader

MR. SMALLWOOD:

of the CCF in the House of Commons. You are on the great Canadian statesmen of the present century. And you have been very properly and very rightly appointed a royal commission of one to look into the question of party funds in Canada. And you have come here, and you have come in here, you have done me the courtesy to come in and ask my opinion and what information I can give you. Now you are not pulling my leg." He said, "No, I am not." And I say, "You are not trying to." And he said, "No, I am not." Well, I said, "Why do you come to see me? Do you think I am going to tell you where the Liberal Party gets its campaign funds?" I said, "I am not going to tell you any more than you already know. Sir, you know where we get our funds. But I am not going to be quoted. I am not going to say one word that you can use against me. But you know where the Liberal Party gets its funds from the same people from whom the Tory Party get theirs." And I said, "Your own party were in power!" In fact at that point I do not know but they were still in power in Saskatchewan. I said, "You know where the CCF in Saskatchewan got their funds." He said, "Yes. I know where they got their funds." I said, "I do not ask you to tell me. Let me tell you. Every brewery in Saskatchewan contributes generously to the CCF. Now they get some from this union and that union and the other union. They get some from this co-op and that co-op and the other co-op. But that is chicken feed. They get the bulk of their funds, the party funds, from the breweries, because the practice across Canada is this, notwithstanding Confederation, notwithstanding the fact" - Mr. Speaker, I apologize to you. I said I had twelve minutes and you know, I am sort of let loose now. You will excuse me if I take a few minutes more than the twelve.

AN HON. MEMBER: (Inaudible)

MR. SMALLWOOD: Well, I had a glass of it. I did not! Bristol Cream, no.

AN HON. MEMBER: There is nothing wrong with a drop of Bristol Cream.

MR. SMALLWOOD: But I did not have Bristol Cream. I had a glass of Blue Nun.

MR. NEARY: It always gives me the heartburn.

MR. HICKMAN: I thought you would subscribe to the Sons of Temperance.

MR. SMALLWOOD: Before the hon. Minister of Justice was born I was a member of the - down at Llewellyn Hall at St. Thomas's Church, what was it called? Anyway it was a temperance body, and before the hon. minister was born in St. Lawrence I addressed the Sons of Temperance, is that the name of it?

MR. HICKMAN: That is right. Branch Division No. 9.

MR. SMALLWOOD: That is right. I spoke to the Sons of Temperance and I had been a lifelong advocate of temperance. I have yet to taste, even to taste whiskey. I have never tasted it since I was born. I have never tasted rum since I was born. I have been always through my life a strong and powerful advocate of temperance and the only thing I ever drink is a temperance drink which is Bristol Cream Sherry and sometimes I have a glass of Blue Nun. Now Blue Nun, as an hon. member who ever drinks anything knows -

MR. NEARY: Mother's milk.

MR. SMALLWOOD: Now that is another - I am amazed to hear the hon. member for LaPoile, who is a proletarian, he is from the R.A. Artillery. R.A. stands for ragged and A I cannot repeat in this House but it has to do not with the front of you but the rear.

MR. NEARY: The posterior area.

MR. SMALLWOOD: The posterior part of the human anatomy.

MR. HICKMAN: My organization, our slogan is wine is moderate and Blue Nun is wine.

MR. SMALLWOOD: And what is it that is raging?

MR. HICKMAN: Strong drink.

MR. SMALLWOOD: Strong drink is raging and Blue Nun is a temperance drink.

MR. HICKMAN: No, not on your life. (Inaudible).

MR. SMALLWOOD: It depends on the - If a man takes a glass of Blue Nun, and even two glasses, that is one thing.

MR. NEARY: How about five?

MR. SMALLWOOD: If a man takes two or three bottles of Blue Nun that is again another thing, and I have never in my life been guilty of drinking even as much as a whole bottle, a half bottle. I never buy a whole bottle - a half bottle of Blue Nun. No, Sir, the Minister of Justice with his great sense of rectitude and his old-fashioned Methodist Wesleyan conscience cannot fool me because I happen to be the last remaining Wesleyan in all Newfoundland although I went to a Church of England college and I went to Church of England Church for five years at St. Thomas's.

MR. HICKMAN: Littledale.

MR. SMALLWOOD: I went to Littledale but only for about a year.

MR. HICKMAN: In St. John's.

MR. SMALLWOOD: If this is an attempt by the Minister of Justice to divert me away from the theme that I stood up here to speak about I will say that he will -

MR. NEARY: That is my fault. I apologize. It was my fault. I should not have brought it up.

MR. SMALLWOOD: Well, if the hon. member from LaPoile apologizes it is the second apology he has made here in this House. He has been a member of it-what is it? - twelve years.

MR. NEARY: No, fifteen years.

MR. SMALLWOOD: Fifteen years - the second apology.

MR. NEARY: When was the other one? He cannot even remember.

MR. SMALLWOOD: I will forebare out of mercy, out of commiseration

MR. SMALLWOOD: and a sense of justice I will forebare to say when the first one was. It was not in the Chamber.

MR. NEARY: No, that is right.

MR. SMALLWOOD: It was elsewhere in this building.

MR. NEARY: There were a number of people ready to bail out of the Cabinet through this statement I made.

MR. SMALLWOOD: That is right.

MR. NEARY: So in order to keep the government intact I made my apology. Tongue in cheek.

MR. SMALLWOOD: That is right. Is it not amazing how one innocent remark lets loose an avalanche of revelations? Incidentally, Mr. Speaker, it is rather fantastic to think that on the other side of the House at this moment is a former

MR. SMALLWOOD:

member of my Cabinet, and on this side of the House at this moment there are two former members of my Cabinet, two at this moment.

MR. PECKFORD: Excuse me. At least three at the moment.

MR. SMALLWOOD: One, two, three.

AN HON. MEMBER: Three, right.

MR. SMALLWOOD: Three at the moment, yes. The hon. member for Port de Grave (Mr. E. Dawe), the hon. member for LaPoile (Mr. Neary) and the hon. member for Conception Bay South (Mr. Nolan), is it?

AN HON. MEMBER: Right.

MR. SMALLWOOD: It is.

MR. NEARY: We had a hard crowd that year. We were a hard crowd.

MR. SMALLWOOD: No, Mr. Speaker, they were not a hard crowd. They were a very good crowd, just as the ministers opposite are not too bad a crowd. I will say honestly and sincerely here as I have said before in this House in the present general Assembly, I would be proud as Premier to have a number of the hon. ministers who are ministers at the moment. I would have been proud to have them as ministers of the Crown. They are young men. They are eager, eager sweats. They are trying to make a name for themselves. They are trying to serve Newfoundland and I applaud them for that. They are not Tories.

MR. MURPHY: How do you know what I -

MR. SMALLWOOD: Not really.

MR. ROWE: Who said he was talking about you?

MR. SMALLWOOD: I do not imagine there is a solitary member opposite who would say, "Yes, I am a Tory -

MR. NOLAN: Do you mean the Minister of Justice is not a

MR. NOLAN:

Tory. He was always a Tory.

MR. SMALLWOOD: And I glory - no, I do not believe so.

AN HON. MEMBER: What about -

MR. SMALLWOOD: When he was an active member of the Laurier Club, when he was one of the energetic founders of the Laurier Club, right?

MR. HICKMAN: Treasurer.

MR. SMALLWOOD: Treasurer of the Laurier Club, when he was a great and ardent supporter of Sir Wilfred Laurier and of Mackenzie King and of Lester Pearson and of Pierre Elliot Trudeau, and he was an ardent supporter of -

AN HON. MEMBER: He is the only supporter you will find of Pierre Elliott Trudeau.

MR. SMALLWOOD: Not the only one. I too gave him -

MR. NOLAN: You were always noted for taking the odd stand.

MR. NEARY: What about the unsavoury gentleman over there?

AN HON. MEMBER: I remember the Pierre Elliott Trudeau episode.

MR. ROWE: We had better stop here, boys, or we are going to be back in -

MR. SMALLWOOD: All right now, having got the House, having, with a little help on my right, having got the House in a friendly mood, could I appeal for a unanimous vote for this amendment to the Address in Reply? Not, not at all with any thought of criticizing the government or the government party, private members, ministers, because they are no more, to say the least, they are no more guilty than the members of the party on this side.

MR. NOLAN: They were going to change it all.

MR. SMALLWOOD: Whatever -

MR. NOLAN: Your memory cannot be failing you, surely?

MR. SMALLWOOD: I have been accused before of failing memory but I have a memory like glue. It is almost like the Bourbons. Well it is half like the Bourbons of whom it was said that they forget nothing old and learn nothing new. I hope I do learn something new.

MR. NOLAN: If that is the case you can remember me tackled into a certain shaft dragging through the streets of a certain city with a Chinese hat on one time.

MR. HICKMAN: What is that? What?

MR. NOLAN: Is that correct?

MR. SMALLWOOD: Well I once took the present Leader of the Opposition - the Liberal Party - and the present House Leader on this side of the House, I took both of them to the Far East.

MR. HICKMAN: And the rival of the present Leader of the Opposition.

MR. SMALLWOOD: Well, I took him on another occasion. That was a different occasion. I never took the Minister of Justice.

MR. HICKMAN: No, you would not take me.

MR. SMALLWOOD: Perhaps that was one of the serious blunders I made in my political career.

MR. HICKMAN: I pouted and said that I -

MR. NOLAN: (Inaudible) the party so he left you home.

MR. HICKMAN: Left me home.

MR. RIDEOUT: He should have left you down there.

MR. HICKMAN: Do not be so saucy now.

MR. SMALLWOOD:

Well, I do recall vividly the present leader of the Opposition and the present leader of the House on this side of the House in a rickshaw being hauled rapidly through the streets of Hong Kong by a rickshaw man while I with my movie camera took movies and I have the movies to prove it, I can produce the evidence. I could have it on TV. I am sure that Mr. Stirling would be happy to show this movie of mine that I took showing the Leader, the Liberal Leader of Newfoundland, the Leader of Liberalism and his House Leader showing them.

MR. HICKMAN : At government expense.

MR. SMALLWOOD: Well, it was at government expense. Not the hiring of the rickshaw, that was a personal expense. We never sent a bill to the Treasury for that, that was paid. It could be shown as an example of old-fashioned Toryism. Very old fashioned Toryism. Mr. Speaker, my time is up.

MR. HICKMAN: Stop taking notes, Fred.

MR. SMALLWOOD: I ask , I said I would use forty-five minutes or not very much more -

MR. NOLAN: You have unlimited time.

MR. SMALLWOOD: I know I have unlimited time. I know. But I am not trying to inflict myself on the House. I am asking the House to vote according to the House's conscience because every hon. member of this House knows, as well as I know, that it is infamous, it is quite infamous to be in here. The dignified Minister of Justice owes his seat in this House, as does Mr. Speaker, as I do, owes his seat in this House not merely to the votes of the good citizens of his constituency who voted for him, he owes them, but he also owes money to corporations whose names he may even be ignorant of, but people who contributed whatever hundreds of thousands of dollars in the aggregate to his party. So does every hon. member of this House, including the hon. member for St. John's East. I draw particular attention to him because, number one, he is a backbencher, former

MR. SMALLWOOD:

minister as I am myself a former minister. He is a backbencher. He is a lawyer. He is a professional hon. gentleman. He is a man of independent mind. He is a man who has given pretty strong evidence in this Chamber in the last year that he does believe in reform at least in some directions and in some departments of life, and of public life. I say to him that he owes his seat here in this Chamber partly to the secret cash contributions of people whose name even he does not know because he probably had no more to do with the party fund or the bagman or the bagmen, the people who hooked it in, he probably has no more knowledge of them than I have. Maybe not as much because to a large extent -

MR. NOLAN: Would the hon. member permit a question? I mean the question is, do many members really in the House or in any political party know about political contributions anyway? Surely, I mean if the Bank of Canada was run like political parties, there would be one person, either the Premier or the leader of the particular party and the treasurer. There is no one else who has any accounting. I have never seen any accounting. I doubt very much if any of the hon. members opposite have ever seen any accounting of the monies that come in to the various parties.

MR. SMALLWOOD: The hon. gentleman is so completely right. Again and again and again - and remember I was in charge of seven provincial general elections and six federal - again and again at the end of an election, maybe a month or two months later the party treasurer would come to me and say, "Premier, I have a list of the contributors." And while I never did say to him at any time what the hon. the Premier said here in the House a few months ago - what was that classic remark the Premier made about something that he said - what was it? - stuff it or something like that? Stuff it? What was that the Premier said?

MR. NOLAN: Yes, stuff it.

MR. SMALLWOOD: Stuff it. Yes, stuff it. While it is true

MR. SMALLWOOD: I never said to him, "Stuff it!" I did say very positively, "Look, I do not want to know who contributed and how much. I do not want to know," and again and again and again that happened. That happened twelve or thirteen times. The man who was the Treasurer was that for so many elections and before him, and a very close relative of his had been the Treasurer, and it was the same experience with both of them. I said I did not want to know.

Number one - if anybody ever came to me, and people did, and said to me with an election coming up, Premier I would like to make a contribution to your party. And I would say, Well I am very glad to hear that; of course parties do need money but our treasurer is So and So. And I would send them off to that So and So.

Now I would assume it is the same. My colleagues did not know. The member for Fogo (Captain Winsor), who was then my colleague in my Cabinet, he did not know. He was given a sum of money to pay his expenses in Fogo district as a candidate. He was given that by the party treasurer. He did not know where the money came from. And in addition to that he did not know where the money came from that was used to pay general overall province-wide party expenses, radio, television, newspapers, an advertisement in a daily newspaper cost \$1,800 with his picture in it. He did not know where that \$1,800 came from. And the hon. member for Conception Bay South (Mr. Nolan) and all the candidates I would have - well not on the end, I had forty-one, was it, candidates and I made forty-two. There would not be more than two men in the Liberal Party, I mean candidates of the MHAs, who knew where the money came from; all they knew was it came from the Liberal Party. But where the Liberal Party got it they did not know anymore than the hon. gentlemen across from me here tonight on the opposite side of the House, any more than they knew. The hon. member who is sitting momentarily in the seat of the Premier, who got elected the other day in Bonavista

MR. SMALLWOOD: North (Mr. Cross), he does not know any more than the Man in the Moon knows where the money came from to pay his election expenses and the election expenses of those that were associated with him and for him in his behalf in that election. He does not know. So what? Does that make it all right? Does that make it okay?

