

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
THURSDAY, JULY 26, 1979

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (SIMMS): Order, please!

ORAL QUESTIONS

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, my question is directed towards the Minister of Justice (Mr. Ottenheimer), Sir. And it is in reply to an answer that the hon. gentleman gave me the other day in connection with the investigations that have been carried on in the Province, and I appreciate the kind of information that the hon. gentleman gave us. It is a first in this House, I might add, and I really appreciate the hon. gentleman's philosophy too as he outlined it. But I want to ask the hon. gentleman in the case of this Societe Transshipping Company, that was the subject of controversy and abuse in this Province for the last ten years by Mr. Crosbie and Mr. Hickman and certain other gentlemen who are still sitting on the Government benches, would the hon. gentleman indicate to the House who initiated that investigation? Was it the RCMP? Did they initiate it on their own, or were they acting under instructions and directions from the Justice Department to carry out that investigation which ended up, as I had predicted a long time ago, as political persecution of the lowest kind?

MR. SPEAKER: The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, I think the hon. gentleman's oral question is essentially the same as the question on the Order Paper of today, Question 18 - yes, the second part: "Did the RCMP initiate this investigation on their own or was it carried out under instructions from the Minister of Justice?" I want to be in answering this question, indeed, in answering all questions, quite accurate and frequently one can be in the position where one is pretty sure of the answer, you know, 90 per cent sure of the answer, but I think the hon. members will agree with me that I wish to be 100 per cent sure of the answer and I will certainly get that information and supply it to the House.

MR. NEARY: I appreciated that, but a supplementary.

MR. SPEAKER (SIMMS): A supplementary, the hon. member for LaPoile.

MR. NEARY: I am sure that the hon. gentleman will also understand the question I am about to ask. First of all, I would like to remind hon. gentlemen, if I may, by the way, just in introduction, Sir, that it was on this investigation that the house of the former Premier of this Province, Mr. Smallwood, was under seige for ten hours by sixteen RCMP officers. Has anybody taken it upon themselves to offer the former Premier of this Province, either from government sources or from the RCMP, an apology for smearing his good name in this Province with that political vendetta and that witch hunt that was started at that time?

MR. SPEAKER: The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, certainly I have not undertaken any apology to the former Premier, Mr. Smallwood, and indeed I

MR. OTTENHEIMER:

am not aware of any reason to apologize to him. My connection with this is that, becoming Minister of Justice fairly recently what has transpired up to now and to give the House all of the information I can legitimately give it. Certainly I have not apologized, I have done nothing improper vis-à-vis that gentleman. That would be my answer to this House on things for which I am accountable to this House. And there is nothing I am aware of for which I am accountable to this House which would require my so doing. I would not even anticipate that the gentleman referred to in the hon. member for LaPoile's (Mr. Neary) question would expect it from me. In a general political arena things that may have been said the past seven or eight years, this member or that member or people not even in the House, that of course is outside of my area of responsibility to the House of Assembly.

MR. NEARY:

A supplementary question,

Mr. Speaker.

MR. SPEAKER: (Simms)

A supplementary. The hon.

member for LaPoile.

MR. NEARY:

The hon. gentleman probably

misunderstood me. I would not expect the hon. gentleman to do it because the hon. gentleman was Speaker of this House at the time. But I certainly would expect the culprit to do it and those who smeared that gentleman's good name in this Province over that whole matter. I certainly would expect these gentlemen, if they are in the House now or outside the House, to stand in their place or stand outside the House and apologize for that witch hunt that was carried on that smeared that gentleman's name. And I would hope the hon. gentleman would follow up by seeing that that is done because I believe that somebody owes that gentleman an apology. And, Mr. Speaker, it brings into focus then the question, the last question I want to ask the hon. gentleman: The hon. gentleman, would he take a look, and in view of the fact of the raid that was made on my office by the RCMP, would the hon. gentleman take a good, hard

MR. NEARY: look at the procedure in this Province whereby you can get a search warrant? Apparently you can get a search warrant for just about anything you want in this Province without justifying it. I believe that procedure should be - the new minister should take a good, hard look at it and I am going to ask the hon. gentleman if he would do that because you should not be able to get a search warrant without justifying it. You have to go down and take an oath -

MR. MARSHALL: A point of order.

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

MR. MARSHALL: Mr. Speaker, this has gone on long enough. This is a Question Period. The hon. gentleman can address questions to the ministry and not make a speech. Now he is making a speech and there is provision in the rules where if he wishes to speak on topics of this nature he can, but not during the Question Period.

MR. ROBERTS: Mr. Speaker, point of order.

MR. SPEAKER: On the point of order.

MR. ROBERTS: To the point of order very briefly, my learned friend opposite I think correctly states a rule but he misapplies it in this situation. My friend from LaPoile (Mr. Neary) was perhaps laying a ground work for a question - not perhaps, was laying a ground work. He perhaps may have been doing it a little more at length than

MR. ROBERTS: my hon. friend, but I think my friend from LaPoile (Mr. Neary) has learned that to let hon. gentlemen opposite try to understand a problem it is sometimes necessary to go into it at greater length than hitherto. It is noteworthy that Your Honour, who has the responsibility as well as the authority to interrupt questions if they are being improperly put, chose not to interfere. And, of course, my hon. friend from LaPoile is quite aware that the Late Show is on this afternoon and I am sure if he wishes to debate the Minister of Justice's (Mr. Ottenheimer) failure to answer the question properly, he knows how to do it. But I think he should be allowed to ask his question, Sir, without harassment from the gentleman from St. John's East (Mr. Marshall).

AN HON. MEMBER: Hear, hear!

MR. SPEAKER: (Simms) On the point of order, the rules are clearly stated for all to understand and read, and I would ask all hon. members to pay strict attention to the rules as they are stated.

I think the question has been put.

MR. NEARY: Mr. Speaker, just give me one second to finish it. I also want to ask the hon. gentleman if he would instruct the new Director of Public Prosecutions, whoever he might be - and I do not know if the hon. gentleman has anybody in mind for that position, if the appointment has been made - and this might be one of the first things that he could do, take a look at the procedure for obtaining search warrants in this Province.

MR. SPEAKER: The hon. the Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, to deal with the second part first, the position of Director of Public Prosecutions will be advertised. The incumbent's resignation becomes effective on the 15th of August - I am quite sure that that is the date. Instructions have already gone for advertisements in all newspapers in the Province. That will be our first placement and it is my hope that a suitably qualified Newfoundlander will be so appointed.

The first part of the question with respect to procedure, swearing-out information and then the issuing of

MR. OTTENHEIMER: search warrants, I think the hon. member is aware it is in fact the court which issues the search warrant and there is obviously a distinction between the legitimate areas of activity of the judiciary and of the Legislature, and under our present constitutional system I think it would be inappropriate for the Legislature, or the executive in this case, to endeavour to influence the court. Now I realize that before a search warrant is issued certain information is sworn to and there has to be reasonable belief to their accuracy and that. There is, of course, a recourse which anyone who believes that a search warrant was improperly issued or executed has, and that would be through the courts.

MR. S. NEARY: How can you (Inaudible)

MR. SPEAKER: (Simms) Order, please!

MR. G. OTTENHEIMER: Yes, in the case of all, there, no doubt, would be some cost involved unless somebody came within the ambit of Legal Aid, but there is a legal recourse. I would not think that the cost would be extremely great. And I suppose the same principle applies there as applies in all legal representation, at least in criminal areas or this area, and that is, if a person can not afford it then, with the help of public funds there is a fairly comprehensive system of Legal Aid. But I do not think the hon. gentleman for LaPoile (Mr. S. Neary) would require Legal Aid.

MR. S. NEARY: No, neither should I be forced to pay (Inaudible) -

MR. SPEAKER: (Simms) Order, please!

MR. S. NEARY: - perjury committed by law enforcement officers.

MR. SPEAKER: Order, please! The hon. Leader of the Opposition.

MR. D. JAMIESON: Thank you, Mr. Speaker. I have a question which I think ought to be addressed to the Minister of Industrial Development (Mr. L. Barry). In view of the very surprising statement in the Budget Speech with regards to the Marystown Shipyard, surprising because there had been no indication, indeed quite the contrary up to a few months ago, and in view of the fact that there has been a great deal of concern quite naturally expressed among shipyard workers and indeed the whole community on the Burin Peninsula, may I ask the Minister of Industrial Development, first, what sorts of steps are being taken with regard to the reassessment, or whatever the process is that they have under way? But second and even more important, is it in fact the case that no changes or significant layoffs or anything of this nature are contemplated in the foreseeable future?

MR. SPEAKER: The hon. Minister of Industrial Development.

MR. L. BARRY:

Mr. Speaker, with respect to the steps that are being taken, the Board of Directors - and it is a new Board of Directors that has been in place there-or at least a number of the members have only been in place, say, in the last year - they are engaged in a review of the estimating procedures, the cost control procedures and the accounting procedure generally at the yard. There have been steps already taken with respect to putting procedures in place to make it a more efficiently run but, not only that, an operation where there are no surprises. The object of a business enterprise is to have sufficient information flowing through to the Board of Directors to be able to project what costs are going to be and what the end result is going to be on a particular contract.

This review is taking place, is being carried out together

MR. L. BARRY:

with the manager of the yard, who is on the Board of Directors. At the present time there has been no report yet brought into government on the specific matters that had to be corrected, but I am expecting a report in the near future. There is no plan with respect to lay-offs at the present time, but obviously these are very serious losses that have been incurred and government, together with the Board of Directors, is going to have to take a look at the operation there from the ground up, all aspects of it. But certain things have already been carried out and we will be in a position I think to have the problems identified in a very short time.

MR. D. JAMIESON:

A supplementary, Mr. Speaker.

MR. SPEAKER: (SIMMS)

A supplementary, the hon. Leader of the Opposition.

MR. D. JAMIESON:

I thank the hon. member for the information and I do so, unfortunately, with a fair amount of 'I told you so' in my tone, not to the hon. member in his present capacity but to his predecessors and to the government. I think the record clearly shows that with regard to the estimating procedures and the like that the word was passed to this Newfoundland Government some time ago that indeed there was a very serious lack -

MR. S. NEARY:

In 1975.

MR. D. JAMIESON:

My friend for LaPoile (Mr. Neary) also reminds me that as long ago 1975 this matter was brought up in this House. The point I am really concerned about now, however, is that this assessment, which is one more of an innumerable number which this government seems to be undertaking in every conceivable kind of area, what it has done is again cast a question over the employment prospects in Marystown. So may I ask the hon. the minister how soon it is likely that this new review will be completed and the uncertainty removed? And could I couple with that, if I may so that I will not have to ask a further supplementary, a question as to whether or not, for example, if there are changes to be made is there any indication yet that they will

MR. D. JAMIESON: in fact result in a smaller work force?

MR. SPEAKER (SIMMS): Hon. minister.

MR. L. BARRY: Mr. Speaker, I do not think that anyone contemplates, including the employees of the Marystown Shipyard, that the yard could continue to proceed on the same basis as the figures indicated proceeded in the last year where it suffered a serious loss and that unless the yard is put into a position where - I am not saying it necessarily must be profit making, but this is

MR. BARRY: one question which government will have to decide, in the event there is a conclusion that it cannot be a profitable operation, I am not saying that it cannot, maybe it can -but in the event the evidence indicates it cannot be a profitable operation, government would have to decide what should be the limit or extent of the subsidy, the annual subsidy, and there is a limit beyond which this government will not be prepared to go.

So I am afraid, Mr. Speaker, that I cannot remove - until I have a full report from the Board of Directors - I cannot remove the uncertainty which might exist with respect to the employment picture at the Marystown Shipyard because we are going to have to determine whether it is possible to put the yard in a better financial position in the future than it has been in in the past. I am inclined to think that we will be able to do that. I am inclined to believe that there is a good plant down there. I am inclined to think there is, and I am personally familiar, as you know, with the area, that there is a skilled and good work force there, but perhaps on the part of all concerned, government, management, and the employees at the yard, there has been a tendency not to face up to the hard realities of life, and if the yard is going to be a viable proposition attitudes on the part of the employees, attitudes on the part of management, and I am committing government to take a complete review as to its approach to the Marystown Yard.

So all I am saying, Mr. Speaker, is that it is a serious matter. It is a matter which is being actively pursued at the present time and I hope to be in possession of all the facts at the earliest possible opportunity so that government policy can be directed to cure whatever problems might exist at the yard.

MR. SPEAKER (Simms): The hon. member for Burin-Placentia West, followed by the hon. member for Trinity-Bay de Verde.

MR. D. HOLLETT: Thank you, Mr. Speaker. I would like to ask the hon. minister a further question. In relation to the review being done presently by the owners, will that also include any possible implications or complications for the Marystown Yard with the still proposed St. John's synchrolift?

MR. SPEAKER (Simms): The hon. Minister of Mines and Energy.

MR. BARRY: Would the hon. member repeat the question, I wonder?

MR. HOLLETT: Yes, quite easily. What I am asking basically is in the present review going on by the owners of the yard, which is the government, will it take into consideration any possible implications or ramifications that the proposed synchrolift for St. John's would have on the Marystown Yard?

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

MR. BARRY: Mr. Speaker, the Marystown Shipyard is going to have to stand or fall on its own feet and I for one am not going to be prepared to recommend to government that it be insulated and put into a cocoon and kept in a unviable financial position, and any other potential industries which might be developed in the Province be halted. I submit, Mr. Speaker, that that is not the way the problems of the Marystown Yard must be dealt with. The Marystown Yard, Mr. Speaker,

Mr. Barry: any problems that it is incurring will have to be solved by government, management, and employees of the Marystown Shipyard. And I am at a loss to know how the St. John's synchrolift, which is not in operation, has not taken any business away from the yard, has anything to do with the problem that the Leader of the Opposition has raised.

SOME HON. MEMBERS: Hear, hear!

MR. JAMIESON: A supplementary, Mr. Speaker.

MR. SPEAKER (SIMMS): A supplementary, the hon. Leader of the Opposition.

MR. JAMIESON: Mr. Speaker, by way of a supplementary question, and just to elaborate, I think the hon. member for Burin-Placentia West (Mr. Hollett) was referring to the repeated and published assurances by his predecessors and others (a) that Marystown was a good operation, indeed it was quite glowing, the reports on it, up to the last Budget Speech; and the fact indeed that the synchrolift would not be proceeded with in a way that would be harmful to the Marystown operation. I think if the hon. member looks at the record he will see that these two things are here probably in the records of this House.

What I would like to ask is not that the synchrolift in St. John's be suspended or anything of that sort, but whether or not in looking at the future of the Marystown yard the likely compatibility as opposed to competitiveness of those two projects will continue to be one of the main elements in the assessment as the government assured it would be?

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

MR. BARRY: Mr. Speaker, I am aware of no change in policy on the part of government as to the compatibility of the St. John's synchrolift and the Marystown Shipyard, and I suspect a conclusion has been made that the two can live together. And we have heard a recent decision from the federal government that the synchrolift is to be proceeded with, and there it is. It seems to me to be a fait accompli.

MR. BARRY: As far as the Shipyard is concerned, I think I have already indicated that it is my belief that it is a good Yard in that we have a good plant, we have a good skilled work force. My concern and the concern of the Board of Directors is that there are, not just may be, that there appears to be a need to update and bring in certain modern business management techniques into the Yard with respect to estimating, with respect to the control of costs, and with respect to accounting and supply of information generally, and that this should be done at the soonest.

Just one further point, Mr. Speaker; we should not be too harsh in terms of recognizing that there is a loss here. If we expect the Marystown Shipyard to proceed as much as possible as a private profit making

MR. BARRY:

enterprise would, then there will be good years and there will be bad years, and there will be some contracts upon which losses will be incurred. And that is not necessarily a disastrous situation. The question is, Mr. Speaker, What is the degree of loss which should be expected either in one year or in a number of years? And I am not saying that merely because there is a loss in one year, possibly two years, that that means that we have to be very concerned about the continued viability of the Yard. I do not think that is the case, I think that a proper review of the accounting procedures and the flow of information will indicate ways in which the performance of the Yard can be improved and losses such as have occurred will be avoided in the future. That is our objective.

MR. SPEAKER: (Simms)
Bay de Verde.

The hon. the member for Trinity -

MR. F. ROWE:

I wish to address a question to the Minister of Labour and Manpower (Mr. Dinn), and I wish to repeat that I do not want to be argumentative or provocative on this question because it deals with the possibility of an inshore fishermen's strike. The minister indicated yesterday that some of the problems between the parties have been resolved and he further indicated that he expected further resolutions of some of the problems between the parties involved again today. I was wondering if the minister could give hon. members some sort of a progress report with respect to the negotiations- for the want of a better word- with respect to the negotiations going on between the union and between the Fish Trades Association and the government?

MR. SPEAKER:
Manpower.

The hon. the Minister of Labour and

MR. DINN:

Mr. Speaker, I do not have a lot that I can report to the House right now. I can say that negotiations are still ongoing. The Deputy Minister of Labour, Mr. Blanchard, the Deputy Minister of Fisheries, Mr. Gordon Slade, the President of the Fishermen, Food and Allied Workers Union and Mr. Bill Wells are meeting.

MR. DINN: They met all yesterday afternoon and last night until about 4:00 A.M. They were back at the table again this morning at around 10:30. I talked to my deputy minister just before I came into the House. They are going back at it again at 3:30 P.M. and all I can say from government's point of view is we are going to leave no stone unturned with respect to attempting to settle the dispute. I would rather not comment any further on it. As I said, the negotiations are still ongoing. I do know that the

MR. DINN: differences, as I see them right now, are fairly small. We are talking about half cents-

AN HON. MEMBER: Half cents?