Now there is a general election coming up, what two, three years from now -

MR. HICKMAN: Three and a half.

MR. SMALLWOOD: What?

MR. HICKMAN: Three and a half.

MR. SMALLWOOD: Well that is the constitutional limit. The probability is the election will take place in about the fourth year, toward the end of the first four years and it could be a year earlier than that. That depends on circumstances, but a year or two from now there will be a general election. And there is not an hon. member on that side of the House, or this side of the House, if he intends to run for re-election, there is not one hon. member here tonight who would feel very uneasy if he thought that his party could not cover his election expenses.

I am not asking the members of this House to vote for that kind of uncertainty. What I am asking in this amendment -

MR. NOLAN: If the hon. member would permit a question? I think it is only fair to, I would hope if I may to indicate to the hon. gentleman that there are members of this House, perhaps on both sides, who in fact have owed money personally as a result of an election and have had to pay it after an election.

MR. SMALLWOOD: Have what?

MR. NOLAN: Have owed money following an election personally, and as a matter of fact to this day there are some who personally owe money, so I think it is unfair

MR. NOLAN:

fair to suggest that no one owes any money, that they have not put anything personal into it themselves.

MP. SMALLWOOD: Well, I mean, the hon. member is so completely right. There is one hon. member here who ran as an independent Liberal. Now the Liberal Party did not contribute anything to him, and the only mystery in my mind about any hon. member of this House is where he got his funds and did he have any money to spend and had he saved up -

MP. NEARY: It was not from the local breweries, I can assure the hon. gentleman.

MP. SMALLWOOD: But I know where everyone else got his money. He got it from the party funds. And if hon. members who got elected, and if unhonourable or not honourable or men who do not have the title honourable who did not get elected, I know where the money came from for their campaign funds and I know that a good many of them spent more than their parties authorized them to spend. And I know that a good many end up in debt. Of course I know that. Have I not ended up myself in debt up to my neck? I have ever since the - when was the general election? A year and a half ago? There is one particular constituency where the candidate employed a number of agents. The hon. member there is smiling. He probably knows who it is. He engaged a number of agents to sit in the booth all day at twenty-five dollars a day. I have been getting letters ever since from those agents asking me for the twenty-five dollars. And all I can do is write back to them and say, "Look, I did not engage you. As leader of the Liberal Reform Party I told that candidate that the total amount the party could give him as his election expenses for that constituency was so much. Now he had to keep within that. If he went beyond that, that is his headache. Write him. Go and see him. Telephone him and get your twenty-five dollars."

So the hon. member for Conception Bay South has run - what is it? In three general elections? He ran in St. John's South in one election. He ran in Ferryland another and he ran in Conception Bay South a third. Three elections, and I would be surprised if he ended

MR. SMALLWOOD:

up in either one of them not owing some money.

MR. NOLAN: It is amazing if anyone ends up not owing something.

MR. SMALLWOOD: Anyone, any member of the House, it usually takes a year or two when the election is over for the party to collect in enough money to pay the debts of the individual members. And if the party happens to be the Opposition instead of taking a year, it takes two years or three because we are all -

MR. NOLAN: Are you collecting now for -

MR. SMALLWOOD: We are all at the mercy of the private donors, the private contributors. Now all I ask this House is tonight to vote to put an end to that, put a limit on how much may be spent, put a limit on it, put a stern limit, put a severe limit on how much may be spent. Outlaw any contribution from any company, corporation, organization, individual - outlaw it. And even when you limit the amount, that limited amount must come from somewhere. Let it come from the public treasury. Then every one of us will come in this House - I doubt that I will be one of them, I doubt very strongly that I will be one of them - but every member coming into this House will come in here with clean hands, with a clear conscience, absolutely independent, owing nothing to anyone except the people for their votes and the people for their election expenses. Is anything wrong with that in principle? Can anybody, can the smartest member of this House think of an objection in principle to that?

MR. NOLAN: Could I ask a question of the hon. member? It is this, that assuming we were to bring in what he suggests right now, what would happen to the debts that parties now have and where would the money come from?

MR. SMALLWOOD: I will be honest and simply say I do not know. I will just be honest about that. I do not know. I do not think we could very well get legislation passed in this House to take care of arrears.

MR. SMALLWOOD: I do not think so.

MR. NEARY: Pass around the hat.

MR. SMALLWOOD: Pass around the hat?

MR. NEARY: Down in my district I passed the hat to pay for the hall and the bands and all that.

MR. SMALLWOOD: Get up some bingo, get up some garden parties, get up some card parties.

MR. NOLAN: I got my own lottery.

MR. SMALLWOOD: Get up a lottery. But you know I am not asking the House to pass legislation taking care of past debts, say wipe the slate clean and adopt this, not as an attack on the government because the government are no more guilty of this than we are and we are no more guilty than they are. We are all guilty of it. Well let us sponge it, let us cleanse the slate and begin new, and lead Canada and lead the world. Let Newfoundland become famous in the history of politics and the history of constitutional reform. Let Newfoundland become famous as the great pioneer.

SOME HON. MEMBERS: Hear! Hear!

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I rise to support the sub-amendment moved by my -

AN HON. MEMBER: Amendment.

MR. NEARY: Amendment, is it? Oh it is not a sub-amendment, the amendment moved by my hon. former colleague, the former Premier of this Province. In introducing the amendment, Sir, the hon. gentleman said that he was very well versed, that he was very knowledgeable on this matter of fund raising for election campaigns and so forth, Well, Sir, I think I would have to agree with that. I can think of no other person in this Province more qualified to speak on this particular subject than the hon. gentleman and I am sure that without divulging any secrets that the hon. gentleman laid out a case to get the unanimous support

MR. NEARY: of members on both sides of the House, laid out a fairly strong case. And I am one of the converted, Sir. I am going to vote in favour of the amendment. I think it is a good amendment. There are a number of reservations that I have about the introduction of such legislation, Sir, over supper time when I was sitting down, having a bite to eat and I was thinking about the amendment that the hon. gentleman brought in. Incidentally, I do not think that we will be leading Canada, I believe they already have legislation in Ontario limiting - They have legislation in Ontario limiting contributions to political parties.

MR. SMALLWOOD: That is right.

MR. NEARY: And Quebec has it. So we will not be leading the other Provinces of Canada in that regard but what we can lead the other Provinces of Canada in is barring completely any contributions from private enterprise, from individuals, that the election expenses be paid one hundred per cent from the public treasury.

MR. SMALLWOOD: Yes.

MR. NEARY: Now that would be leading Canada, that would be a new innovation. But then that raises a number of questions. What formula could you work out to give the political parties their contribution? Would it be based on so much per head? Fifty cents, say, for instance.-

MR. SMALLWOOD: You could do that.

MR. NEARY: - fifty cents a head. If so then, Mr. Speaker, in Newfoundland at fifty-cents a head it would amount to say roughly \$275,000 for each political party, because we have a population of about 525,000 people times fifty. So that would be about \$275,000 for each political party.

MR. SMALLWOOD: My guess is \$750,000.

MR. NEARY: \$750,000? Okay, that is fine. Say it could be worked out at fifty cents a head, that means in a district of 10,000 people the candidate would get \$5,000, each candidate would -

MR. SMALLWOOD: No.

MR. NEARY: No?

MR. SMALLWOOD: The party would get it.

MR. NEARY: The party would get \$5,000, or it could be based on the total population.

MR. SMALLWOOD: The party would decide how much the candidate got.

MR. NEARY: But then, Mr. Speaker, that is fine, that is well and good.

MR. HICKMAN: Have you got it figured out yet?

MR. NEARY: No, I have not got it figured out.

MR. HICKMAN: How do you propose to manage these fees that are imposed by the media during election campaigns on the cost of advertising?

MR. SMALLWOOD: A good point. It needs a good answer.

MR. NEARY: There are a number of, as I say, questions that I would like to raise in connection with this because it is going to be very difficult to work out the

Mr. Neary.

minute details. It is going to be very difficult to get a formula. If you pay 100 per cent of election expenses from the public treasury, I would suggest that the difficult part of that would be working out a formula, because you would have every fool in Newfoundland wanting to run, and he would be entitled to his share. He would be entitled to have his election expenses paid for out of the public treasury.

MR. LUNDRIGAN: Well what else is new?

MR. SMALLWOOD: Would the hon. gentleman yield? In the United States - what is it, fifty states? - and each individual state has its own laws with regard to elections. In the state of New York before a new party can get on the ballot so people can vote for them, if they wish to, they have to go out and get a petition with, I think, twenty-five per cent of the voters or votes of the previous election, to sign a petition. Similarly, you could have a requirement that a man who is going to run as an independent would have to go and get a petition, signed by twenty-five per cent of voters on the voters' list before he could be recognized by the government to get a grant.

MR. NEARY: Mr. Speaker, that certainly makes it very difficult for us poor old independents. It looks like what we are saying here, Sir, is that the election expenses would only be paid to recognized political parties -

MR. SMALLWOOD: In the main.

MR. NEARY: - in the main, and that raises the question of how does a party become a recognized political party?

AN HON. MEMBER: Incorporate itself.

MR. NEARY: Incorporate itself. Well in that case, Sir, the Liberal Party of this Province at the present time, the Liberal Party that sits in this House, is here illegally. They are operating under false pretenses, because there already is an incorporated Liberal Party of this Province, incorporated by Sir Richard Squires, and the share list is down in the registry office.

MR. SMALLWOOD: That is not the Liberal Party.

MR. NEARY: That is the Liberal Party of Newfoundland.

MR. SMALLWOOD: The Liberal Association.

MR. NEARY: No, Mr. Speaker, it is the Liberal Party of Newfoundland. I have the share list home.

MR. SMALLWOOD: Charlie Udell was the head of it.

MR. NEARY: And it is an incorporated body. And anybody can go down. All you have to do is submit ten names, update the share list, and you can be recognized as the Liberal Party of Newfoundland as incorporated back in the 1930's, I believe - was it in the 1920's?

MR. SMALLWOOD: In the 1920's.

MR. NEARY: In the 1920's by Sir Richard Squires, who was then a practicing lawyer.

MR. SMALLWOOD: W. R. Dawe of Bay Roberts was one of the heads of it.

MR. NEARY: So there are all kinds of complications that I can see, Sir, but nevertheless the principle is sound. The principle is sound, and it is not beyond probably the intelligence of man to be able to work out the minute details. It is going to be most difficult.

Now having said that, Sir, I want to - or at least I got the impression from listening to the hon. gentleman that this was supposed to be the Saviour, if we did this, if the election expenses are paid for out of the public treasury, it is supposed to be the ultimate as far as political life in this Province is concerned. It is supposed to make politicians honest. And it is supposed to eliminate the blood-sucking vampires that have been leeching off the taxpayers in this Province for so long. Mr. Speaker, I submit that it will do no such thing.

MR. SMALLWOOD: And I agree

MR. NEARY: Mr. Speaker, you cannot buy integrity and honesty. It will not make the politicians in my opinion any more honest. The wealthy individuals, Sir, will still be able to carry on their under-the-counter wheeling and dealings. The wealthy will still have an edge on the ordinary individual although I have heard it argued - not by my hon. friend, I do not think, at least, I had to leave early today, and I am not sure if my hon. friend used this argument or not, but I have heard it used - that it will make everybody equal, that the ordinary person then can stand just as much of a chance of being elected to the Legislature as the millionaire. And I say to that, hogwash, balderdash! It is not true. It cannot be true, because the millionaire, the well-to-do lawyer, the well-to-do doctor, the well-heeled, the money-bags, will still have the edge on the ordinary person.

PREMIER MOORES: Are you talking about the people in here?

MR. NEARY: Well, I am talking about some of the people in here now, some of the money-bags that are in here now.

PREMIER MOORES: Very few.

MR. NEARY: Well, Mr. Speaker, I do not know how many, but some of them are.

PREMIER MOORES: Speak for yourself.

MR. NEARY:

Yes, Mr. Speaker, I can speak for myself and I am going to have a few choice words for the Premier in a moment.

PREMIER MOORES: You already have.

MR. NEARY: Yes, I certainly have and I have a few more too.

PREMIER MOORES: Fortunately you said them outside the House, fortunately.

MR. NEARY: Fortunately I did and if the hon. the Premier wants to do something about what I said outside the House, listened to by two CBC corporation lawyers who are experts at libel and slander, then let the Premier do something about it.

PREMIER MOORES: I found out that the case has been resurrected.

MR. NEARY: Oh, the case has been - is this a personal vendetta? Is this revenge?

PREMIER MOORES: No, it is by you. In that case you are venom.

MR. NEARY: Is that so!

PREMIER MOORES: Yes.

MR. NEARY: Well, Mr. Speaker, we will see about that. We will see about that, Sir. The case has been resurrected. Well, let us resurrect this case of Scrivener. Let us get that one investigated and looked into. And if the Premier wants to have a good fight, well let us have it.

MR. HICKMAN: Mr. Speaker, I would like to rise on a point of order. It is a very fundamental rule that a matter that has been debated and dealt with in this House is not subject to any debate or comment during the rest of the remaining session. The rule on that, as I recall, was made by Mr. Speaker Noel in 1970. The hon. gentleman for Twillingate (Mr. Smallwood) will recall it very vividly.

MR. SMALLWOOD: What rule is that?

MR. HICKMAN: That a matter that has been debated and disposed of cannot be debated a second time or commented upon.

MR. SMALLWOOD: In the existing session. But in a previous session, no that is not so.

MR. HICKMAN: In the existing session.

MR. NEARY: What matter are we talking about?

PREMIER MOORES: Scrivener.

MR. HICKMAN: And I would draw to the attention of Mr. Speaker that I understand there was a motion that was debated and voted on in this House with respect to Scrivener within the last few days, yesterday in this House.

MR. ROWE: Naturally it was not announced -

MR. HICKMAN: Yes, Sir. And it cannot be debated again.

AN HON. MEMBER: The sub-amendment.

MR. PECKFOPD: Yes, the sub-amendment was on Scrivener.

MR. NEARY: To that point of order, Mr. Speaker. I am not debating the amendment, Sir.

AN HON. MEMBER: (Inaudible)

MR. NEARY: Well the hon. the Premier was the one who mentioned that.