MR. DINN: - half cents in some cases now. The thing about it is I really do not believe that we should have a strike over these kinds of things but you can never predict, as I said before, what the outcome of negotiations will be. Oftentimes very minor things can become very major. What I will say is that the government have put two officials, Mr. Ted Blanchard and Mr. Gordon Slade, in there to try to help the parties to resolve their differences and I think the House should keep in mind that basically we have gone through most of the negotiating procedures now. We have had a conciliation officer in there, we have had a conciliation board set up that could not make recommendations, and we are now at the point where these negotiations have to continue until we resolve the differences, or they cannot be resolved and the only way is a strike. As I say, my only comment would be that I would not be able to understand not being able to settle the strike when we get so close to an agreement as we have apparently at this point in time.

MR. SPEAKER: (SIMMS) The hon. member for St. Barbe.

MR. T. BENNETT: Mr. Speaker, my question is directed to the hon. Minister of Transportation and Communications (Mr. Brett); Subject: Paving of Route 431. I understand there has been at least ten years of requests made to every level of government possible to have that road upgraded and paved. I feel the people have been more than tolerant. They have been very patient. The road in question, of course, is within the framework of a national park which adds to the significance of speeding up demands to have that particular job done and done with. Up until this time, this year there has been, I understand in excess of 200,000 visitors to that area.

MR. SPEAKER: Order, please! Would the hon. member ask his question. I realize this is his first time standing so I - have allowed some leeway

MR. T. BENNETT:

Mr. Speaker, the whole of Newfoundland must realize the beauty, the magnitude of the beauty of that area in the Bonne Bay area. I think most of you, if you have toured Newfoundland at all, must realize it is one of the most beautiful areas. My question to the minister is would it be fair, Mr. Minister, to expect speeding up of action in the direction of having that road upgraded and paved?

MR. SPEAKER (Simms): The hon. Minister of Transportation and Communications.

MR. BRETT: Mr. Speaker, I guess the hon. member is aware by now that that route, route 431, is not included in this year's programme. I realize that what he said is very true and I can only tell him that it will be very high on our list of priorities for next year.

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

MR. JAMIESON: Mr. Speaker, I have a question for the hon. Premier. There were news reports today, and I cannot, of course, vouch for their accuracy, which suggested that the Premier's predecessor had made some kind of either commitment or otherwise with regard to the home of the former Premier, Mr. Smallwood, that is that he was apparently quoted at least as saying that it was unfair that it should not be returned to him for \$1, which I believe he originally received for it. I wonder if the hon. Premier shares that view or does he have any comment on that particular news story?

MR. SPEAKER: The hon. Premier.

PREMIER PECKFORD: Mr. Speaker, I am not familiar with the issue. I noticed, I think it was in the paper this morning, some mention of it and some news reporter asked me about it yesterday. I have not had a chance today to check it out but I have mentioned it to the Clerk of the Executive Council to get a briefing on it this evening or tomorrow morning and then I will be in a position with my colleagues to take a position on it. I am not aware of the detail on it but I am trying to get the information.

MR. SPEAKER: Order, please! The time for Oral Questions has expired.

NOTICES OF MOTION:

MR. SPEAKER (Simms): The hon. Minister of Transportation and Communications.

MR. BRETT: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act To Amend The Highway Traffic Act."

MR. SPEAKER: The hon. Minister of Lands and Forests.

MR. MORGAN: Mr. Speaker, I give notice I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The Crown Lands Act."

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN:

MR. SPEAKER: The hon. Minister of Finance.

DR. J. COLLINS: Mr. Speaker, yesterday the hon. Leader of the Opposition directed certain questions at me and I see he has now left the Chamber but he possibly may be within ear shot. The questions related to the trend in unemployment that is anticipated in the ensuing months of the fiscal year and also, I think, he asked some questions in regard to the economic prospects of the Province for the ensuing months because of certain changes, such as the measures taken in the United States to deal with some downturn in their economy.

I have some information on this now, Mr. Speaker. The seasonal adjusted rate for unemployment

DR. COLLINS: for June, has improved and now stands at 15.5 per cent, And that is in counterdistinction to 16.4 last month, and it also compares with 16.7 for June of one year ago. In actual numbers, the labour force increased by 11,000, whereas the actual numbers employed, that is in the year from June 1978 to June 1979, the labour force increased by 11,000 and the number of people employed increased by 10,000 which was a 5.7 per cent in the number of people employed. Incidentally, that compares with an increase of 3.5 per cent for the whole of Canada so we have done rather better in that regard. It is expected that the unemployment rate will increase a bit towards the end of the year because, of course, in Newfoundland our employment is higher in the months from June until September or October. But it is expected that the employment rate will continue to improve. There will be an increased number of people entering the labour force and even though our employment rate will improve because of seasonal variations there will be some increase in the unemployment rate.

Turning to the Newfoundland economy, Mr. Speaker, the overall measure, as was stated in the Budget Speech, for the ensuing months of this year is expected to grow by something over three per cent. That is in real terms. That is three per cent not taking into consideration inflationary aspects of things. It is expected to hold up for the remainder of the year even though there is a downturn in the American economy, and particularly in forestry production there is expected to be no weakening there. There is an international demand for forestry products. The fishery is expected to remain stable. This, of course, has to be looked at in terms of the absence of any prolonged strike but it is expected to remain stable. And also in the mining sector, although there will be some effects from the recession in the United States, those effects are not expected to affect our economy until sometime next year.

PRESENTING PETITIONS

MR. SPEAKER:

The hon. Leader of the

Opposition.

MR. JAMIESON:

Thank you very much, Mr.

Speaker. I have the honour to present a petition signed by a substantial number of fishermen from the areas in question to determine the support of the fishermen from Dildo- Trinity Bay for a proposal to establish, in the forementioned location at a site presently occupied by the community stage, a fish processing feeder plant. By way of support, may I say that the planners of this proposed operation feel the completion of this facility will help better serve the fishermen of the area, maximize the usage of a building that is presently fast deteriorating, as well as provide employment for a number of hopeful individuals. And the petition goes on to list a number of names of fishermen from that area and I have much pleasure in presenting it today.

MR. SPEAKER:

The hon. member for

Trinity-Bay De Verde.

MR. F. POWE:

Mr. Speaker, I would like

to support the petition presented by the Leader of the Opposition on behalf of a number of fishermen

Mr. F. Rowe: on the Southern Shore of Trinity Bay. It affects a number of fishermen in my district as well as the hon. Leader's district. And the main problem here appears to be the acquisition of a community stage built some ten years ago which is presently not being used by anybody in that particular area. A number of businessmen have gotten together, have gotten the support of the fishermen for the purpose of taking over this community stage, renovating it, and employing up to twenty-five or thirty people onshore.

Sir, I do not know what exactly is the status of that particular community stage. Now, I think it was built under some federal programme and there has always been a problem with respect to, you know, whose jurisdiction a community stage comes under once the thing is built. It was built by the Federal Department of Public Works or if it was built by the Canada Works programme or a Winter Works programme or if it was built by say a Provincial programme, the question still arises who is responsible for the actual maintenance of that particular community stage? So therein lies the basic problem with respect to getting this particular stage active and employing some people onshore and also benefiting a number of fishermen in the particular area.

I wish the hon. Minister of Fisheries (Mr. W. Carter) were in his seat so that he could probably indicate exactly what the status of that community stage is at the present time, so this problem of the acquisition of the stage can be dealt with immediately, and then the businessmen involved could go ahead and make normal proposals to government and seek financial help and this kind of a thing for the purpose of employing a number of fishermen and people onshore in that particular area.

So, Sir, it gives me great pleasure to support that particular petition.

MR. SPEAKER (SIMMS): The hon. member for Baie Verte-White Bay.

MR. RIDEOUT: Mr. Speaker, I rise to present a petition on behalf of 263 residents of the community of Ming's Bight in my district. Any by way of preamble, Mr. Speaker, the appropriate department will note that the petition is a bit delayed, but it came in, I understand, while another event was taking place, and it was therefore in the Speaker's office until a day or so ago when it was sent downstairs to me.

Mr. Speaker, the prayer of the petition very simply requests that the four or five mile section of road from the LaScie Highway out to the community of Ming's Bight be upgraded and paved. Now, Mr. Speaker, in supporting this petition let me say that this request has been made by this particular community to the government, well, certainly since I have been here in 1975; it has been made practically every year. And in years past there has been correspondence even between various Ministers of Transportation and Communications and the Council indicating that some upgrading work would be carried out on that road. For example, the year before last one of the ministers at that time, the present member for Bonavista South (Mr. Morgan), told the community in writing that substantial upgrading would be carried out on that road that particular year, that turns would be taken out, crushed gravel would be placed on the top, that some of the hills would be knocked down, and that some of the culverts that are up through the ground, broken off in the middle on which you chop up tires now when you go over, that kind of thing would be done. Well, Mr. Speaker, that is three years ago and it is still not done.

So despite the fact that those assurances were given in writing, the people of that community are still waiting for those assurances and for those commitments to be carried out and they have not been carried out to this date.

Let me say also, Mr. Speaker, that Ming's Bight is in as close, say, proximity to Advocate Mines as is any other community on the Baie Verte Peninsula, and therefore, of course, in addition

Mr. Rideout: to the economic questions of transporting fish over the gravel road, and the social questions of transporting students to the school in Baie Verte and to people going back and forth to work in that community and so on, you also have the additional question which comes into play very much on the Baie Verte Peninsula and that is the health and safety aspect of the potential contamination of the road dust by asbestos fibres.

So, Mr. Speaker, I have very much pleasure in supporting the petition. I refer it to the minister and I hope that some consideration to be given to it this year. We do not expect - they are a reasonable bunch of people - they do not expect that it all be done overnight but they do, I think, Sir, legitimately expect that after the written commitments of previous ministers that some of the commitments that they promised at that time, two or three years ago, be carried out.

So I table the petition and ask that it be referred to the department to which it relates.

OPDERS OF THE DAY

MR. MARSHALL: Order 32, Bill No. (Inaudible).
 No. 26, I am sorry.
 Motion, the hon. the President of the Council to introduce a bill, "An Act To Adopt An Anthem For The Province," (Bill No. 15), carried.

MR. MARSHALL: Order 32.
 On motion, Bill No. 15 read a first time, ordered read a second time on tomorrow.

MR. MARSHALL: Order 31, Bill No. 23
 Motion, the hon. the President of the Council to introduce a bill, "An Act To Amend The District Court Act, 1976," (Bill No. 23), carried.
 On motion, Bill No. 23, read a first time, ordered read a second time on tomorrow.

MR. MARSHALL: Order 30, Bill No. 21
 Motion, the hon. the President of the Council to introduce a bill, "An Act To Remove Anomalies In Provincial Legislation That May Be Construed As Discriminatory," (Bill No. 21), carried.
 On motion, Bill No. 21, read a first time, ordered read a second time on tomorrow.

MR. MARSHALL: Order 29, Bill No. 20
 Motion, the hon. the President of the Council to introduce a bill, "An Act To Amend The Chairman Of The Board Of Commissioners Of Public Utilities (Pension) Act, 1974," (Bill No. 20), carried
 On motion, Bill No. 20, read a first time, ordered read a second time on tomorrow.

MR. MARSHALL:

Order 28, Bill No. 22.

Motion, the hon. the President of the Council to introduce a bill, "An Act To Amend The Provincial Court Act, 1974," (Bill No. 22), carried.

On motion, Bill No. 22, read a first time, ordered read a second time on tomorrow.

MR. MARSHALL:

Order 27, Bill No. 19.

Motion, the hon. the Minister of Justice (Mr. Ottenheimer) to introduce a bill, "An Act To Amend The Intestate Succession Act," (Bill No. 19), carried.

On motion, Bill No. 19, read a first time, ordered read a second time on tomorrow.

MR. MARSHALL: Order 26, Bill No. 15.

MR. SPEAKER (Simms): Order 26, Bill No. 15.

Motion, the hon. Minister of Justice to introduce a bill, "An Act To Adopt An Anthem For The Province." (No. 15)

MR. ROBERTS: You did that already.

MR. SPEAKER: No. I believe that was my error.

I am sorry. I apologize.

MR. ROBERTS: We can only do it once.

MR. SPEAKER: Is it the pleasure of the House that the hon. Minister of Justice shall have leave to introduce said Bill?

MR. ROBERTS: No. We did it once.

MR. MARSHALL: Motion No. 32 then, Mr. Speaker.

MR. SPEAKER: Yes. I apologize for that. It probably was my own error.

MR. NEARY: You could get the member for St. John's Centre (Dr. P. McNicholas) to sing it for us.

Motion, the hon. Minister of Mines and Energy to introduce a bill, "An Act To Facilitate The Development Of The Hydro-Electric Power Potential Of The Lower Churchill River." (No. 26)

On motion Bill No. 26 read a first time, ordered read a second time on tomorrow.

MR. MARSHALL: Order 25, Bill No. 16.

MR. SPEAKER: Order 25, Bill No. 16.

Motion, the hon. Minister of Justice to introduce a bill, "An Act Respecting Provincial Offences And Provincial Court Inquiries." (No. 16)

On motion, Bill No. 16 read a first time, ordered read a second time on tomorrow.

MR. MARSHALL: Order 24, Bill No. 17.

MR. SPEAKER: Order 24, Bill No. 17.

Motion, the hon. Minister of Justice to introduce a bill, "An Act Respecting Small Claims." (Bill No. 17)

On motion, Bill No. 17 read a first time, ordered read a second time on tomorrow.

MR. MARSHALL: Order 23, Bill No. 18.

MR. SPEAKER: Order 23, Bill No. 18.

Motion, the hon. Minister of Justice to introduce a bill, "An Act To Amend The Fire Prevention Act." (Bill No. 18)

On motion, Bill No. 18 read a first time, ordered read a second time on tomorrow.

MR. SPEAKER (Simms): The hon. President of the Council.

MR. MARSHALL: I would like to call Committee of Supply but I do not see it on the motions on the Order Paper. Interim Supply, is it there?

AN HON. MEMBER: Orders of the Day, Order No. 2.

MR. MARSHALL: Oh yes, Committee of Supply.

MR. SPEAKER: Committee of Supply, order 2.

MR. NEARY: A poor House Leader.

On motion, that the House resolve itself into Committee of Supply, Mr. Speaker left the Chair.

MR. CHAIRMAN (Butt): Order, please! Subhead 301-01 - Executive Council. The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Chairman, briefly on this because the last time the Committee was considering this estimate there was some discussion on contractual public servants or people performing public functions contractually. Hon. members will, or at least those who were here last year, will recall that an amendment was passed in The Financial Administration Act to the following effect, a quite brief one, "Except as otherwise provided in any act, it is a condition of every

MR. G. OTTENHEIMER: contract providing for the payment of any money by Her Majesty, the payment thereunder is subject to there being an appropriation for the particular goods or services for the fiscal year in which payment under that contract falls due. Obviously, the effect of that is that each year it is up to the Legislatura to vote Supply, to vote salary. I am not speaking now with respect to any specific contract, just in general. I suppose that the principle there is one of the supremacy of the Legislatura and that is the protection thereof. Now there is, of course, the possibility, as the hon. member for the Strait of Belle Isle (Mr. E. Roberts) mentioned and mentioned in a question to me last week some time, of enabling legislation or a statute, a contract which has a particular statutory authorization. And, of course, as the hon. gentleman knows as well, the principle of parliamentary supremacy would not be affected there because Parliament could repeal it in the next session. Obviously, that is a more drastic way and I am not suggesting that as a thing responsible people do unless there is very due cause and if there is very due cause it could be done and no doubt has been done.

AN HON. MEMBER: If Parliament authorized it then Parliament is still supreme.

MR. G. OTTENHEIMER: Yes. So the distinction between the position of a contractual employee having his contract through statute or otherwise, in the final analysis the effect can be the same if the Legislatura -

MR. ROBERTS: If the Legislatura rules.

MR. G. OTTENHEIMER: Yes. But a person under contract and the Legislatura refuses to vote money then the Legislatura is supreme. But if a person has a contract through statute or a statutory enactment -

MR. ROBERTS: No problem.

MR. G. OTTENHEIMER: - no problem in the voting, it is not

MR. G. OTTENHEIMER: voted on, It is statutory but it is not the 100 per cent security because the Legislature not in a supply, not in a supply action -

MR. E. ROBERTS: (Inaudible) in the statutory salary (inaudible).

MR. G. OTTENHEIMER: Yes. No, the only point I am making is that if there is not the 100 per cent security even through the statutory manner because the Legislature may if it wishes for some purposes repeal the statute.

MR. E. ROBERTS: I know. No problem on that. Mr. Chairman, I thank the hon. gentleman.

MR. CHAIRMAN: (Butt) The hon. member for the Strait of Belle Isle.

MR. E. ROBERTS: I do not know in Committee if we need always to - as long as Your Honour recognizes a member, unless it is necessary for the purpose of recording for Hansard because in Committee, as Your Honour knows, we will often be up and down and it is much less formal, of course, than the House. But I gather I have been recognized by Your Honour and I thank Your Honour.

The minister and I, I think, are heart to heart, mind to mind or whatever that calypso song once said, I agree with him and I think that what he said reflects the same doctrine I was advancing the other day. I made a general statement of the law as I understood it to be. He has found a specific statutory example and, of course, our statutes are filled with examples of contracts that have been ratified by the Legislature and quite properly so. I think the minister will also find, if I am not mistaken, in the Department of Supply Act, the Act that creates, whatever that department is now called, the power in the Minister of Supply to make contracts for more than a one year period on certain terms if it is a particularly good buy and so forth.

Now, what I am concerned with is the situation which could emerge if, for example, the government were to

MR. E. ROBERTS: enter into a contract, a minister acting in right of the Crown, were to enter into a contract for say a five year period. I do not want to talk about any specific contract. Let us forget any examples there may or may not have been, they are not germane to this argument - this question, it is not an argument. A five year contract is entered into in perfect good faith on both sides, and the Legislature in the first year votes the Supply, there is no other specific authorization, there has been no bill an act to ratify, adopt and confirm a contract with Mr. A for his personal services. Now, what happens if in the second year for some reason, any reason, forget whether it is the government's failure to ask, or whether it is the government's desire not to ask, it could be either I would suggest, or it could conceivably be the inability of the government to win the support of the Committee and that would lead to a general election and that is another point altogether. What happens if that contract - if no money is voted in the second year? Does the person who is not going to get his salary because there is no legislative authorization to pay it and the comptroller will refuse to pay it and the deputy minister involved will refuse to pay that salary, he would have no choice otherwise he is personally responsible, does that person then have a right of action not against the minister personally because the minister has not acted personally he has acted, you know, so and so acting in right of the Crown as minister of this or minister of whatever it may be.