PREMIER MOORES: I only stated it.

MR. NEARY: If the hon. the Premier keeps baiting me I am going to keep answering him. Maybe the hon. Premier might be sorry before my forty-five minutes is up. But, Sir, let me point out that I am not debating the amendment, Sir, that has already been passed in this House.

MR. SPEAKER: (I. Young) Order, please!

Beauchesne, page 126, 148, "It is a wholesome restraint upon members that they cannot revive a debate already concluded". And therefore I figure that the hon. member should not refer to the matter he is discussing and ask him to continue with regular debate.

MR. NEARY: Mr. Speaker, we are I presume having a wide-ranging debate on how parties are funded, how election campaigns are financed and, Mr. Speaker, I intend to lay out some facts I hope that will show the need for every member to support the amendment moved by my hon. friend. I was making the point, Sir, that I have grave doubts whether financing election expenses 100 per cent from the public treasury are

MR. NEARY:

going to make politicians any more honest.

The only way, Mr. Speaker, that politicians can prove that they are honest, that they are men and women of integrity, is by action rather than words. I agree with a lot of the points that have been raised by my hon. friend, that up to now the electorate, the voters, have become disillusioned, disgruntled, demoralized, cynical, browned off, and do not trust the politicians and the political system. This may help to correct the situation but I do not believe that the people, who after all are the ones that count, I do not believe the people will be convinced, even if we pass this legislation that they will be convinced that we are men and women of honour and integrity and honest in this hon. House.

As a matter of fact I would say, Sir, I would go as far as to say that the way it will be looked upon is that the taxpayers will consider it

MR. NEARY: as another unnecessary drain on the public treasury that may cause an increase in taxes. That is probably the way it will be looked upon. They will probably say, There they are now milking a few more dollars out of the public treasury. And I doubt very much, Sir, if it will make the contractors any more honest or any more honourable than they are at the present time. I am highly doubtful, Sir, that it will really accomplish what the hon. gentleman thinks that it will accomplish. It may go a long way.

MR. SMALLWOOD: What is it that the hon. gentleman thinks I think it will accomplish.

MR. NEARY: Well the impression I got from the hon. gentleman starting off today, and I paid attention to the hon. gentleman's introductory remarks, he said - if the hon. gentleman said that if he was making his last speech in this hon. House that this is the one that he would like to make to purify and cleanse politics in this Province as it -

MR. SMALLWOOD: No. Elections.

MR. NEARY: Well elections.

MR. SMALLWOOD: Not politics.

MR. NEARY: As if this was going to do it. Now it may go a long way, no doubt it will be helpful, but I do not believe that it will make honest men out of some of the -

MR. SMALLWOOD: Would the hon. member allow me? I have not claimed, because I do not believe for a moment this kind of reform would make men honest who are not honest. What I do claim is that a lot of the temptation that does exist within governments once they have been elected, elected very largely as the result of contributions, secret cash contributions that they have received from business interests and so on, it will remove a lot of the temptation because it will remove the need. They do not need to pay them back for what they have not received. If they are not allowed

MR. SMALLWOOD: to receive contributions, they do not have to pay back out of public funds the favours they received in private funds from private interests. But I do not think for a moment that it is going to make anyone any more honest. It will remove a lot of the temptation by removing a lot of the need to be dishonest.

MR. NEARY: Yes, Mr. Speaker, I think that is a very valid point indeed. The only thing is that what we have to do, and I think probably this is where the hon. member misunderstands what I am saying, what we have to do as politicians, as men, you know, in public life in this Province, we have to prove by our actions and our behaviour that we are honest, that we are not out to rob the public treasury, that we are not out to rob the taxpayer blind and we can only prove that, Sir, to the people by facing up to situations as they develop, by not being afraid to impose jail sentences if necessary, make jail sentences mandatory on people who take money under the counter. That is the only way you can do it, Sir. If you bring legislation into the House and you make a provision for a fine then you will have people who have ways and means of paying these fines whether they are big or small. If they cannot do it themselves personally they can lay their hands on the money. Nobody can ever prove where it came from.

So I would suggest, Mr. Speaker, to the Minister of Justice, that if the government is planning on bringing in legislation, that there be no option of a fine, that a mandatory ten year jail sentence be imposed on anybody who violates the law. Now in that way you might, Sir, be able to frighten a lot of people from becoming involved into any wrong doing. But that is the only way they are going to do it, Sir. That is the only way you are going to do it.

On a number of occasions in this Province, Sir, we have

MR. NEARY: had documentation of political donations, donations made to political parties of a dubious nature.

And, Mr. Speaker, I have no objection at all. As a matter of fact I have stated both inside and outside of this hon. House that there is nothing illegal at the moment about making party donations.

MR. SMALLWOOD: That is right.

MR. NEARY: But what I have taken strong exception to, Sir, both inside of this House and out, is the fact that the money that is extorted out of business and industry, a lot of it does not find its way into the coffers of the party. Somewhere along the line somebody had sticky fingers and that is where the graft and corruption comes in, Mr. Speaker. And I do not know if it is possible to eliminate that sort of thing altogether. It may be. We certainly should give it a try. It is a good start. It is a good amendment but we are going to have to do a little more than that as politicians. We are going to have to show the people of this Province by precept and example that we are honourable men, that we will not condone skulduggery of any kind, that we will not condone financing trips, that we will not condone financing motor vehicles, that we will not condone contracts being awarded without calling public tenders.

Mr. Speaker, we already saw this government that campaigned on reform, we already saw this government bringing in an act, a public tendering act in this Province, that in itself was supposed to be the ultimate in life. It was supposed to stop all awarding of contracts without calling public tendering and we saw how that act can be circumvented, how it can be bypassed and how under-the-table deals can be made. Would not the same thing happen to a piece of legislation to pay election expenses out of the public treasury? Would not the lawyers find the loopholes in the legislation if there was not a mandatory jail sentence for anybody caught violating the act? That is what should happen

MR. NEARY: in the case of the Public Tendering Act. There should have been no option of a fine. Anybody caught, including ministers, members of government, business or industry, anybody involved in contracts where public tenders were not called should have been put in jail. That might have stopped it.

But now we did not see that, Sir. We saw the Public Tendering Act being by-passed and if we do not put a little thought into this legislation to pay one hundred per cent election expenses out of the public treasury we could see the same thing happening again.

It is a job, Mr. Speaker, it is a job to put an end to these blood sucking vampires.

MR. SMALLWOOD: Would the hon. member, who is always graciously willing to yield the floor for a moment or two or three -

MR. NEARY: Sure.

MR. SMALLWOOD: -- to someone who asks for it, will he please not remember that after all the reforms that have been brought in around the world - the United Kingdom for example, fantastic reforms - after all the reforms you still have not reached Paradise in Britian. You still are absolutely bristling with problems. That is hardly an argument against reform, that you try and try and try again there is never any end. There is never perfection. There is never Paradise. Every reform you make reveals the need for new reforms. But you do not stop because you never get perfection. You keep on. Would the hon. member agree with me on that?

MR. NEARY: I certainly would, Mr. Speaker, and as the hon. gentleman knows, the Liberal Party has been the party of reform all down through the years.

MR. SMALLWOOD: Most of them, not all.

MR. NEARY: I am not knocking this reform. I am merely trying to point out to the House the need to put some

MR. NEARY: very, very serious thought into the legislation before it is brought into the House to make sure that we do not leave loopholes in the legislation big enough to drive a bulldozer through like we saw in the Public Tendering Act that was supposed to be the ultimate in life.

No, Sir, we have not reached Utopia yet. But, Mr. Speaker, I still contend that you can bring in all the laws and all the legislation you want in this Province, but the only way we can convince the people of this Province that we are honest men and that we are not out to rob the people blind, the only way we can do is by our behaviour and our actions. And we must not be afraid to stand up for what we think is right, despite the threats that come back and forth across the House, as we heard here a few moments ago. Despite that, Sir, we have to be honourable men, and not slackers, not be afraid to hold ourselves or to hold our administration or to hold our party up to public scrutiny. Not be afraid to appoint a royal commission when it is necessary, or a judicial enquiry or a police investigation into anything that we think is wrongdoing and bring it to the attention of this House. We must not fear that. If we try to sweep these incidents under the rug, Sir, under the carpet, then the people are going to say, Well they are all dishonest, they are all a crowd of crooks.

Mr. Speaker, we must be prepared to hold ourselves up like a fish in a goldfish bowl to the people of this Province unless we have something to hide.

Mr. Speaker, I am afraid that bringing in legislation is not going to change the attitude of the voters, of the people towards their politicians and towards

MR. NEARY: politics generally in this Province. We can only do that ourselves. We cannot try to do some fancy figure skating on thin ice every time a case of wrongdoing is brought before the Legislature. We cannot try to hide, or bury our heads in the sand. It must be looked into.

Mr. Speaker, what assurance do we we have, if we bring in this legislation what assurance does this House have, Sir, if a member of this House brings to the attention of the House documented evidence of wrongdoing, of skulduggery, of shakedowns, of influence peddling, corruption, graft, fraud, you bring it before the House and you are viciously attacked? Your character is attacked, you are nothing but a publicity hound, you are a wild member of the House. Is that the kind of reaction you will get, Sir, when this legislation is brought in and passed by this hon. House, if it is passed? If that is so, Sir, then members would be afraid to open their mouths, afraid they would be viciously attacked, afraid some excuse would be found to bring a slander and libel charge against them.

Mr. Speaker, we have, and I cannot help repeating over and over again, Sir, we have to show the people of this Province that we are men enough, that we are eager, willing and able to stand up to public scrutiny, that we have nothing to hide. And that is the only way, Mr. Speaker, that we will ever regain the confidence of the people of this Province, as far as our honesty and our integrity is concerned, Sir.

Mr. Speaker, I think it is a step in the right direction, Sir. The only thing we have to ask ourselves, Mr. Speaker, is are we merely making it easy now for the well-to-do amongst us, the well-heeled,

MR. NEARY: the moneybags, they can now put
their money in their pocket. They do not have to

MR. SMALLWOOD: spend their money, or they do not have to spend a certain amount of it. Are we just now subsidizing their little kingdom, their empire? Are we subsidizing their wealth by paying for elections out of the public treasury? Will the people of this Province look upon it as just another drag on the public treasury?

Mr. Speaker, if we are going to bring this kind of legislation to pay for elections out of the public treasury we have to show the people of this Province that they are going to save money by it. That is the only way we can justify it in the eyes of the taxpayers and the eyes of the voters. We have to show them that if there is \$2 million or \$3 million taken out of the public treasury to pay for election expenses of the parties and the candidates that are running, that it is the taxpayer is going to benefit and save by it. And, Mr. Speaker, I ask my hon. friend who brought in the resolution to tell me if the contractors will reduce their prices as a result of this kind of legislation being brought in.

MR. SMALLWOOD: Well if no contractor has contributed a nickel to either party, the one that wins or the one that loses in the election campaign and is owed nothing, then surely it is a matter of straight competition, straight competitive bidding. The government in office, not having received anything from them, owe them nothing, can tell them to go to blazes, and bid and the contract go to the lowest bidder.

Now admittedly there is no way ever, except the threat of jail, there is no way ever to prevent one individual making his own personal graft. There is no way to stop that. There will always be dishonest men, will there not? But I am talking about dishonest governments, a big difference.

MR. PECKFORD: Well, why separate the Public Tendering Act now?

MR. NEARY: Well, Mr. Speaker, I must point out, my hon.

MR. NEARY: friend was here but the government and the officials found a way to get around the Public Tendering Act.

AN HON. MEMBER: Where?

MR. NEARY: Where, Sir? Yes, companies A, B, and C referred to in the Auditor General's Report, that is where.

AN HON. MEMBER: I cannot understand why it has not been reported on.

MR. NEARY: That has been reported on, Sir. The report is here in my desk somewhere, or down underneath.

AN HON. MEMBER: The Public Accounts Committee.

MR. NEARY: Mr. Speaker, the Auditor General's word is good enough for me. The Public Accounts Committee is out in Regina somewhere. They found a way too to con themselves into a trip, another monkey on the backs of the taxpayers. It did not take them long to learn the tricks of the trade.

MR. SMALLWOOD: What are they doing in Alberta?

MR. NEARY: I do not know what they are doing in Regina and Ottawa and Halifax and Ontario. But anyway they found some way to con a trip out of it. They could have used a twelve cent stamp and probably accomplished the same thing.

MR. SMALLWOOD: Would the hon. member, and he knows how much admiration and respect I have for him, would he not be fair? Does he not conceive it to be completely possible for the Public Accounts Committee could learn an awful lot more - If it costs a couple of \$3,000, we are talking about tens of millions, learn a lot more by going in person and talking to the public accounts committees in other Provinces. They could learn a lot, surely. These are greenhorns. This is a pretty new idea in Newfoundland, public accounts committees, and it is an old idea across Canada and surely they might learn a lot new that they do not know.

MR. PECKFORD: That argument is valid.

MR. SMALLWOOD: About a lot of things.

MR. PECKFORD: Yes, about a lot of things which can amount up to a lot of money and where do you draw the line?

MR. SMALLWOOD: The hon. minister himself should be the first to admit that that is a good way to find out by going across and talking to them.

MR. NEARY: Mr. Speaker, a lot can be found out on the telephone, Sir, or with a twelve cent stamp.

MR. SMALLWOOD: Not as much.

MR. NEARY: Well maybe not as much but quite a bit.

MR. SMALLWOOD: I bet you could find out a lot more right now if you went to New Brunswick in person than you would ever find out by letters or telephones or anything like that. People will talk off the record and tell you an awful lot that they will never put on the record. And you can learn a lot that way.

MR. PECKFORD: Will it be good for the committee or bad for the committee, or good for the government or bad for the government, good for the individual or bad, because you might learn just as much bad as you will good?

MR. NEARY: My hon.

Mr. Neary.

friend has a very good point. You know, you might pick up things you do not want to learn. But anyway, Sir, I am not condemning the Public Accounts Committee.

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

MR. SPEAKER: A point of privilege.

MR. WHITE: Mr. Speaker, I am a member of the Public Accounts Committee and I would like to clarify that only two members, the Chairman, the member for Burgeo - Bay d'Espoir (Mr. Simmons), and the Vice-chairman, the member for Mount Scio (Dr. Winsor), are gone on that particular trip. I just want to make that clear.

MR. SPEAKER: The hon. member.

MR. NEARY: I thank the hon. gentleman, Sir, for providing that valuable piece of information to the House, that the only the Chairman and the Vice-chairman - is it? - are gone.

MR. SMALLWOOD: Both sides of the House.

MR. NEARY: No, no, same side of the House.

MR. WHITE: Both sides.

MR. NEARY: Oh, both sides, yes.

The hon. gentleman from Placentia (Mr. Patterson) did not get a free trip, although he got one to Bristol, I believe, last year.

MR. PATTERSON: You might ask to make them longer.

MR. NEARY: And the hon. gentleman from Placentia I do not think even knew that there was a trip coming up. But, Mr. Speaker, that is beside the point. We will deal with that matter at another time, Sir. But it all gets back to the integrity and the honesty of politicians, Sir. I mean we have to show the people of this Province that we are honourable men and the only way we can do it is to cut out the extravagance and the waste, to cut out the graft and corruption and the patronage. And I have heard it said so often in this hon. House that I feel like throwing up on the floor every time I hear it - I have heard it from both sides of the House - that patronage in politics

Mr. Neary.

is a fact of life. It has been going on for hundreds of years, and we have to tolerate it. There is nothing we can do about it. It is going to be there as long as people are people and politicians are politicians, you are going to have political patronage.

MR. SMALLWOOD: We have always had it.

MR. NEARY: You have always had it. There we are. Are we always going to have it?

MR. SMALLWOOD: No. We should not.

MR. NEARY: Well it has been said. The statement has been made in this hon. House as if we are always going to have it. I have heard the statement from both sides of the House.

MR. SMALLWOOD: Would the hon. member again allow me?

MR. MORGAN: The admiration society -

MR. SMALLWOOD: In the Prime Minister's office in -

MR. MORGAN: Admiration society -

MR. SMALLWOOD: No, this is not admiration.

MR. MORGAN: That is hate, admiration is -

MR. SMALLWOOD: Well, what is wrong with admiration?

- in the Prime Minister's office in London he has a number of secretaries. He has one secretary whose job is to keep in close touch with Buckingham Palace. He has another one whose job is to keep in close touch with the party headquarters. He has another secretary in charge of this and that and that and that and that. And one of them is in charge of patronage.

MR. DOODY: Who?

MR. SMALLWOOD: Patronage.

Another is titles, honours -

MR. MORGAN: Where is this?

MR. SMALLWOOD: In the Prime Minister's office in London, the mother of Parliaments, the home of parliamentary democracy. Patronage is to this moment looked upon as part of the normal functioning of government.

MR. PECKFORD: How many does the Prime Minister of Canada have, may I ask?

MR. SMALLWOOD: I do not know. I have no idea. I doubt if he has a patronage secretary, and I am not being partisan now.

MR. PECKFORD: No, I am not either.

MR. SMALLWOOD: All right.

MR. PECKFORD: You talked about the Labour Government in London -

MR. SMALLWOOD: Before the Labour Government - this is not new - it was the Tory Government, and when there was a Liberal Government it was the same. Patronage has been an established part of the functioning of the British system of government for at least 300 years.

MR. PECKFORD: Yes.

MR. SMALLWOOD: And is still to this moment.

MR. PECKFORD: That is why I asked the question. Seeing it is the British Parliamentary Government you are talking about I thought you would ascertain some such information from Ottawa.

MR. SMALLWOOD: But I never said it was perfect. I said it has been a process of perfecting it. It is not yet perfect. It never will be perfect.

MR. PECKFORD: All right. I agree.

MR. SMALLWOOD: Right.

MR. PECKFORD: No problem.

MR. NEARY: The debate that is taking place across the House, Mr. Speaker, is great. I am really enjoying it, Sir.

Well, Mr. Speaker, I completely agree that despite the fact that I doubt very much if we are going to be able to completely cleanse and purify elections and election expenses and fund raising and politics in this Province for some time until we ourselves show the people by our example that we are honest men, that we are honourable men, that we are here merely to serve the interests

Mr. Neary.

of the people of this Province and not just self help, and the only way this can be done, Sir, is by example. I agree, Mr. Speaker, with my hon. friend that we have to get away from this foolish nonsense of the past where somebody rushes in to a construction office, somebody rushes in to a construction office and requests immediate cash payment of \$25,000 in small bills .

Mr. Neary:

at 5:00 P.M. in the afternoon, May 4, 1972, rushes in and demands \$25,000 in small bills. Mr. Speaker, I agree we have to put an end to that sort of thing. And then announces after the cash is passed over, you just got a contract for So and So. Of course, we have to put an end to that sort of thing, Mr. Speaker. That is one that the hon. the Premier forgot to mention on CBC tonight. Mr. Speaker, we have to put an end to that kind of thing. And, Mr. Speaker, we have to start appealing, in my opinion, to direct democracy, not only, Sir, are we talking about electing members to the House of Assembly but we are also talking about electing leaders of parties. They are also financed by big business, by the moneybags. Will the legislation control the way that leadership campaigns are fought?

MR. SMALLWOOD: No.

MR. NEARY: It will not. So you are still going to leave the thing open for graft and corruption. You are still going to - Mr. Speaker, let us face it; I mean, members may think that this is not serious, but that is where the graft and corruption begins, stacking the cards and loading the dice and using the slate system, and going around bumping candidates in, and going around bringing people in the halls and providing them with booze, bringing delegates into St. John's, putting them up in hotel rooms, and going around 3:00 o'clock and 4:00 o'clock in the morning and knocking on the doors and saying, Do not vote for Neary, here is a case of beer for you, here is a case of booze. Mr. Speaker, we are still going to allow that sort of thing to go on? Well that is where the corruption begins. Would not the moneybags, the big business, the money people still own the political parties when they finance the leadership campaign for these parties. If you are going to put an end to it, Sir, let us put an end to it. Let us have no more under the counter wheeling and dealing, no more contributions by individuals and business and industry for anything, for anybody in public life. And for anybody who breaks the law, Sir, put him in jail for ten years.

SOME HON. MEMBERS: Hear, hear!

MR. SMALLWOOD: That is a good speech.

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

MR. E. DATE: Mr. Speaker, I want to rise and to add my personal support to this amendment so ably proposed by my dear friend and good friend, the hon. member for Twillingate (Mr. Smallwood). Our party, as you know, when we ran in the last election was dedicated to reform, and this is one of the main planks why we were a party in the last Provincial election. We have heard many comments and against this amendment. And I would suggest to the government members that at least an effort should be made to look into this proposal by the hon. member from Twillingate, and I would like to see a Select Committee from both sides of this House appointed and to go into all of the ramifications of this proposal.

I know it is not easy to spell out in detail how the funds would be allocated to the various parties or groups both within this House or outside the House. This will not be easy. But I feel that over the long run that by trial and error if a start was made that between now and when the next election is called that a bill could be brought in and probably the next session or the session after different amendments could be brought in to purify this bill, and once and for all anyone who offers themselves for election will not be, as being stated here, under the thumbs or under the control of any selective group within this Province. For myself I will not be a candidate in the next election, so I will not be personally involved. But it would give me much pleasure as a member of this House

MR. DAWE: while my term is in this House, to be able to support such a measure as this. I know that the hon. member for Twillingate it would give him most personal satisfaction as well to know that before he retires, whether it is this term of office or some term in the future or the next election, and he is a man who has had wide experience in politics both here and elsewhere long before Confederation. He has been involved in politics and politics has been in his blood all his lifetime and I sincerely suggest to all members of the House that we should give serious consideration to the suggestion he has made here, and not just throw it over because there is many problems involved to bring in such legislation as proposed or would be proposed in this bill.

I make an appeal to the Leader of the House, and in particular to the Premier, to give this matter serious consideration. And I am sure that any leader of a government or any party can feel very proud if they go to the electorate of this Province in the next election with a bill such as this. And I got some sense of public opinion and I have some sense of how the people are talking, and I am sure that any parties in office and would wish to encourage support in the next election if they were wise enough and political astute enough to bring in such a measure as this I am sure they will greatly enhance their chances of re-election when the next election is called.

As I say I have been associated with both municipal and provincial politics as much as any member of this House next to the hon. Premier. I have been offered myself for election at least twenty times, council, church, school, hospital committees, practical anything you can mention of a public nature that any citizen would be called upon in his community to perform a public service.

MR. DAWE: And I have some idea - that is one thing I have, other members here have qualifications to express themselves probably better than I have - but one thing I have is a deep sense of public opinion. And I would like to make in closing a strong appeal to the hon. the Premier and to the Leader of the House and all members of this House in particular to give this measure most serious consideration, and if nothing else to make the first step to appoint a committee on both sides of this House to look into this and bring forth for all members' consideration their recommendations in this regard.

And in closing I cannot but express a personal opinion that I would like to see, if a bill such as this is brought before this House, that we would designate this bill in the name of the man who has done more for the unity of Canada than any other living person, and I refer to again the hon. member for Twillingate, and the former Premier of this Province who is known from St. John's to Vancouver as the only living Father of Confederation. And I am sure it would be a great honour to him and for him

MR. DAWE: that if we should decide to bring forth such a bill with such ramifications for the future and the political life of this Province, and possibly set an example as he has pointed out to other legislatures of the Provinces of Canada, if he would make the first step in trying to bring in this great election reform and I would be very happy to know if the government so decided to bring in this bill that we refer to in future as the Smallwood Reform Election Act.

I know how dear this is to him. We have discussed it many times and it would certainly be a great tribute to this House, as I say, on the eve of his political life, whether it is this year or next year or the next term, his age surely demonstrates that he has not got too many more years as a member of this House, I am sure it would be a great tribute to this House to pass on such a tribute and honour to him.

And in closing, Mr. Speaker, I want to add my unqualified support to the principle of this bill. I realize the ramifications and the difficulty that there is in spelling out exact detail to bring in a measure such as this. But at least we can make the first step and we have at least two or three years, I understand, before another election is called, and that would give all members of this House plenty of time to bring in, as I say, amendments through the bill so that it could be improved before the next election. And I do trust that this bill will be received in the spirit it has been presented, and I hope that when the time comes to vote on this amendment that it will receive the unanimous support of this House. Thank you very much.

MR. SPEAKER (MR. YOUNG): The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, if I may have but a few words on this proposed amendment and very briefly refer to some of the comments that were made earlier in this debate and particularly at the time there was a point of order raised. The government has indicated very, very clearly to this House its intention to

MR. HICKMAN: introduce legislation with the purpose of not only modernizing election and voting procedures but to reform the method of financing elections and to impose controls on contributions to political parties.

Now the amendment that has been put by the hon. the member for Twillingate (Mr. Smallwood) is very much in accord with the principle of government's intention as set forth in the Speech from the Throne.

MR. SMALLWOOD: Would the hon. Minister of Justice allow me to ask him what weight or particular importance does the government attach to the word "control"? Does that comprehend abolition, doing away with? Do you control a thing if you order that it be eliminated? Is that a form of control? Because if it is then the government's statement through the Speech from the Throne is, as the minister says, almost identical with the resolution. The key is in the word "control". What is meant by that?

MR. HICKMAN: Mr. Speaker, if I may be permitted to expand upon my few brief remarks. Control does not mean the total abolition of contributions to political parties, and I am not sure that it should. It is my understanding that in Ontario, which unquestionably has the best control over election financing up to this point and I am sure that it will not remain that way very long, that the next Province to bring in amendments to their Election Act will have a better bill, and undoubtedly the last Province

MR. HICKMAN:

will have the best -

MR. SMALLWOOD: Yes.

MR. HICKMAN: - of the ten. There they provide that all single contributions in excess of ten dollars shall be recorded and all contributions over \$100 shall be recorded and made public. Now this still provides for certain contributions to electioneering and the cost of elections by the people who deem it appropriate so to do.

MR. ROBERTS: Also, if the minister would permit, there is also a ceiling of \$4,000 to be given by any one company to every - any of them.

MR. HICKMAN: There is a ceiling. That is right. It is a fairly - this is why there is delay and there has to be delay in coming with the kind of legislation that is required. Because it envisages -

MR. ROBERTS: Get a copy of the Ontario act.

MR. HICKMAN: Well now this Province and other provinces have not profited too wisely at times from simply taking a piece of legislation out of another Province and imposing it holus-bolus upon the Province of Newfoundland. It envisages, for instance, the setting up and the registration of district associations of political parties. It makes it mandatory that every party and every association will have an auditor who must do an audit each year of the accounts of the district associations and of the provincial parties and submit them to the scrutiny of the and file them with, and they are public for public knowledge - with the chief electoral officer.

It provides - and this is a tricky one - but it does provide for a restriction on the expenditure on advertising and broadcasting by radio and television and newspapers and periodicals and magazines. Because there is a very strong rumor abroad that political parties during election campaign pay a great deal more for advertising both through television and radio and newspapers than, say,

MR. HICKMAN:

some commercial establishment on Water Street pays.

MR. NOLAN: Report it to the Minister of Consumer Affairs.

MR. HICKMAN: There may be some jurisdictional problems there. I do not know whether or not we have the right to pass legislation controlling advertising or restricting advertising and the cost of advertising on television and radio. I think we do because it is legislation dealing with provincial elections and the advertising is within the Province. But these are matters, Mr. Speaker, that certainly in my opinion will be and must be part of any legislation that is brought before this House.

I say - and I repeat - that from government's point of view we are not at odds with many of the statements made by the hon. gentleman for Twillingate (Mr. Smallwood). Indeed I, you know, have felt and it has been stated in this House many, many times that if we are going to attract to public life in this Province, we have to be prepared to do several things. Number one is we are going to have to be prepared, if we want hon. members to serve on a full-time basis, we are going to have to be prepared to pay them.

AN HON. MEMBER: Hear, hear!

MR. HICKMAN: It is going to be a while before we reach that.

It is an embarrassing situation when members have to vote themselves an increase in salary. One Liberal premier in Canada suggested within the last couple of years that maybe provincial legislatures should tie their salaries to that of Supreme Court judges. Then it would be beyond - there would be no debate as to whether or not there should be a raise.

MR. ROBERTS: Is the minister suggesting that we be paid as MHA's?

MR. HICKMAN: Well, as I say, that was a Liberal philosophy expounded by a Liberal premier who is still in office.