And what concerns me particularly is that conceivably could arise and what I want to avoid and perhaps the minister - I do not want to carry on much longer, we have had a good ventilation of the topic. If the minister could simply assure me that we will not see an out-of-court compromise, because what would bother me is if

MR. ROBERTS: the man with the five year contract got his lawyer to come in and say to the minister, "Look I could embarrass the daylight out off you by suing you. and then putting you on the spot and seeing what the Supreme Court would do." And then the response is, "Alright we will give you three years salary and we will settle out off court." Bingo! Then the next thing we know, Supplementary Supply the next year - we might not even know it has been done until the Auditor General picks it up two or three years down the pike, and that quite literally could happen. So maybe if the minister could tell me - obviously he and I are of one mind on the law. His officials who know the law have told him what the law is and he has told it to us and it is essentially as I put it to the committee on Tuesday when we met. So what concerns me now is what happens--and I am putting an academic question but it is not completely unforeseeable or unthinkable - what does happen when the government choose to break a contract and they do not cause supply to go through the second year? Does the person who is a party to that contract have a right of action against the government and if so will the government defend it or will they compromise it?

MR. OTTENHEIMER:

Mr. Chairman,

MR. CHAIRMAN: (Butt)

The hon. Minister of Justice.

MR. OTTENHEIMER:

Whether the person had a

right of action or not I -

MR. ROBERTS:

No. I am not asking for

a legal opinion.

MR. OTTENHEIMER:

- but certainly if an action

were taken I think the government has a responsibility to the Public Purse, to protect the Public Purse and not to spend money unnecessarily and not to spend money for the sake of convenience. If a government is legally obliged to make an award then obviously that is a different matter but I not think it would be proper to spend money without it

MR. OTTENHEIMER: being required to do so.
That would be, you know, somewhat financially irresponsible. I think what the hon. gentleman was thinking of was a settlement so that somebody would not seek a court decision.

MR. ROBERTS: Yes. The minister is getting to the point. He says, "If the government are not required to", I think, was his phrase, now the real question then becomes, "What is required?" It is one thing if a Deputy Minister or the Chief Law Officer says, "Minister my advice to you, Sir, is that we will likely be found liable, we will settle it." Now I know in practice, in the commercial hurly-burly downtown that happens often. I suppose for every hundred claims that are put forward, in say motor vehicle work, 95 per cent of them are compromised on the advice of the solicitors on either side saying to their respective clients, "Look settle this one." If the minister would say to me that if such an action is launched the government will let defend it, will let it proceed to judgement and then if the Supreme Court says, "In our opinion, having considered this matter we find the government are liable," then I have no quarrel. Maybe I would think they would be wrong but then the House changes the law. The Supreme Court applies the law and interprets it. But I see a clear and present danger of a settlement being made of several hundred thousand dollars. Because if you take a salary, of say, \$40,000 a year for five years that is \$200,000 being made on the advice of an official and maybe it is sound advice, but what I get at, Sir, the principle underlying it all is that money would have been spent, the House would have had no control over it first nor last and that, of course, goes right to the root of the whole purpose and being of this House of Assembly.

MR. OTTENHEIMER: Mr. Chairman.

MR. CHAIRMAN: (Butt) The hon. Minister of Justice.

MR. OTTENHEIMER: A brief comment there.
Certainly, I think in general the principle should be that money should

MR. OTTENHEIMER: not be paid out in this type of a circumstance unless there is a court order to that effect.

MR. ROBERTS: A judgement.

MR. OTTENHEIMER: Yes. I think it would be necessary to state along with that, that in each specific instance obviously one would wish to have a sound legal opinion from one of the solicitors. I think that is the general principle but I think in each specific instance it would be necessary to have an opinion because the circumstances could be very, very different, could they not?

MR. ROBERTS: To my knowledge this question has never been litigated in this Province, To my knowledge. I will let it go.

MR. CHAIRMAN: The hon. member for LaPoile.

MR. NEARY: Mr. Chairman, I concur with my hon. colleague, Sir, that - I believe what my hon. colleague is trying to get at there is the fact that when the Premier and the ministers or anybody on behalf of government enters into long-term contracts like the Chairman of the Action Group which is a ten year contract - I believe somebody in the House, on the other side I believe, estimated the contract to be in the vicinity of three quarters of a million dollars. I am not sure if it was somebody on the other side or Mr. Cole himself. So obviously,

MR. S. NEARY: Mr. Chairman, it is going to cost the taxpayers of this Province an arm and a leg to get out of that contract. And the hon. the Premier may send for Mr. Cole and have him come into the eighth floor, or take him down in the private dining room, down in the Kitchen Cabinet downstairs and they may have a chat but Mr. Cole is laughing all the way to the bank thanks to the negligence, thanks to the generosity of Mr. Moores and the hon. gang that sat around the round table on the eighth floor up until March 17th., 1979. Mr. Cole is laughing all the way to the bank. The contract is estimated to be in the vicinity of three quarters of a million dollars and I would suggest, Mr. Chairman, that Mr. Cole is not going to let go very easily plus the fact, by the way, that it was also in the contract that he would be appointed a senior Deputy Minister, in a position with Senior Deputy Minister's status. The whole thing was crazy, absolutely crazy, it was insane. Who ever dreamt it up must have had a temporary lapse of sanity, it was so crazy. The hon. gentleman knows we argued against it on this side of the House with no avail.

And now the taxpayers are going to have to pay the penalty. And the same way with Mr. Martin. I did Mr. Martin the greatest favour - as a matter of fact, I am after doing two or three Tory candidates favours in this Province. Mr. Dick Green, when I defeated him over on Bell Island I did him the greatest favour that I ever did anybody in my life and I did the same thing for Mr. Martin out in LaPoile.

MR. SIMMONS: Do not forget the fellow who got the farm (inaudible).

MR. S. NEARY: And I am not forgetting the fellow who has the farm tractor and all the other Rural Development Authority grants, that I defeated over on Bell Island.

AN HON. MEMBER: Who was it?

MR. S. NEARY: Who was it? It was the hockey player who ran against me twice.

MR. SIMMONS:

It was a good try, I suppose.

MR. S. NEARY:

Yes, he made a good run at it. I

only beat him by -

MR. SIMMONS:

(Inaudible) made a good try to get his name on the record.

MR. S. NEARY:

He tried to get his name on the record, did he? The other gentleman that I defeated is now down in the Justice Department. I have no qualms about that, the hon. gentleman earned his spurs. The other gentleman that I defeated is also on the payroll - we have never heard anything about him in years - he is the Chief Public Works Inspector in Western Newfoundland.

MR. SIMMONS:

Is that right?

MR. S. NEARY:

Yes. I do not believe he has ever inspected a building yet.

MR. R. SIMMONS:

He is an Ichabod Crane, is he?

MR. S. NEARY:

That is right. So I have done more Tory candidates favours - they all end up better off than I am, Mr. Martin included.

MR. R. SIMMONS:

You see, 'Steve', anyone who takes you on deserves a good job.

MR. S. NEARY:

Well, that is right. I mean they know they are being sacrificial lambs and so they obviously go into the race with a - I do not know if Mr. Martin was under contract when he ran against me. If he was, I would like to hear the Minister of Justice (Mr. Ottenheimer) give his opinion on that. I have a feeling that Mr. Cabot Martin, with all due respect to the gentleman, was under contract. Had not signed the contract? - the Premier is nodding his head - had not signed his contract? Certainly he had negotiated a contract with the hon. gentleman because the hon. gentleman told us before the House was dissolved.

PREMIER PECKFORD: He had a leave of absence like every other person -

AN HON. MEMBER: Leave without pay.

MR. S. NEARY: You mean he was on salary at the time?

AN HON. MEMBER: The contract was signed.

MR. S. NEARY: The contract was signed. Oh, Mr. Speaker, now we are getting at something here, Sir, I am not sure whether that is legal or not I would like to get the Minister of Justice (Mr. Ottenheimer) to give his advice on that. He was not in the category of a public servant, he was under contract. He was working for the Premier's office on a contractual basis. Was there any fee for service involved or just a straight salary?

PREMIER PECKFORD: Whatever the contract said.

MR. S. NEARY: Do we have the contract?

PREMIER PECKFORD: I tabled the contract yesterday.

MR. S. NEARY: I was not here I will take a look at it. That is all right, I will look at it, Mr. Chairman.

PREMIER PECKFORD: Well, I am sorry if I had not known you were not here I would have tabled it for you again today.

MR. S. NEARY: The hon. gentlemen, there is no need in him getting upset.