MR. ROBERTS: I am asking the minister.

MR. HICKMAN: What I am saying is that - I think I could defend -

MR. ROBERTS: Well the minister can defend anything. It is in his own lap, Sir.

MR. HICKMAN: I think I can defend without too much difficulty that the total salary of a minister should be equal to that of a Supreme Court judge.

MR. ROBERTS: Oh, a minister.

MR. HICKMAN: That is right.

MR. ROBERTS: Well the minister -

MR. SMALLWOOD: Why not - if the minister will allow me - is a lawmaker - we are all lawmakers. You do not have to be a minister to be a lawmaker. You do not even have to be a minister to introduce a suggested law. That can be a private thing unless it provides for the spending of money. Only a minister can do that. - To be a lawmaker is less important, more important or equally important to a judge on the bench? A lawmaker? There are only - what is it? - fifty-one of us, fifty-two of us when we are full.

AN HON. MEMBER: Fifty.

MR. SMALLWOOD: No, I am asking the Minister of Justice. The minister and I will be in perfect agreement. But I am wondering about a much more experienced minister of the Crown

Mr. Smallwood:

and who has a lot to do with judges and courts and so on -

MR. NOLAN: And lawyers.

MR. SMALLWOOD: - and lawyers, lawmaker, law - what do you call a judge: a man who interprets the law?

MR. ROBERTS: It is contempt if you call him very much.

MR. SMALLWOOD: Yes. More pay, less pay or equal pay?

MR. HICKMAN: Well, Mr. Speaker, you know, I think you ought to learn to walk before you start running, and I am not sure that we could get public - I would have no hesitancy in defending that principle as well. I have no doubt, and no hesitancy in saying that I would have some trouble, and I have had arguments with members of my own profession. The hon. Leader of the Opposition recalls a draft of something that we saw once which we both found very offensive, which indicated the views I believe of the Bench and the Bar -

MR. ROBERTS: If the hon. gentleman and I agreed on anything it was exceptional, though that was the draft Law Society Act.

MR. HICKMAN: That is right.

MR. ROBERTS: But you promised to write it down.

MR. HICKMAN: It indicated that there seemed to be some difference between lawmakers and law interpreters. I found that very offensive, but I do not think it was deliberately offensive, I think it was lack of knowledge -

MR. NOLAN: Would the hon. member permit a question?

MR. HICKMAN: - of what transpires within this Legislature. And I believe, Mr. Speaker, if I may finish this, then I will permit the question, that we are not without blame in this. Because, Mr. Speaker, this House has been moving away from its prime function and that is to make laws, and people are not regarding us as lawmakers. The people of this Province are no longer regarding us as lawmakers. They think that this is some sort of a debating society that runs out of steam

Mr. Hickman:

after the first week that it is opened, and after the second week you cannot find 1 per cent of the total populace of this Province even know we are around. I was in my district last week, and yesterday I was in Frenchman's Cove and I said, I had to get back last night because I wanted to be in the House today, the House is open. And nobody even knew the House was open. And they said, "What are you doing in there?" And I said, "We got to go back and complete the Address in Reply." And they said, "What"? I said, "The Address in Reply debate." And they said, "That is all you fellows do in there is talk, talk, talk, talk, talk, talk. Can you not think of something else to do but talk."

MR. ROBERTS: Have you talked to John Crosbie, I mean he made a speech in the House, and there were two people there -

MR. HICKMAN: I know. And I think, Mr. Speaker, that, you know, we are our own worst enemies.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: This has been unquestionably the longest debate certainly in eleven years, I suspect, since 1949 in the Address in Reply in this Legislature.

MR. SMALLWOOD: In the number of hours?

MR. HICKMAN: In the number of hours. And I have to confess I have not been very happy with what we have been talking about here.

MR. NOLAN: It is a waste of legislation. You have not done anything.

MR. MORGAN: It is not a waste of time.

MR. HICKMAN: A waste of time is not it -

MR. NOLAN: Where is the legislation?

MR. HICKMAN: I responded to certain criticisms -

SOME HON. MEMBERS: Oh, oh!

MR. HICKMAN: I responded to certain criticisms that came from the other side of the House last year -

MR. ROBERTS: Are we going to be allowed to debate this, because I would like to -

MR. HICKMAN: I came -

MR. ROBERTS: Mr. Speaker, to a point of order. If the hon. gentleman -

MR. HICKMAN: I thought I was right in order, I am sorry I will withdraw it.

MR. ROBERTS: The hon. gentleman is by his standards in order, but the question is whether he is in order under the rules? If the hon. gentleman is relevant, well and good, Sir, All I would ask him in turn is that we be allowed to debate the same subject matter, because I for one would think it would be very useful to debate it. But the hon. gentleman I question whether he is in order.

MR. HICKMAN: Why not ?

MR. ROBERTS: One is allowed latitude in debate, but to stray from an amendment which deals in quite narrow terms with rules governing election expenditures into a discursion of the hon. gentleman's views and reviews with respect to the debate on the Address in Reply, I think is stretching the rule. Now I have no objection to stretching it, Your Honour, but I would merely ask if it is to be so stretched that we all be allowed to stretch it, and that we can have quite a useful debate.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: Mr. Speaker, in response to that point of order I am out of order.

MR. NOLAN: Would you mind standing?

MR. ROBERTS: Can the hon. gentleman -

MR. HICKMAN: So I will stick very rigidly to the matter before the House.

MR. ROBERTS: In other words we can all have a bite of the same apple.

MR. HICKMAN: No, that is why I am going to stick closely and assiduously and carefully to the matter that is before the House. And the matter before the House is whether or not -

MR. ROBERTS: Subject to the rules, I think we can take it as ruled.

MR. HICKMAN: I have been ruled out of order, and I accept Your Honour's ruling. Disgrace and gratitude.

MR. HICKMAN:

I would like to see, Mr. Speaker, and, you know, these have to be general, but I would like to see and it is going to have to be very detailed the kind of requirements for registration of political parties, associations,

Mr. Hickman.

candidates. The legislation in Ontario, I understand, exerts control to preclude persons and corporations and trade unions from accepting contributions on behalf of political parties.

MR. SMALLWOOD: From giving.

MR. HICKMAN: From first accepting contributions, from going out and collecting money and then handing it over to a political party. The hon. gentleman will recall the legislation of Premier Wacky Bennett when he ordered or made it unlawful for trade unions to contribute to a political party by assessing all its membership. And, you know, he was right on that, absolutely right.

MR. ROBERTS: If you are prepared to ban corporations.

MR. HICKMAN: That is right.

I would like to see limitations on contributions to political parties, and there will be in the legislation. I cannot say to the House at this time what it will be. But, you know, for instance -

MR. NOLAN: What legislation? When?

MR. HICKMAN: - \$2,000 in any one year to a registered association by a particular person certainly, in my opinion, would be a maximum amount allowable.

MR. NOLAN: How about those with fifty companies?

MR. HICKMAN: All of this, Mr. Speaker, is designed to do two things. One, to make public, so the public will know who contributes. If somebody in the interest of democracy wants to contribute \$500 to make his or her name known, knowing that it is going to be made public, there is not very much wrong with it. Because obviously that person or corporation cannot take advantage of the government if his or her party should happen to win the election and get favours that they would not normally receive.

MR. SMALLWOOD Would the minister allow me? In the United Kingdom, as he must know, a great part of the income of the Labour Party for elections,

Mr. Smallwood.

in other words, operations in general, came from the trade unions, and the arrangement was that every trade union that supported the Labour Party - and that was nearly all of them - brought in a rule to the effect that every member of the union - there might be a union with a half a million members, there might be one with a million members or quarter of a million, these are huge organizations - every member had to contribute each month say, a penny or a tuppence or whatever it was to the political fund of that union to be passed over to the Labour Party unless he opted out. Any member could opt out and say, No, I am a Liberal, I am a Tory, I do not want my money to go to the Labour Party. The Tory Party brought in a law changing it requiring that each member of the union had to opt in, that he could not be assessed unless he personally opted in, and then the Labour Party, when they came in power, changed it again to what it was originally, that a member would have to opt out. If he did not opt out then automatically he contributed to the Labour Party.

MR. HICKMAN: Well, Mr. Speaker, I have no hesitancy in saying that I prefer the Tory legislation that was introduced in the United Kingdom to that of the Liberal Party. It is all very well to put on paper and make it a law that a person can opt out of a trade union movement, but that takes -

MR. SMALLWOOD: No, not out of the movement.

MR. HICKMAN: Opt out of what is the announced policy .

MR. SMALLWOOD: Yes.

MR. HICKMAN: The United Plumbers and Pipefitters of the United Kingdom announced that they are going to support the Labour Party and that they want all of their members to contribute \$1.00 a month. But he or she, if they wish, they can opt out. All they got to do is sign a piece of paper saying, I do not want to contribute to the Labour Party or I am going to contribute to some other party. From a practical point of view that will not happen

Mr. Hickman.

unless there is a very, very courageous individual who is prepared to take on his fellow trade unionists within that local. He or she will quietly walk away and say, They can take my dollar a month. They may go and vote the other way, but I do submit that if we have to have that kind of legislation at all, and I do not think it is good legislation -

AN HON. MEMBER: It stinks.

MR. HICKMAN: - then the other way around, where they say that if you want your union to deduct \$1.00 a month, you have got to sign an assignment or a notice to that effect. That would be better than the other, but I do not think either is necessary.

MR. LUNDRIGAN: How come the hon. former Premier was not such a greater reformer -

MR. HICKMAN: Well times have changed. This is a new concept.

MR. SMALLWOOD: What was the question? I did not hear the minister.

MR. HICKMAN: I think I can answer that. The hon. gentleman from Grand Falls (Mr. Lundrigan) has inquired as to why -

MR. SMALLWOOD: That can be asked of any man since the world began, Why did you not begin your reform earlier? It is better late than never.

MR. LUNDRIGAN: You impress me but during all those years you did not have one word about reform.

MR. SMALLWOOD: Yes, that is right, easy at other things.

MR. WHITE: Schools, hospitals, Trans Canada Highway, big reforms.

MR. LUNDRIGAN: Not a word about reform but elections never heard of before. Like the budget for the university, never heard that before and all of a sudden a great reform. Now I admire him for it.

MR. SMALLWOOD: If the hon. member had been a member of the House before, he would have heard substantial debate on it.

MR. HICKMAN: While the light hangs out to burn, the vilest sinner may return.

SOME HON. MEMBERS: Oh, oh!

MR. LUNDRIGAN: I never heard it from the hon. former Premier before.

MR. HICKMAN: Is there any possibility, Mr. Speaker, of my getting back to the debate at issue?

MR. SPEAKER: Order, order!

MR. HICKMAN: Mr. Speaker, in some jurisdictions, for instance, the formula that is used is that party expenditures during a campaign shall not exceed the amount determined by multiplying seventy-five cents by the number of registered voters in the Province. Another alternative is to make it \$1.50 for each registered voter in a particular electoral district. But either way, Mr. Speaker, it will very, very seriously limit the amount of expenditure in a general election.

MR. SMALLWOOD: That is the start.

MR. HICKMAN: Yes. If we are going to do that, and at the same time discharge an equally, I think a solemn responsibility, of giving the political parties and candidates the right to articulate before the voters their programme and their platform, then hand in glove with the limitation on the expenditure on elections

MR. HICKMAN: will have to go, restriction on expenditures and charges for advertising in the media. Because if you do not do that then obviously, - say they all have \$1,000 or \$2,000, that will be enough to pay for a few halls, to have a few meetings and it might be enough to pay for a few taxis to haul a few people to the poles and that is all the money we will have, and nobody in the district will have a clue as to what the Progressive Conservative Party stands for or the Liberal Party stands for or the Social Credit Party stands for or the member for LaPoile stands for with his Independent Party, and they will not be placed in the kind of position they should be placed in to conduct and cast a meaningful vote.

MR. SMALLWOOD: Right, Would the minister allow me. I am in perfect agreement with everything he has said in the last three or four minutes. Is he aware of the fact that in Britain for many, many, many years past every school in the nation that received public money had to be made available to each candidate in any constituency where the school was for, I think, three meetings free, three meetings free > no hire, if it is a public school getting public funds, then every candidate in a constituency had to have the free use of that school for three meetings, and then secondly, that every candidate had to have free postage for three election addresses to be mailed? Now of course postage in Canada is federal. We could not have that provincially unless the Province paid for it.

MR. HICKMAN: Yes, Mr. Speaker, you know, maybe some day down the road we can pass an amendment to the act which says that the school board shall provide schools. There is still enough of the politician in me to feel that I am not quite today.

MR. HICKMAN:

to deprive the school board of that \$50 or \$100 that they are waiting for. They are delighted to see the elections, and I think that sometimes you might even find that the Orange Society welcome an election or the Masonic or the Knights of Columbus, that there is that extra \$100 and that they find from this party candidate and the extra \$100 that they look forward to from the other candidates.

MR. SMALLWOOD: And, of course, today that is more radio and television than it is public meetings.

MR. HICKMAN: Right. But they still look forward to that cozy little meeting that we have on occasion, and I am not sure that that is necessary. In fact I am sure that it is not necessary to meet what is required if we are going to control the funding of elections. But, Mr. Speaker, what is envisaged in the Speech from the Throne is a great deal more than simply the financing of elections. That is all part of it. We need some other major amendments in my opinion to the Election Act. We need a better definition of residency. We need a better definition of qualification of electors and candidates. I think we should move in this Province toward the time when we will appoint on a permanent basis returning officers. Because what has happened in elections - what has happened in this Province traditionally is that an election is called, the Chief Electoral Officer knows where he is going to get twenty, maybe thirty, certainly twenty returning officers, he gets the magistrates, then he has got to look for thirty-one more, so he looks at some of those who had acted in the past and he goes to them, some have died, some are no longer interested, the pay is not that good - you find a lot of returning officers who

MR. HICKMAN:

are appointed after the writ is issued . They have not a clue as to how they are supposed to conduct elections and they are not to be faulted for that

MR. HICKMAN:

because nobody has the time to tell them. It is only three weeks. And I see, Mr. Speaker, where the time will come when we will have in this Province returning officers appointed on a permanent basis so that the Chief Electoral Officer can have schools for them so that they can be trained without under the threat or the emergency or the rush of an election.

Now, Mr. Speaker, let me give another little bit of information to the hon. House on what it costs to run elections even now. A few years ago, I think it was when the hon. gentleman for Twillingate (Mr. Smallwood) was Premier in the last election, we used the special polls. And if hon. gentlemen will recall, we had special polls at St. John's, Carbonear, Gander, Corner Brook, Stephenville, Port aux Basques, Goose Bay and Wabush. Now there was a total in the 1975 election of 1,867 votes cast in all of these polls.

MR. NEARY: Special?

MR. HICKMAN: Special, zero point eight per cent of the total vote cast was cast in these special polls. The cost was \$21,315.50 for these special polls. For instance there were forty-five people voted in Carbonear and the cost of the special poll was \$2,750. Now, Mr. Speaker, I am not sure that that is the way we have to discharge our - and over and above that there was a cost of stationery and transportation which was an extra \$25,000. In an event the average cost of every vote cast in Newfoundland in the special polls in the last election was thirteen dollars. Now if we have established no other record we have established one, that there is no place in the free world where a vote costs thirteen dollars.

Now I would suggest that that special poll did not meet - it was an attempt, nothing wrong with it. I can remember sitting in the cool shades of the opposition advocating some change so that my constituents, many of whom are deep sea fishermen, would be allowed the opportunity to vote. And I believe that the special poll was conceived partially to take care of their needs but it did not. It did

MR. HICKMAN:

take care of some of the problem with the students at the university who were living in St. John's. It was designed to take care to some extent of the construction workers. But it really did not meet their need. And there was a problem peculiar to Gander that I have forgotten what it was all about now.

The advanced poll most assuredly needs some changing with respect to the deep sea fishermen. Those who happen to be in port on the day or two of the advanced poll get an opportunity to vote and those who are in port on polling day. But most of the crews miss both. I think that we have to take a look at - and please do not interpret this as government policy but as part of the generalization of this very general debate - I think we have to take a look at a type of voting that has been rather successful in other jurisdictions and that is the proxy voting.

AN HON. MEMBER: How would we do it?

MR. HICKMAN: So that if the deep sea fisherman is going to sea and he knows he is not going to be in port on either polling day or the days of the advanced poll or if a person is in hospital and he or she cannot get out to vote they can give their proxy to their trusted friend to go down and vote for them. This is working in other jurisdictions. And I can tell you, Mr. Speaker, it would not work out at \$1,300 a vote.

MR. LUNDRIGAN: Thirteen dollars.

MR. HICKMAN: Thirteen dollars a vote as the advanced poll worked out in the last general election. In the by-elections I am told it was even worse.

MR. NEARY: The advanced you say?

MR. HICKMAN: The special, the special poll. The special poll has not been successful. We have got to change in my opinion our method of appointing returning officers. And may I say to this House as well that there was a resolution passed at the last general

MR. HICKMAN: meeting of the Newfoundland Magistrates Association saying that as part of the independence of the judiciary they will no longer be prepared to serve as District Returning Officers in subsequent elections. So the next election the Chief Electoral Officer is going to be faced with finding fifty-one new men and women to fill these posts. I say, Mr. Speaker, there is a great deal of merit - but it is all costly - there is a great deal of merit in having these people appointed on a permanent basis so that they can go to schools once a year, conducted by the Chief Electoral Officer, to become familiar with the Election Act, which no human being can be expected to do in three weeks, when there are papers coming at them every day and they have to rush around the district trying to find polling booths and people to man the polling booths and it is just an impossible situation. It is the kind of thing that gives us another rather dubious honour of being a Province that seems to spend a awful lot of time in our courts under the controverted Elections Act and having elections set aside and recounts.

Now, Mr. Speaker, you will not find anyone on this side of the House in opposition to the philosophy espoused by the hon. the member for Twillingate (Mr. Smallwood). But, Mr. Speaker, you will not find anyone on this side of the House who is prepared to accept this motion which no matter how you look at it can only be interpreted as a confidence motion in the government, as every amendment is. Beauchesne sets it forth clearly, traditionally it is, and obviously we will be constrained on this side of the House to vote against the motion. But nothing, Mr. Speaker, nothing will stop us in our determination to see to it that there is brought before this House and fully debated, the kind of Election

MR. HICKMAN: Act which is guaranteed this session if conceivably possible - and I can give away a trade secret right now if I may. Mr. Premier may I?

PREMIER MOORES: Before the next election.

MR. HICKMAN: May I sort of give away a trade secret as to the work that we are doing in my department in the legislative drafting division.

PREMIER MOORES: Any work in your department -

MR. HICKMAN: We are working under the guidance of a man who used to be the Chief Legislative Draftsman of Canada, a Newfoundlander, in trying to come up with that kind of an Election Act, Mr. James W. Ryan, Q.C., a native of the district of LaPoile, a native of Port aux Basques, his father was a railroader, a brother of the late Jimmy Ryan.

MR. NEARY: So he was.

MR. HICKMAN: He was Chief Legislative Draftsman of Canada.

MR. LUSH: A lawyer?

MR. SMALLWOOD: He was in the Department of Health down there.

MR. HICKMAN: He was in the Department of Justice, Assistant Deputy Minister of Justice in Ottawa and is now here on a three year contract with us and he is in the process of setting up a legislative drafting division.

MR. SMALLWOOD: Full-time?

MR. HICKMAN: Full-time. And we have three other young Newfoundland lawyers who are working in that division and for the first time, because hon.gentlemen will realize we always had but one in the past, the late Austin Parsons who was a first-class draftsman, but he was only one and at times we got behind.

The legislation is being worked on. The principle has been accepted. Whether we can come down

MR. HICKMAN: between now and when this House hopefully adjourns around June 30, or July 15 -

AN HON. MEMBER: Or September.

MR. HICKMAN: - or September, with this legislation I do not know, but we are making a determined effort to meet the commitment that government set forth in the Speech from the Throne.

I know we have done it before. I can hear somebody getting up and saying now, It was in last year's Speech from the Throne. So it was.

MR. NEARY: I wonder why?

MR. PECKFORD: Because we were committed to it.

MR. HICKMAN: We are committed to this and we will do it. I say, Mr. Speaker, that you can rest assured that the philosophy of the hon. gentleman from Twillingate (Mr. Smallwood) finds great acceptance on this side of the House. The details of his motion on the purification of elections, some of which may or may not be properly incorporated or feasibly incorporated into a bill, we find that we cannot accept. But I do not want the hon. gentleman from Twillingate to determine that because the government side will vote against his amendment, that it is because we are not in great sympathy with the philosophy.

A few years ago there was a committee,

a

MR. HICKMAN: commission set up in Nova Scotia by the then Premier, Ike Smith, and it was under the chairmanship of a Newfoundlander, the late Milton Green, who subsequently became Manager of Bowaters in Corner Brook. He was a native of Deer Lake and he was then Manager of Bowaters Mersey mill in Liverpool, Nova Scotia.

AN HON. MEMBER: Dr. Green's brother, the dentist.

MR. HICKMAN: Dr. Green's brother, the dentist, the son of the late Dr. Green of Deer Lake. And on that commission there was a representative, as I recall it, nominated by the three recognized political parties in Nova Scotia, the Liberal Party, the Progressive Conservative Party and the NDP Party. And they had a most interesting experience. When they started around Nova Scotia to look at and to seek the views and solicit the views of Nova Scotians as to what their parliamentarians should be paid, they got a very unfavourable reaction at the beginning. Mr. Green told me the story that he was in Pictou when some farmer got up and said, "How much is the Premier being paid?" And he said, "\$23,000 a year all told." He said, "What? \$23,000 a year! No man is worth that!" And the Chairman said, "Now, would you like for me to outline the responsibilities of the Premier of Nova Scotia?" And when he finished the fellow got up and he said, "I move, Mr. Chairman, that the Premier be paid \$100,000 a year. If he wants more give it to him."

PREMIER MOORES: Is that a motion or what?

MR. HICKMAN: That commission came in with a recommendation recommending very substantial increases in salary for members of the Legislature and for the Premier and the Cabinet. And what Premier Smith did was he decided to go half way and unfortunately got the same criticism as if he had gone the whole hog.

AN HON. MEMBER: That is right. Sure.

MR. HICKMAN: And in my opinion he did a disservice to that jurisdiction. But what I am saying is that where we have to vote ourselves increases in salary and pension benefits, and other benefits, we are bound to find amongst the members of this Legislature a certain reluctance to do what should be done and what is necessary.

But if we do not do it, Mr. Speaker, if we do not do it we will be contributing to the philosophy that politics is for the very rich and the very poor or the scoundrels. The man in between, the fellow with the average income, the lady with the average income is just not going to be able to afford to go into politics. Yet we somehow or other go out and run in an election and we ask that the voters confer upon us the most responsible job in the Province. Being Premier of this Province is a far more responsible position than being President of Bowaters, or President of Iron Ore Company of Canada.

MR. SMALLWOOD: Another ten.

MR. HICKMAN: Or President of Price Brothers.

MR. SMALLWOOD: The Railway.

MR. HICKMAN: Or the CNR Railway of Newfoundland. But let anyone get up and suggest that the Premier of this Province should be paid a salary half that paid to the president of these corporations and you would be run out of town. But yet the same people who adopt that attitude insist that the Premier of this Province, that his Cabinet who are really to some extent the departmental heads and the directors, discharge the kind of responsibilities that everywhere else in industry and in the trade union movement, if the Premier of this Province could only be paid one-third of the salary of the President of the Steelworkers of America he would have her knocked. He would be thrown out of office.

MR. SMALLWOOD: Hold it. If the hon. minister would allow me?

MR. SMALLWOOD: If the Premier of this Province were to be paid a salary equal to the pay of half a dozen trade union leaders in Newfoundland, not national but here within the Province, it would be regarded as a scandal.

PREMIER MOORES: Maybe we should have one night a week as bingo.

MR. HICKMAN: Well, Mr. Speaker, I will conclude on the same theme that I commenced, _____

Mr. Hickman.

that we are, you know, partially our own worst enemies. I do not hear anyone in this House, when he or she is out around her constituency or his constituency, and you hear derogatory remarks being made about politicians, I do not hear anyone rushing to the defense of politicians, any hon. members of this House. I cannot recall ever reading or hearing of an hon. member of this House going up on a Careers Night to a high school in Newfoundland and joining ranks with doctors and lawyers and members of the RCMP and plumbers and pipefitters and mechanics to try and convince young Newfoundlanders who are about to graduate from high school that politics is a noble profession.

MR. NEARY: I have done it.

AN HON. MEMBER: And I have done it.

MR. HICKMAN: Well, there are two.

I can recall when I was chairman of a school board trying for several years when we were setting up a Careers Night to get politicians to do it, and I was woefully unsuccessful. But if we do not do it -

MR. NEARY: That is right.

MR. HICKMAN: - I would suggest that nobody else in the Province will.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: And I have not been in public life that long, Mr. Speaker, but I detect that there has been a very traumatic decline in the respect of the voters of this Province towards politicians. I am not talking about all politicians since I first was elected to office eleven years ago. And we, Mr. Speaker, have no one else to blame but ourselves. We cannot move ourselves to defend what I consider to be the noblest of professions and the greatest responsibility that is thrust upon anyone in this Province. And unless we are prepared to stand up in our constituencies and defend our right, and say

Mr. Hickman.

that we have had conferred upon us certain responsibilities, that give us certain rights.

I think I should have the same right in Grand Bank as the manager of the fish plant. I think I should. The people down there thought I did. I should. They gave it to me. But I would suggest, Mr. Speaker, that if I tried to assert that that I would run into far more difficulties today than ten years ago, because men and women in public life today are not commanding that kind of respect. And I believe that when the right legislation is introduced in this Legislature we will see it. Make no mistake about that, Mr. Speaker, we will see it.

MR. NEARY: A step in the right direction.

MR. HICKMAN: You know, as the hon. member for LaPoile (Mr. Neary) says, that is part of the step. That is a small step in the right direction. It is not going to change the image of the politician overnight, not by any stretch of the imagination. They will say, Ah, sure you passed a law; you are going to give yourself \$2,000 of our money now to go out and run in an election, you know, when before you could go out and get it from some of your friends. Why should we pay for it? So, you know, it will not be cured overnight. But it will be the start of the long and torturous procedure that we must embark upon if we are going to bring back the kind of respect and affection and willingness on the part of Newfoundlanders to enter public life. And I see a very, very, very disastrous attitude evolving in Newfoundland where community leaders are saying. The last thing I want to do is run for the House of Assembly. Maybe I will get into municipal politics, and even the municipal governments are getting in trouble now. I can think of many towns in Newfoundland where the calibre of councillors is not as strong as it was five years ago, and it is up to us to try and rectify that, Mr. Speaker.

MR. HICKMAN:

And having said all that I am sure that hon. gentlemen will understand why, with reluctance, we have to vote against the motion, but at the same time in our own minds and deep in our hearts support the principle thereof.

SOME HON. MEMBERS: Hear, hear!

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

MR. J. CARTER: Mr. Speaker, I hesitate to get up and speak at this time, because the nature of the amendment

MR. J. CARTER: has practically taken my breath away. So in trying to look for words to describe what I am about to say I am driven to looking at some quotations. The first one that springs to mind is, My dear we live in an age of transition, said Adam as he led Eve out of Paradise. In fact, Mr. Speaker, there is less to this than meets the eye. And things are easier said than done unless you are a stutterer.

SOME HON. MEMBERS: Hear! Hear!

MR. J. CARTER: The thing is, Mr. Speaker, as previous members have stated, I think all hon. members agree in principle with the text of this sub-amendment. In fact I myself sponsored a motion, a private member's motion in this House that lasted for some six or seven weeks during which time all the aspects of political contributions were debated.

MR. SMALLWOOD: When was that? What year?

MR. J. CARTER: It was two or three years ago I guess. Three years ago, 1974. I did not hear all of the former Premier's speech but I noticed that in the amendment there is no mention of who owns the liquor stores. I would think that it would be rather more complete if this bit of information had been volunteered.

Now, Mr. Speaker, there are three aspects to political contributions.

MR. NEARY: Why do you not go down and join the Mummies act?

MR. J. CARTER: Mr. Speaker, the only kind of interruption I find acceptable is applause and I do not notice any coming from that direction.