MR. NEARY: I am not going to spent the afternoon on the pride of the Tory party, Mr. Martin. All I want to know is if he was under contract when he ran against me? And the hon. gentleman confirmed that he was, but he had leave of absence. Who did he get the leave of absence from? Did he have to apply to the Chief of the Public Service or did he go to his boss, the hon. gentleman?

AN HON. MEMBER: I had to resign.

MR. NEARY: This gentleman here behind me had to resign his position -

AN HON. MEMBER: With the Department of Fisheries.

PREMIER PECKFORD: (Inaudible) of the Public Service. There were other candidates who ran who had to do the same thing.

MR. NEARY: In other words, Mr. Martin had the preferential treatment.

AN HON. MEMBER: Yes.

MR. NEARY: The preferential treatment. Well why do you just not admit it?

PREMIER PECKFORD: He was not a member of the Public Service.

MR. NEARY: Well now you are - make up your mind, it was one thing or the other. The hon. gentleman just told us that he was granted a leave of absence the same as any other public servant.

PREMIER PECKFORD: No, I never said that. I never said that.

MR. NEARY: My hon. friend could not get a leave of absence.

PREMIER PECKFORD: I never said that. Do not put words in my mouth, I did not say that. I said that the hon. gentleman had a contract. That is not the same as every public servant has in the Province.

MR. NEARY: Mr. Chairman, what I would like to know - I am not a lawyer and I am so naive that I do not follow that logic the hon. gentleman just flung at me, it is enough to boggle my mind and my imagination. He had a contract. He had a contract. And then all of a sudden he did not have a contract. He can go out and run in an election, and then he can come back and his contract is picked

Mr. Neary: again. Is that what the hon. gentleman is saying?

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Was the contract cancelled? Was the contract set aside? Was it cancelled or was it just laid on the table?

MR. WHITE: Did he get paid?

MR. NEARY: Did he get paid? That is a good question.

Did he get paid while he was out running in that campaign in LaPoile?

AN HON. MEMBER: It was retroactive from the 26th. of March?

MR. NEARY: Was it retroactive from the 26th. of March? So he got paid? No, he did not get paid.

AN HON. MEMBER: He did not.

MR. NEARY: So, Mr. Chairman, the argument here -

AN HON. MEMBER: The 26th. of March.

MR. NEARY: Oh the 26th. of March.

MR. SIMMONS: (Inaudible) three months.

MR. NEARY: - the employment shall be for a period of two years and shall be deemed to have commenced on the 26th. day of March A.D. 1979. Could the hon. gentleman tell me whether his candidate in LaPoile was paid while he was campaigning?

MR. MORGAN: You are forgiven for outbeating him, boy!

MR. NEARY: Oh, Mr. Chairman, the hon. gentleman had me beaten before the House was dissolved. The hon. gentleman sat over there crowing and barking and bellyaching about how wonderful this was. This pride of the Tory party was going to clean me up, going to gut me out, and I was afraid. Well the hon. gentleman does not have very much to say about it now.

MR. MORGAN: You will never (inaudible) beaten, will you? Vindictive!

MR. NEARY: Almost is not quite enough, not quite enough.

It is not like the NHL, Mr. Chairman, you do not get a chance to playoff, there is no semi finals, you either win or lose. And the hon. gentleman

Mr. Neary: for Naskaupi (Mr. Goudie) has won his seat just as much as the hon. gentleman for Bonavista South (Mr. Morgan), even though it was only by thirty odd votes. There are no semi finals, no playoffs.

And so what I am asking the hon. gentleman to clarify is whether or not Mr. Martin was paid when he was campaigning? Or was he docked? And is this standard procedure? This is coming out now as new policy. And why do not the people in the Public Service have the same privilege as a person who is under contract? Why cannot they take leave of absence and come back to their jobs if they so desire? Why give a few the preferential treatment and make the others pay the supreme sacrifice?

Mr. Chairman, the other thing I want to raise here under this, while we are on the Premier's salary, for the last seven or eight years in this Province, Sir, for the last seven years, at least, we have had a closed-door policy in Newfoundland. For twenty-three years we had an open-door policy whereby the Premier of this Province who occupied the Premier's chair on the Eighth Floor of Confederation Building saw every Delegation, saw every individual, saw everybody, everybody but everybody, the door was open, and it did not make any difference if you were an aristocrat or if you were a welfare recipient, if you could go down there and sit long enough on the Eighth Floor you would eventually get to see the Premier of the Province.

Now would the hon. gentleman tell us what kind of a policy the hon. gentleman is going to adopt? Is he going to put up the barriers down there the same as his predecessor? Is he going to use all of these flunkies that he got here to stop people from getting in to see the hon. gentleman? Is he just going to pick and choose? Is he just going to say, I will see my friends, and that is all? Or is the hon. gentleman going to run an open-door policy as we were so used to for twenty-three years in this Province?

AN HON. MEMBER: That is a laugh!

MR. NEARY: That is no laugh, Sir! That is no laugh! I have a feeling that the hon. gentleman might be inclined to run an open-door policy, at least, I hope the hon. gentleman does. Because if the hon. gentleman does not do that he is going to disappoint me, disappoint me greatly. I know it is hard work, Sir. You have to punch in eighteen and twenty hours a day and you have to be prepared for anything. And you have to have your Cabinet meetings and you have to dictate your correspondence and attend the House and all that sort of thing, so it is very, very tiresome and very gruelling and very hard but it has to be done. For seven years the 8th Floor of Confederation Building was barricaded, was blocked off from the people of this Province, from the electorate. They were lucky the last year or so. The Federation of Labour came in with their annual brief and they were lucky to get five or ten minutes in the Cabinet room. I would like to hear the hon. gentleman express his views on that, whether or not the hon. gentleman is going to run an open-door policy or is he going to set up the barricades the same as his predecessor did down there? By the time you get through a dozen - Mr. Chairman -

MR. CHAIRMAN: (Butt)

Order, please!

The hon. member, your time has expired.

MR. NEARY:
couple of minutes, Your Honour.

Oh, I will be back at it again in a

MR. CHAIRMAN:
Bay d'Espoir.

The hon. the member for Burgeo -

MR. SIMMONS: Mr. Chairman, first of all, I would say to my colleague who has just finished speaking that if there is some ambiguity about the contract of the gentleman he was mentioning, perhaps a more precise case, if he wants to pursue it, is the one involving the number of Cabinet ministers whom the former Premier laid off for an interim period during the leadership. He removed them from their portfolios, you remember, and these were his words, that he was removing them from their portfolios until the convention was over. So for a month or so the member for Bonavista South (Mr. Morgan) was removed from his

MR. SIMMONS: portfolio as a candidate. The member for St. Mary's - The Capes (Mr. W. Carter) was removed because he was a candidate. The present Premier was removed because he was a candidate, and others. Now the question is, Did these fellows draw Cabinet salary during that period -

MR. NEARY: Right.

MR. SIMMONS: - when they were not, by the Premier's own word, doing their job? He took them out of the job because they were so busy being candidates. I am sure that my good friend, the President of the Tory Party will remember the statement. The former Premier took them out of their jobs, he removed them from their jobs, he made them un-Cabinet ministers, he unmade them during that period. And the question arises whether during that period the member for Bonavista South (Mr. Morgan) received a Cabinet salary for work that he was not doing because he was told by the Premier of the day not to do it. The question arises as to whether the present Premier in his capacity as Minister of Mines and Energy before he was removed from that job because he was a candidate in the leadership of last March - the question arises as to whether he received salary during that period for work he did not perform, Mr. Chairman, because the former Premier, Mr. Moores, had removed him from the job until the leadership convention was over.

MR. NEARY: Correct.

MR. SIMMONS: So there are a number of issues along the vein of the one raised by my colleague, a number of issues as to whether, indeed, a number of individuals have received remuneration for work which they did not perform because they were busy full-time, very much in the public eye, doing something else.

MR. NEARY: They should turn it in if they did.

MR. SIMMONS: Well, if they did, I have no doubt now that I have drawn it to their attention that there will be a rush to the central cashier down there with cheques paying back this amount which would be -

MR. NEARY: They ought to be certified cheques too.

MR. SIMMONS:

I have great faith in the member for Bonavista South (Mr. Morgan). I have no doubt that he did not take the money consciously if he took it and that he will this afternoon - there are only twelve minutes now before the cashier goes home for the day so perhaps it will be tomorrow now - he will be down there with his personal cheque giving the refund to the central cashier with a little note explaining that 'This is some money I received during the leadership campaign when I was working hard to become leader of the Tory Party. There is no pay for that, not becoming leader - there is pay if you get to be leader. That did not happen in the case of my friend from Bonavista South, but I am sure he will give a little note explaining to the central cashier so

MR. SIMMONS: she is not too confused on the subject.

On another subject, Mr. Chairman, I hope the Premier or somebody who will communicate to him, perhaps the Minister of Municipal Affairs (Mr. N. Windsor) whom I see in the precincts of the House, would communicate to him our particular concern on the Home Ownership Programme. I have had a number of people, I do not know how many, certainly since I raised the matter in the House a couple of days ago I have had I suppose twenty, twenty-two, twenty-three people either phone me or come to me, in one case write me a note on the subject, people who are directly affected, I repeat, people who are directly affected by the change in the government's position.