SOME HON. MEMBERS: Hear! Hear!

MR. J. CARTER: There are three aspects to political contributions, and they have all been mentioned, but I will mention them again. Disclosure, limitation, and subsidization, and in my view by far the most important element of political contributions is disclosure. I think other members have already pointed out how expensive elections are

MR. J. CARTER: and how they are getting expensiver. In fact the biggest single expense, I think all hon. members will agree in any election is not liquor, it is not transportation.

MR. NEARY: Money.

MR. J. CARTER: No, it is printing and brochures.

AN HON. MEMBER: Television.

MR. J. CARTER: No even television I think comes second to the total cost of printing and pamphlets and all the paraphernalia for which you get a bill from the printers.

The business of limitation. I do not see how you can limit it because as the Americans have found out, as Cousin Jimmy has found out, in order to win an election at that level -

MR. NOLAN: Growing peanuts now?

MR. J. CARTER: - in order to win an election at that level -

SOME HON. MEMBERS: Oh, oh!

MR. J. CARTER: He is my colleague's cousin as well. It has been a good year for Carters.

MR. ROBERTS: Jimmy certainly picked a bunch of relatives.

MR. J. CARTER: If you are involved in a big election or a very important election you have, () to spend a lot of money.

But the thing that actually I have to say that I am probably immune, I will probably be immune for the next couple of weeks from halitosis because this particular sub-amendment has just about taken my breath away. It really has. And coming from the former Premier of this Province who ran such an iron-clad dictatorship that it was hard to believe. Now he did not do it alone so in that sense, I suppose, he was not a dictator. You know he did have lots of help.

I can still hear him in my mind's eye saying, "I have got to follow them. After all I am their leader." This is the kind of ship that was run. But when I think of some of the famous names of the last twenty-three years, I have just got a few here. Some of it may have faded from memory. There is our friend

Mr. J. Carter.

Valdmanis who has passed away. What about Mr. Sennewald? Whatever became of him and Mr. Braunwogan, not to mention Mr. Doyle, who no longer can go to the States or Canada. In fact there are very countries in this world that he can go to. I guess he will not see any more of him. And we have not seen much of Mr. Shaheen lately. So I have not been Shahoned, Shaheened. But anyway the fact that such an amendment can be brought forward -

MR. NEARY: You did not mention Davidson.

MR. J. CARTER: The hon. member rather resembles Mr. Davidson. not only in looks but also in actions. Mr. Davidson stopped me one day on the road and poured out a whole lot of paranoia. It was very similar to what the hon. member pours out.

SOME HON. MEMBERS: Hear, hear!

MR. J. CARTER: I paid about as much attention.

It was the same shock of white hair, the snow on the roof, and the lack of fire in the furnace.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: I am not bad I will tell you.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: I wonder if the Premier is removed?

MR. J. CARTER: Well he is about as far removed from the hon. member as a person could possibly be.

SOME. HON. MEMBERS: Hear, hear!

MR. J. CARTER: The first election, Mr. Speaker, that I had much knowledge of or much experience with was the Confederation campaign back in 1948 and, of course, subsequently our entry into Confederation in 1949. And the thing that I remember most about that election was that the hon. former Premier in my view delayed Confederation more than anything else, because people were saying, You know, really it is a good idea if we joined Canada, but if we vote to join Canada, look who will be Premier. Look, who we will have.

MR. J. CARTER.

It is a wonder that Confederation actually got passed on the ballot paper. It really is. And if the hon. member would like to go down in history as the Father of Confederation, I think he should go down as the Orphan of Confederation. I really do.

So, Mr. Speaker, this particular amendment coming from such a man, it leaves me speechless practically, practically speechless. The only thing I can say is that to err is human, and so is to try to avoid correcting it. And perhaps a couple of quotations from Murphy's law will put this in its proper perspective. Nothing is as easy as it looks/ Everything takes longer than you think/ And if anything can go wrong, it will. Well, Mr. Speaker, this obviously was a mischievous amendment. And I know earlier this afternoon, a couple of us were talking in the hall and we suggested that if this amendment is allowed, then this precludes any - I presume I am correct in this - this precludes any motion from the government side correcting anything to do with elections in this present session.

AN HON. MEMBER: Nonsense.

MR. J. CARTER: Well once it is disposed of - presumably it will be voted against - once it is disposed of it cannot be brought up again. Now in my view this amendment should have been ruled out of order.

MR. ROBERTS: The Speaker ruled it in order.

MR. J. CARTER: Okay, so if it is defeated, then nothing - and perhaps this was at the back of the hon. gentleman's mind -

SOME HON. MEMBERS: Hear, hear!

MR. J. CARTER: - he does not want any corrections in this session or in any other session. So perhaps we are looking at the master craftsman of politics here. Perhaps I am looking across at the greatest politician ever. He knows how to preclude all possible motions. However be that as it may, we will vote against it, and I think it has been quite clearly covered why we will vote against it. Man has made his bedlam/ Let him live in it.

SOME HON. MEMBERS: Hear, hear!

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

MR. ROBERTS: Mr. Speaker, the hour is late , and the act of the hon. gentleman from St. John's North (Mr. J. Carter) is a difficult one to follow at the best of times. But perhaps even in that light I might be permitted a few observations with

MR. ROBERTS: respect to the amendment put down by the gentleman from Twillingate (Mr. Smallwood).

Mr. Speaker, let me begin by saying that I intend to vote for it. I think it is not only a very straightforward and a very sensible statement of principles, but I think it is one which any person concerned with the public life of this Province would have to support. I do not want to get into any procedural arguments. The hon. gentleman from St. John's North (Mr. J. Carter) has twisted paranoia into dementia with his thought that the hon. gentleman from Twillingate has outmachievellied Machiavelli by somehow dreaming up an amendment that would preclude any further discussion of the matter. Your Honour ruled it in order and as far as I am concerned, even if the amendment is defeated as I fear it will be given the determination of the government as stated by the Minister of Justice to defeat it, even if it is defeated it is perfectly in order to bring before the House a bill along the same principles.

If it is not in order, according to the rules, then I know I speak for every member on this side of the House, Mr. Speaker, when I say that we will consent to it. And, of course, as the Speaker told us earlier today, we are masters of our own rules in this House and we have the ability to agree to something even if there is some rule which says we are not allowed to do it. I am sorry, the hon. gentleman for St. John's North -

MR. J. CARTER: I think we should debate the rules.

MR. ROBERTS: Well, Mr. Speaker, I do not think this is the time to get into a discussion with the hon. gentleman from St. John's North on the rules because, without intending to be offensive and I hope without being offensive, I do not find that the hon. gentleman's contributions to discussions of the rules are very helpful.

MR. ROBERTS: He has raised some interesting points, Sir. Indeed he has raised points that have never before been raised in the parliamentary system.

MR. J. CARTER: They were raised out of desperation.

MR. ROBERTS: The hon. gentleman may feel that they were raised out of desperation, but, Sir, his desperation should not become an imposition on the rest of the House.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: And if the hon. gentleman is desperate, Sir, I would suggest that many of the reasons for desperation surround him over there and I would invite him to do what he believes and knows he ought to do, even if to date he has not done it in body although he has done it often in spirit.

Mr. Speaker, the amendment deals only and simply with the limitation of expenditures on elections and then as a codicil to that with the subsidization of election expenses by the treasury. I find this very, very acceptable in principle. Indeed I am quite able to understand how people can argue against it in good faith and in good conscience, but I am quite unable to accept their arguments.

Now let me first of all deal with one or two points made by the hon. gentleman from Grand Bank, the Minister of Justice. First of all let me say that I do not propose for a moment to get into the - Mr. Speaker, I would think we might have a quorum call. If there are so few hon. gentlemen opposite I shall call for a quorum. I shall now leave the House and ask my colleagues to do the same until there are fourteen government members in their seats, Sir.

MR. SPEAKER (DR. COLLINS): Order, please! I would ask the Clerk of the House to count the House.

I am informed that a quorum is present. The hon. Leader of the Opposition,

MR. ROBERTS: Thank you, Mr. Speaker, and I am grateful to hon. gentlemen for returning. The Minister of Justice may wish to return, if indeed he has been with us at any point during the evening.

Well, Mr. Speaker, it is perhaps indicative of the way, of the seriousness with which the government treat this subject.

MR. PECKFORD: You have two over there now.

MR. ROBERTS: Mr. Speaker, I would rather have two on this side than twenty on the other side on a basis of quality.

MR. SMALLWOOD: No. No. The other way about.

MR. ROBERTS: Mr. Speaker, the hon. gentlemen opposite are, in the best of spirits, Sir, and I would invite them to listen with attention to what is being said.

Now the Minister of Justice made an eloquent plea this evening that was completely beside the point and I do not really want to get into a debate with him at this time because I do not think it is the point of this particular amendment. The hon. gentleman got up and complained at some length about the fact that he was not paid enough and that all members of the House, in his view, were not paid enough and that we ought to be paid more money. Well, Sir, that is obviously attractive, at least to the fifty-one members of this House. I doubt if there would be very much attraction found for that idea, very much support for that idea anywhere else. in the Province. And I may say, given the record of this House of Assembly, I am not so sure I would be prepared to vote for any more money for the MHAs at this time.

MR. ROBERTS: I think if we want to improve the caliber of this House we can begin by reducing the size of the House from fifty-one to say forty-two or even below that. Given a population of 560,000 people in this Province we do not need fifty-one MHAs, a fact which the Minister of Justice overlooks although he in a very real sense was the author of the legislation which gave this Province fifty-one MHAs and provided for a House to be elected with fifty-one members in it representing fifty-one districts.

Mr. Speaker, I do not think it is particularly helpful for us at a time when we are asking people to be restrained, when we have a group of employees who have been on strike for nine weeks, whatever the merits of their cause, whatever the merits of those who oppose their cause it boils down in the long run to nothing more or less than money.. And at a time when we are asking the people of the Province figuratively at least, to tighten their belts it hardly behooves us to have a senior Minister of the Crown, the Deputy Premier of the Province standing and bold-facedly, openly, not behind any doors, bold-facedly saying we ought to pay MHAs more. I do not think we should at this time, Sir. I would favour, if the government wish to bring it in, any measure that would re-emburse members for their legitimate expenses of travelling to and from their districts or travelling throughout the Province, or for that matter travelling throughout Canada if it is on proper and appropriate public business. And if we are going to have a raise my feeling, Mr. Speaker, is it should come into effect after the next general election and the people of Newfoundland and Labrador have elected us to sit for this General Assembly, however long it may last. If we are to pay ourselves more than we are now paid then I think we should wait until there is a new General Assembly elected to alternately arrange to peg our salaries to some

MR. ROBERTS: outside standard.

The Premier at one stage talked of pegging MHAs salaries, I think, to the cost of living, and was going to have them raised by that amount each year.

Mr. Roberts.

It is a possible method. You can argue for it or against it. But I do not like the system we have now, and what I do not like in particular is the sort of performance we saw from the Minister of Justice tonight. If the Minister of Justice does not feel that he is paid enough, nobody asked him to be in this House, Sir. Nobody asked any of us to be in this House. Each of us sought election. Most of us worked very hard to get elected or to get re-elected as the case may be, and we do not have any right to whine and to complain about how difficult our lot is. And if any member does not particularly like this House, and does not feel that he can serve adequately for the compensation that he has offered, then there is a perfectly straightforward remedy available to him, Sir. It is found in the House of Assembly Act, and it is simply a letter addressed to His Honour the Governor or to the Speaker under the member's own hand. That is sufficient to vacate one's seat in this House. So I think it was a shoddy performance by the minister, a shabby performance, and I think it was not worthy of a Minister of the Crown. And I would add just one other word to that, Sir. If the minister really feels that members are under-paid or that ministers are under-paid, then he has it within his hands as well to take some steps to remedy it. Only a minister - The British North America Act provides this, Sir - only a minister may come before the House with a measure requesting expenditure of funds. No other member may. Only a minister may ask this House to vote Supply or to vote expenditure.

I was annoyed at the Minister of Justice and surprised that a man of his stature and his standing would come forth with this particular line of argument.

Now, Sir, the motion itself is quite straightforward. It provides - and I like the use of this word; I think it is a very appropriate word - for the purification of elections of the members to the House.

Mr. Roberts.

I think the word 'purification' is a very, very apt word. It could have been, if we were describing the present situation in too many ways, putrefication as opposed to purification.

The motion requests that severe limitations be put on the amount of money that any political party or candidate may spend in the course of an election. It requires that detailed reports of expenditures be made to a public authority. It provides that no donations may be made in money or in money's worth to a party or to any body on behalf of a party, and it requires that legitimate expenses be paid out of the public purse.

Now, Sir, I think each of those principles stands on its own merits, and I think each of them is worthy of support. But before I speak of each of them in a little detail let me say, Sir, that there is nothing particularly new about the principles in this motion. The Minister of Justice referred to Ontario which has had in effect for two or three years now a General Election Expenses Act, and it seems to have worked. The Province of Quebec has had similar legislation for a number of years. The Parliament of Canada, at the request of the present Government of Canada, have enacted legislation. It has not yet been in effect for a general election. It will be in effect for the next one which the Liberals will call and win about a year from now. But it does, Mr. Speaker, apply to the by-elections which have been held including the one which was held in Newfoundland last Fall when Mr. John Crosbie went from here to greater things and was elected as the Member of Parliament for St. John's West, and the act worked very effectively there. As far as I know there were no real difficulties in applying it. There were some difficulties of interpretation and some of points that had not been considered in drafting the act, but those were met and conquered and dealt with and no matter what the act is, there are bound to be points that have not been

Mr. Roberts.

considered and will have to be dealt with as they arise. In the United States - and the gentleman from St. John's North spoke of the President of the United States, Mr. Carter - he could have gone on to point out a very significant fact. In the election last Fall of the President of the United States of America, the choice between Mr. Carter, Mr. Ford, no person - and I use person in the broadest sense - no body, no entity, no group, no person, no individual, no corporation was allowed under penalty of criminal sanction to contribute a nickel to any candidate for the presidency or to contribute a nickel towards the presidential campaign. Not during the primaries. During the primaries a different rule applied during the nomination process. But once Mr. Carter was nominated by the Democratic Party. Mr. Ford was nominated by the Republican Party, it was not only unlawful, it was made a criminal act for any person to

MR. ROBERTS: contribute anything to their campaigns. Where did the cost of the campaign come from? It came from the Treasury of the United States of America, \$25 million, Each party was given \$25 million by the Treasury of the United States to be spent on the presidential campaign. It worked as far as I know very, very well. The election was fought out. It was a very closely fought election. It was eventually decided, and of course Mr. Carter was elected President and has now taken office.

MR. SMALLWOOD: If the Leader of the Opposition would permit? Does he recall the absolutely, the fantastic contrast between this presidential election and the immediately preceding one, the absolutely horrendous things that happened that came out in Watergate, the absolutely inconceivable corruption of party funds and the schemes to conceal and hide and get over the law in the previous presidential election.

MR. ROBERTS: The gentleman from Twillingate makes a very valid point. The previous presidential election in 1972 was an all time low in campaign practices. The Watergate episode and the revelations which came from it and as a result of it revealed a part of what went on. A number of men have gone to jail. A number of men have not gone to jail, presumably because of presidential pardons. I do not think there is much doubt that if Mr. Nixon had not been granted a free pardon by the then President, Mr. Ford, he would have faced a very real risk of criminal prosecution. A number of other men including a former Attorney General of the United States, a former Domestic Council to the President, a former Chief Assistant to the President, a former Secretary of Commerce of the United States, have stood criminal trial. I believe they have each been convicted of offences of one kind or another.

MR. SMALLWOOD: Even the Attorney General.

MR. ROBERTS: The former Attorney General, Mr. John Mitchell, has

MR. ROBERTS: been convicted and is now appealing his conviction, it has not been resolved finally. Mr. Erlichman is serving time in prison. Mr. Alderman is serving time in prison.

MR. SMALLWOOD: Colson, Halderman.

MR. ROBERTS: A number of others. There were forty or fifty in all. But all of them in the long run serving for offences which grew out of the electoral system.

Now, Sir, I do not want to go into Watergate. It is an intriguing story of power corrupting and of absolute power corrupting absolutely to misquote Lord Aikens famous dictum.

The point I want to make, Sir, is that the legislation requested by this amendment is not particularly new in principle. It is new to this Province. It may be new to some other provinces of Canada, but it is not new, Sir, it is not new to the public life of Canada or to the public life of the political world in which we function, the North American political world.

Now before I speak in detail of these four points in the resolution let me deal as well with the Minister of Justice's eloquent but irrelevant plea when he told us about legislation and how it was going to be brought in any day now. I know the hon. gentleman will understand and will forgive us on this side if we say that we with the greatest of respect do not believe his words. We require, Sir, to be shown by actions.

First of all, Mr. Speaker, the Minister of Justice is the same Minister of Justice who stood in this House and said quite eloquently that never again would there be a gerrymandering in this Province, and in the debate on the legislation to create the Redistribution Commission, the Minister of Justice with great conviction and passion, Sir, said that the Royal Commission, the commission headed by the late Mr. Justice Higgins, will make its report and it will never again be tampered with by the government of the day.

Well of course, Sir, his words were not worth the paper

MR. ROBERTS: on which they were recorded, because, of course, when Mr. Justice Higgins submitted its report and it was made public and subsequently the legislation to implement the new district boundaries came before the House that promise had been thrown in the ground and trampled into the dirt.

Then, Sir, there is the fact that the last couple of years we have heard from the Minister of Justice and from his colleagues in the Cabinet, time and time again, Oh we are going to be bringing in election expenses legislation. We have heard it again tonight. - It is in this year's Throne Speech, almost the same words are in last year's Throne Speech. I do not know what has been done. I have no idea what has been done by the ministry or by their advisers but I know what has been brought before this House, Sir, and that is absolutely nothing, not even a line, not even a jot or a tittle, no effort made. - The steps which ought to have been taken, a select committee, consultation with the political parties, the three who operate in the Province at present, the publication

Mr. Roberts:

of a white paper, none of these have been done. There may or may not be a draft bill but with all respect, Sir, based on the record I am unable to accept the Minister of Justice's assurances, they just are not good enough. I am afraid, Sir, that his word on matters of this has been put to the test and it has been found wanting. I do not say that with any glee, I say that - I was very angry and bitter over the way in which this administration went at the redistribution. I think there are people in this Province today who are paying a dear price in political terms, in the fact that they are not getting effective representations because of the way the districts were gerrymandered. The Minister of Justice as much as any one individual should hang his head in shame over that, because he as much as any one individual was responsible, and in the political sense, Sir, the sense of being a member of a Cabinet he is totally and completely responsible.

Mr. Speaker, there are four principles in this resolution. And the Minister of Justice in his speech in this debate managed to confuse, I think, three of them. We were treated to a long and very involved and quite tedious and contentious discourse to the effect of the difficulties there would be in administering an Act, and we were going to have district associations set up, and they were going to have auditors, audit committees, and accountants, and on and on and on. Hansard will record his words, I do not need to repeat them.

Well, Sir, this resolution, the amendment, I commend the hon. gentleman from Grand Falls (Mr. Lundrigan), it is nice of him to visit us, and I hope he will vote with us on this because I think it is a very sensible one. I think -

MR. LUNDRIGAN: You have me convinced.

MR. ROBERTS: Mr. Speaker, I -

MR. LUNDRIGAN: I am convinced.

MR. ROBERTS: Well then I am worried because if I have convinced the hon. gentleman from Grand Falls there is something wrong in my logic.

MR. LUNDRIGAN: You are a great -

MR. ROBERTS: Mr. Speaker, the hon. gentleman cannot even convince his own constituents, he has to protest to them that he visits them. The only member I have ever heard of that has to write long letters saying I visit you.

MR. LUNDRIGAN: The member from Trinity-Bay de Verde -

MR. ROBERTS: Mr. Speaker, the hon. gentleman, Sir, from Grand Falls, presently from Grand Falls, has a long and effective political record of running away, and I would suggest, Sir, that he should perhaps tend his own political knitting, and let me get on with what I am saying which I believe to be important. Whether it is important or not in the eyes of the hon. gentleman, I suggest, Sir -

MR. LUNDRIGAN: Is the rumour true you are running of the leadership of your party?

MR. ROBERTS: Mr. Speaker,

MR. LUNDRIGAN: Is the rumour true that you are trying for the leadership of your party?

MR. ROBERTS: Mr. Speaker, the hon. gentleman, Sir, -

MR. WHITE: Is the rumour true that you have been to Grand Falls lately?

MR. ROBERTS: Mr. Speaker, the hon. gentleman from Grand Falls has been many times reminded by Your Honour of the rules.

MR. LUNDRIGAN: A tremendous leader.

MR. ROBERTS: In fact, Mr. Speaker, the hon. gentleman has been reminded of the rules perhaps more than any other hon. gentleman, he apparently has not learned. May I again draw to his attention in between his chomping of his gum, he looks like - the only difference between the hon. gentleman chewing gum and a cow chewing its cud is the thoughtful look on the face of the cow. And I would say to the hon. gentleman, Sir, -

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: I would say to the hon. gentleman, Sir, that there is a rule which says, whoever has the floor, under the rules, is entitled, Mr. Speaker, to be heard without interruption from any hon. gentleman. And I would ask the hon. member from Grand Falls, Sir, -

MR. LUNDRIGAN: May I ask a question?

MR. ROBERTS: I would ask the hon. members from Grand Falls, Sir, to confine himself, if he cannot observe the rules, let him leave the Chamber, if I have that effect upon him let him leave the Chamber and meditate elsewhere, and if he wishes to stay in the Chamber, as is his right let him at least, Sir, try to observe the rules.

MR. LUNDRIGAN: May I ask the hon. gentleman a question, Mr. Speaker?

MR. ROBERTS: No, Mr. Speaker, the hon. gentleman may not ask me a question. The hon. gentleman may not ask me a question, Sir.

MR. LUNDRIGAN: The hon. gentleman - I am disappointed I could not even ask the hon. member a question.

MR. ROBERTS: Mr. Speaker -

MR. LUNDRIGAN: The leader of a political party. Shame!

MR. SPEAKER: Order, please!

MR. LUNDRIGAN: I should be able to ask twenty questions.

MR. SPEAKER: Order, please! One expects occasionally certain interruptions, but there is a point at which I think it is necessary to interfere and to require hon. members to cease interruption.

The hon. Leader of the Opposition.

MR. ROBERTS: Well thank you, Mr. Speaker, I am grateful for Your Honour's protection from the onslaughts of the heathen.

Mr. Speaker, the point I was making, and I think a very valid point is that all -

MR. LUNDRIGAN: You have attacked me.

MR. ROBERTS: - Mr. Speaker, I have not at all attacked the hon. gentleman from Grand Falls, when one is after elephants one does not bother with rabbits.

MR. LUNDRIGAN: You attacked me.

MR. ROBERTS: Mr. Speaker, the point I am making, and I think it is a very valid point, whether the hon. gentlemen opposite agree with it or not, is that all this talk of the difficulty of administering an Act, of the need to have district associations and so forth on down the line is really, really putting obstacles that do not exist and do not need to exist. The answer is quite simply the matter or the measure suggested by my friend from Twillingate (Mr. Smallwood), ban

MR. ROBERTS:

all political contributions. Simple. Just make it - we cannot make it a crime because we do not have that power as a legislature - but make it unlawful, provide penalties. We can do that. Statute after statute adopted by this House provides penalties for those who are convicted of a breach of its provisions.

MR. LUNDRIGAN: What about the member's contribution in the last Leadership Convention in his own party?

MR. ROBERTS: Mr. Speaker, the hon. gentleman has defied Your Honour again. He may not realize what he is doing but may I again ask the hon. gentleman for Grand Falls (Mr. Lundrigan) to allow me to proceed without his interruptions. I would welcome intelligent questions, Sir, but I do not welcome -

MR. LUNDRIGAN: Would the hon. member permit a question?

MR. ROBERTS: Mr. Speaker, no. Mr. Speaker, I would welcome an intelligent question but I do not welcome the sort of question the hon. gentleman is going to get off with. And, Mr. Speaker, if the hon. gentleman wishes to speak in the debate he will have his opportunity, and I shall hear him, Mr. Speaker, with all the patience my soul can possess. I shall hear him, Sir, with all the interest my mind can muster and I shall hear him with all the passion that my heart can bring to bear.

MR. LUNDRIGAN: That would be none.

MR. ROBERTS: Mr. Speaker, I would - no, I should not say that. The spirit of Christian charity forbids me from saying to the hon. gentleman what I felt like saying to him. Mr. Speaker, if I could - it is really very difficult, Sir, to make an argument when you get people like the gentleman for Grand Falls (Mr. Lundrigan). Whether he is doing it deliberately or not I do not know. But it is very difficult to make an argument. And I confess I engage in ballyragging with the likes of the gentleman from Grand Falls (Mr. Lundrigan) on occasion and I am as guilty as he is. But I would like to be allowed, Mr. Speaker, to make a few points which I think are worthy of making.

MR. ROBERTS:

And if the hon. gentleman for Grand Falls (Mr. Lundrigan) disagrees with them then in due course let him stand and state his opinions and give his reasons. We will hear him out whether we agree with him or not.

Mr. Speaker, the point I am making - and it is the only point I will get time to make before the House adjourns at eleven - is that the way to solve the administrative difficulties which were so eloquently outlined to us by the Minister of Justice, the way to solve those, the way to solve the questions of how do you ensure that contributions are proper and so forth and so on, it is quite simple, just to ban them. There is no need for contributions to be made, no need for them if the money is provided elsewhere. So just end them, just pass a law saying, Henceforth from this time, from this day on, nobody shall contribute anything to any candidate for public office or any political party but -

MR. SMALLWOOD: Any monies or monies worth.

MR. ROBERTS: Any money or monies worth.

MR. SMALLWOOD: Volunteer work.

MR. ROBERTS: Volunteer work, my friend from Twillingate (Mr. Smallwood) points out and that is well and good, obviously. But the lines would have to be clearly drawn. And one of the more difficult areas in applying the federal legislation is this area of volunteer work. Obviously volunteer work and obviously ideas.

MR. SMALLWOOD: (Inaudible)

MR. ROBERTS: But not money, not monies worth.

MR. LUNDRIGAN: What about cars?

MR. ROBERTS: Mr. Speaker, again may I ask the hon. gentleman for Grand Falls (Mr. Lundrigan), Sir, please not to interrupt. I am quite happy to have my friend from Twillingate (Mr. Smallwood) because he has thought deeply about this and he has some ideas but that puts him ahead of the gentleman for Grand Falls (Mr. Lundrigan) on two counts in that matter, Sir. So may I again ask the gentleman for Grand

MR. ROBERTS:

Falls (Mr. Lundrigan) - I do not know what is bothering him, I do not know what is inside of him - but may I ask him, Sir, please to remain quiet. Mr. Speaker, may I ask him please to remain quiet.

MR. LUNDRIGAN: I do not understand it.

MR. ROBERTS: Well I am sorry the hon. gentleman is unable to understand. I mean you can lead a horse to water but you cannot make him drink.

Mr. Speaker, let us simply outlaw all political contributions. It is a great radical step forward. It is an easy one to advocate. It is an easy one to implement and I believe it is a proper one to implement. And we will take care then with one stroke of the legislative pen of all the difficulty of administering reporting contributions and so forth. There shall be no more. Volunteer work, yes. And I wish to heavens every Newfoundland would work for one party or another. But those of us who are engaged in politics know full well that volunteer work is something that is often spoken of but not very often performed. That, Mr. Speaker, will take care then of the question of who may give contributions or how much they may give. Nobody may give anything except his time and his voice. Nobody may give anything else.

Obviously there must be expenditures. We have all been elected and we all know there are legitimate and proper expenditures which ought to be made and which must be made. They must be paid for. Then let them be paid for out of the public purse. It is hardly a new principle. It is done in Canada. It is done in Ontario. It is done in Quebec. It is done in the United States of America.

Mr. Speaker, I understand it is eleven o'clock. How quickly the time skips by. I do not know if I need to move the adjournment of the debate or not because Your Honour, according to Standing Orders, will leave the Chair automatically at eleven. But in any rate I will move the adjournment of the debate, Sir, it being eleven of the clock.

MR. SPEAKER: It being eleven o'clock the House stands adjourned until tomorrow, Wednesday, at 3:00 P.M.