As a Party, the Tory Party said before the election to home-owners, or would-be home-owners, "We will give you \$1500." That is the way they understood it. Now they find that in some cases they will only get \$500 and in some other cases they will not even get the \$500 if they had the building beyond the floor stage as of August 1, next Wednesday I believe.

I would hope the Premier will say to the House, and therefore to the Province, what the rationale is, what the reason is behind this bit of fancy footwork, why there was need for a change, why it was needful to renege, to go back on his promise to the people of every part of this Province, in my own district, the people of Carbonear, the people here in St. John's, a number of places who called me, a couple, I say to the minister, from Mount Pearl who called me last evening, people around this Province generally who are concerned about the issue, who feel let down by the issue and I wonder, if in light of what has happened in the past few days, the public knowledge now that government intends to pay only \$500, I wonder would the Premier indicate to the House what has happened? Have they run out of money? Was the promise made before the election, without a full knowledge of the facts as to how much money this promise was going to cost?

MR. SIMMONS: I am sure it can be candy-coated, I am sure it can be explained in gentle terms, but it is going to take a lot of explaining to explain to the fellow who thought he was going to get \$1500 that he is only going to get \$500, or to explain to the fellow who thought he was going to get \$1500 he is not going to get anything, not a cent.

I would hope that the Premier in the next hour or so in Committee, sometime before six, if he is so disposed, will explain to us if there has been some review of this rather unfortunate decision by government, a decision to renege on the promise of the Tory Party during the election. I would hope now that there will be some resolution of it. I hope the Premier can stand and say, "Look, we did make a promise on the 18th. of June and we now want to keep that promise and we are going to see to it that every person who has got a home, who has built a first home or is buying a first home, who has bought it since the 18th. of June," because that was when the promise was made, and people made their decisions. And this is the point I would like to make to the Government House Leader, that people when they hear an announcement like this they do not deal in technicalities, they do not deal in questions like, "When will this come into effect? Will it be the 1st. of August? Will it be the 1st. of September?" They automatically assume, and I believe rightly, Mr Chairman, that if the Leader of the Party which is also the Government of the Province makes a statement on June 18th., they fully assume that decisions they make, related to that announcement, after June 18th. will be affected by the announcement. They do not stop and say, "Now when will this come into effect?" The average person does not deal in those technicalities. He does not say, "I better not buy the house today because it might not be until July 1st., it may not be until August 1st. And I say in all honesty to the

MR. SIMMONS:

government, in all frankness,

I believe the government has to tie its program to June 18th. Or you might want to pick some other date that is more convenient from a bookkeeping standpoint, probably June 15th or something like that. June 18th is somewhere past the middle of the month but pick a good bookkeeping date, probably June 15th, but certainly no later than June 18th, and say to the people of the Province who in some cases marked their ballots on the basis of that particular commitment from the Tory party; say to them, "If you have purchased a house since June 18th or if you have a house which

MR. SIMMONS: was not, say, more than 60 per cent complete by June 18th - by June 18th, not August 1st - then we will pay you not \$500, not \$1,000, we will pay you \$1,500 as we, the Tory Party, promised on June 18th. I believe that is the only fair extrapolation, the only fair interpretation of the policy commitment made by the Tory Party leading up to June 18th, that the policy ought to come into effect -

AN HON. MEMBER:

A beautiful word.

MR. SIMMONS:

Yes, would you find out what it means and then tell me? I think the only fair application of it is for the government to say, as of June 18th the programme is into effect. Then you will have to define, obviously, what percentage completion ought to apply - and I do not buy this business about it being only to floor level. I believe it should provide that a house that is say less than 60 per cent or 65 per cent complete should qualify. And why do I say that? - for this reason, because a number of people when they heard the announcement leading up to June 18th, said, 'I am going to get \$1,500 for the house.' They then went out and incurred new expenditures that they would not have incurred. They said, 'Look, I have an extra \$1,500 I can spend on my house now.' And they were planning first just to complete the kitchen and perhaps the one bedroom. And then they said, 'The Tory Government is going to give us \$1,500 so I can complete the bedroom for the youngsters too.' They incurred additional expenses on the basis of an understanding that they were going to get \$1,500 from this government. The government have reneged on this promise, but I have faith that perhaps they have changed their minds again in the last few days. And I would hope the Premier during the Committee stage might tell us and clarify a little further for us what the government's real intantion is on this home ownership grant programme.

MR. CHAIRMAN: (Butt)

The hon. the member for LaPoile.

MR. NEARY:

Does the hon. the Premier wish to answer some of the - fine, I will yield.

MR. CHAIRMAN:

The hon. the Premier.

PREMIER PECKFORD: Yes, Mr. Chairman, there were a number of questions. The contract one is one that the Minister of Justice (Mr. Ottenheimer) addressed himself to and there is some understanding between both sides. The only two issues - I covered most of the various divisions in my opening remarks under the Lieutenant-Governor's establishment or under the Premier's Office, wherever they are right now. And then talking about the salaries, the increase is there simply because there are a number of positions which had not hithertofore been paid out of the Premier's Office although they were in the Premier's Office physically, are now there. And the figures are also inflated in the sense that there are three vacancies there but there is a salary parcel or unit in there for those vacancies. Of course, I have indicated on a number of occasions that I have been trying to streamline the Premier's Offices around the Province and will not be filling these vacancies.

The two issues brought up by members today - one had to do with Mr. Cabot Martin, who is a senior policy advisor of the Premier's, and whether that gentleman was paid during the time that he was a candidate for the Progressive Conservative Party of Newfoundland. Mr. Martin wrote me on that matter and requested a leave of absence. I have the letter here, Mr. Chairman: "I would resign my present position on the date on which I first took my seat in the House of Assembly. I wish permission to take leave of absence without pay for the period concerned to run in the provincial general election." And I acknowledged and accepted that affair, and there is the copy of it all for anybody to see.

On the other matter that was brought up by, I think, the member for Burgeo - Bay d'Espoir (Mr. Simmons) on the former Premier making a statement as it related to certain ministers who were running in the leadership campaign, I do not know what statements particularly that the member is referring to. There was an Order-in-Council passed which dealt with any time that ministers were out of town, acting ministers were appointed for that period of time that those ministers were out of town so that signing could occur in those departments and decisions

Premier Peckford: And as it relates to the question of ministers during the Leadership Convention, everything was done legal and aboveboard and there is documentation to prove that which I will table as well, if members want me to. I think those are the two main issues.

The other question is the open-door, closed-door policy that the hon. member for LaPoile (Mr. Neary) - my only answer to that, Mr. Chairman, from where I stand myself is that any person in St. John's who passes by the Confederation Building in the mornings or in the evenings, or who comes upon the Premier's floor physically will attest to the way I operate, and anybody who has known me since 1972, as a member or as a minister, can attest to the way I operate. and anybody who wants to see me will see me. I have them lined up three and four deep, or ten and fifteen deep sometimes, down in the office. and I intend to try to see as many people as I can while I am the Premier of the Province. And even further than that, Mr. Chairman, I have indicated to the Cabinet and to members in the Public Service and will be doing so on a regular basis over the next two months, that not only should, you know, mail be answered promptly in all departments, but all public servants in the building or who work for the government should always have a smile on their face and be courtesy to citizens as they walk into the Lobby of the Confederation Building. Sometimes, I know I did when I came into this building when I was an ordinary citizen and I went along to a counter to get something, or to ask for a map, it was, "What do you want today"? It was almost, "What are you doing here as a taxpayer?"

AN HON. MEMBER: Wondering out loud.

PREMIER PECKFORD: Yes, wondering out loud, what some citizen who owns a brick or some of the material in this building is doing here. And I always get very mad about those kinds of things and I am attempting now, through appropriate channels, but firmly, to indicate to everybody that we are here to serve the people of Newfoundland, and we must be courteous and we must treat citizens and the electors in this Province with respect and

Premier Peckford: do what we can to assist them and to accommodate the concerns and the requests that they have.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: I intend to continue that policy.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: And if we do not, responses to correspondence, and to telephone calls are not what they should be, then somebody is going to have to answer for it and I will see that they do.

MR. CHAIRMAN (MR. BUTT): The hon. member for Lewisporte.

MR. WHITE: Seeing that we are getting it all out in the open and getting things straightened out, there are a couple of things in relation to the Premier's office that he alluded to last day when we discussed the estimates, which was Tuesday, and that is the situation in Central Newfoundland. For the last couple of years I have had the shocking experience of seeing two Premiers offices fully staffed twenty miles apart, one in Grand Falls where there is - I think, there were three employees. The Speaker, now, was an assistant to the Premier there. I think there was also an assistant to a minister in the same office getting the same kind of salary and in Botwood, not very far from Grand Falls, twenty miles, there was another Premier's office manned by Mr. Din And those two gentlemen, the present Speaker and Mr. Din - Mr. Din Billard became sort of political organizers I would call them. I recall when the Twillingate by-election was on both the present Speaker and Mr. Billard were down to Twillingate organizing that by-election. When the Leadership Convention came up both gentlemen went to work on Mr. Doody's campaign for the leadership. Yet, in Lewisporte, I was not even entitled to, you know, the government paying for an office that I could sit it and consequently had to do everything in my house in Lewisporte while I was there when the Legislature was not in session. So I found that very, very unfair in that \$100,000 or \$150,000 of government money was being spent for government offices not thirty miles from me and two of them were located twenty miles apart while at the same time I was elected and was not even entitled to an office in the

MR. WHITE:

district which I wanted and had asked for on a number of occasions. I think it very unfair -

SOME HON. MEMBERS: Hear, hear!

MR. WHITE: - and I would hope that the present Premier would change that kind of set-up. I do not mind if he wants government offices in Central Newfoundland, on the West Coast and the Avalon Peninsula, one in his district, which I imagine he will have, and I think he should have. So I would like for him to comment on that and to let us know in more specific terms what he plans to do about that situation.

MR. CHAIRMAN: (Butt)

The hon. member for LaPoile.

MR. S. NEARY:

Unless the hon. gentleman wants to answer that I will yield again, Your Honour, but I hope it does not happen again what happened before. But if the hon. gentleman wants to answer, go ahead.

AN HON. MEMBER:

(Inaudible)

MR. CHAIRMAN:

The hon. member for LaPoile.

MR. S. NEARY:

Mr. Chairman, I want to thank the hon. gentleman for his responding to my remarks about the open-door policy. I subscribe to that, Sir, and I congratulate the hon. gentleman for at least trying. I know it will not be possible to see everybody on the same day, some people will have to wait but I am sure if people wait long enough that they will get to see the hon. the Premier and I think that that is the way it should be. We had that for twenty-three years. Apparently the former Premier thought that was a bit of a bother and a bit of a nuisance so he slammed the door in people's faces and put up the barricade. Now, there are an awful all of assistants, executive assistants, special assistants, secretaries and the like in that office and I hope the hon. gentleman has told all of his staff down there that nobody but nobody is to be barred from that office because they have been disciplined now, they have been brain-washed. The whole idea of coming into the eighth floor before the hon. gentleman took over was that if you got past the first receptionist then you were interrogated by the next one and then by the time you got on to the third one you were starting to get a bit tired, and by the time you got on to the fourth or fifth or sixth one you just felt like giving up, and saying, "Well, there is no way you can get into the Premier's office". That was the whole idea - discourage people from getting in. I hope the hon. gentleman will tell his receptionist and the staff on the eighth floor that the door is open and they are not to try to discourage anybody from getting to see the hon. gentleman who wants to see him.

MR. NEARY: Now, as far as the public service having a happy face is concerned, I would suggest to the hon. gentleman that the first place he starts to try to remedy this situation is with the member for Stephenville (Mr. F. Stagg) who stood up in this House last week and threatened the public service - openly, blatantly threatened the public service, the hon. member for Stephenville. So, I think the hon. the Premier should start first by disciplining his own members. Then he might also ask the hon. minister for Social Services (Mr. T. Hickey) to wipe off the public record the fact that the hon. gentleman threatened the civil service when he was supporting the hon. the Premier in the leadership convention. That should be removed from the public record. Now, we are going to have a Point of Order, Sir. It will be a specious Point - I can almost forecast, Your Honour -

MR. HICKEY: Point of Order.

MR. NEARY: I can almost forecast that this is just going to be -

MR. CHAIRMAN: Order, please!

MR. HICKEY: The hon. gentleman, as long as he is here, Mr. Chairman, the hon. gentleman, you know, has not learned to even shut his mouth when Your Honour calls order, and he is the master of the rules in the House. For record purposes, you know, I do not wish to delay the proceedings, nor do I wish to be petty because I have been around for a long time and I have heard a lot of this kind of jargon coming across from the other side of the House, but for record purposes because we are dealing with a -

MR. CHAIRMAN: Yes, come to the point, please.
Mr. Minister, come to the point, please.

MR. HICKEY: Well, Mr. Chairman, the point is that there was no threat made against the public service by me either inside or outside this House. It was a personal statement, a statement of policy which happens to be mine, and is in no way connected or binding on the hon. the Premier.

MR. CHAIRMAN: I would like to remind the gentlemen that this is a difference of opinion.

Hon. member for Lagoile.

MR. NEARY: Mr. Chairman, my interpretation of what the hon. gentleman said at the leadership when he was supporting the hon. the Premier, that if the hon. gentleman won the leadership, that he was going to gut out the public service, was going to gut her out, that is what the hon. gentleman said.

AN HON. MEMBER: But he did not become Premier.

MR. NEARY: Well, then but he did not become Premier. He took his fifty-odd votes whatever it was and he transferred them over to the hon. gentleman who now occupies the Premier's seat, and the Premier just told us that we should all try to encourage happy faces in Confederation Building. Well, Mr. Chairman, how can you ask the public service to smile and to look happy when they see the member for St. John's North (Mr. J. Carter) descending on them? How can they be happy and smile and look content when the hon. Minister of Social Services (Mr. T. Hickey) has on the public record a statement that he would gut the public service and he was one of the gentlemen that supported the Premier, that he would gut her if he won. And how can the public service be happy and smile and be pleasant and wear their little buttons 'Happy Me' when the hon. member for Stephenville (Mr. F. Stagg) only last week -

AN HON. MEMBER: And this week.

MR. NEARY: - and this week issued a threat to the public service. Now, how does the hon. gentleman plan on dealing with these people, with his own

MR. NEARY: ministers and his own members? The hon. gentleman has issued the warning to the senior civil servants, to the middle upper-class senior civil servants, to the lower strata and told everybody they all had to be happy, and he forgot to tell the most important people of all, his ministers and the backbenchers who are supporting his government. If the hon. gentleman has not done it privately or has not done it in writing with these hon. gentlemen, perhaps now when I sit down, and I would be glad to take my seat now, and let the hon. gentleman react.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Alright, if the hon. gentleman wants to react, I would be glad to sit down. But I want it to go out loud and clear that there is going to be no hanky-panky; there is going to be no instructions coming down from his ministers that they have to hire this one; they have to hire that friend; or they have to issue a permit to build a house down in Outer Cove; or they have to issue a permit to build their summer residence on the Salmonier Line. I wish I had my list here with me. I wish I had my list. Or the helicopter pilot has to fly the minister down to Bonavista and put him right down beside his club. None of this sort of nonsense going on because that is the thing, that is the sort of thing that makes the public service frown. That is it. Hire on so and so's daughter; hire on so and so's son without competition. Flick people into jobs - straight political patronage.

MR. MORGAN: (Inaudible) you are not the boss of the Opposition (inaudible).

MR. NEARY: Straight political patronage. And if you cannot get your own way to build a Summer house, issue instructions to the Crown Lands, "That man gets his permit to build his house". And if you do not get your own way, sulk about it and ridicule the public service. Is that the type of thing the hon. gentleman is talking about doing away with, because that is the sort of thing that makes the public service disgruntled?

MR. HICKEY: What sub-head are we on?

MR. NEARY: We are on the 'Premier's Office', and the Premier just made a statement and I could not agree with him more, but he has to be a strong man to enforce it. He has to enforce it first of all with his own ministers and his own members, people who support his administration, and no more of this saying, "I am going to build a house down here in Outer Cove or wherever it is, and if I do not build it I will form a council down here and I will get my house built. But I will get her built, and you, Mr. Metro Board, you better watch me now what I am going to do because it is going to be done."

MR. HICKEY: Who is doing all this?

MR. NEARY: Is the hon. gentleman asking me?

All the people who sat over there heard me make that statement. Why would the hon. gentleman be the one to ask me the question? Why would it be the hon. gentleman who took the bait and asked me the question?

MR. HICKEY: Curious.

MR. NEARY: No, everybody else sat there in silence, except the hon. gentleman. Does the hon. gentleman own any land down in that area?

MR. HICKEY: Yes.

MR. NEARY: He does. Does the hon. gentleman want to build a house down there?

MR. HICKEY: Yes.

MR. NEARY: Well, go on. You know, Mr. Chairman, I must be psychic, Sir, that is the only thing I can see. I must be psychic. Well, was the hon. gentleman turned - let me ask another question? Was the hon. gentleman turned down by the Metro Board?

MR. HICKEY: Yes.

MR. NEARY: And the hon. gentleman appealed it and lost his appeal? And then what did the hon. gentleman do?

MR. HICKEY: What is illegal about that?

MR. NEARY: Nothing, I did not say there was anything illegal about it.

MR. HICKEY: The only thing, the hon. gentleman -

MR. NEARY: I have not, Mr. Chairman, the hon. gentleman, Sir, is giving me information.

MR. HICKEY: The hon. gentleman makes things up and adds a little bit more to the facts.

MR. NEARY: What have I made up, Mr. Chairman? What have I made up? I just asked the Premier if the hon. gentleman would stop his ministers from going in with the heavy hand into departments, Crown corporations and agencies and laying down the law and saying, "If you do not do this, my God, I am going to have your job". That is the kind of thing the hon. gentleman has to stop, the heavy-handedness of his ministers.

MR. HICKEY: I do not know of anybody who does that.

MR. NEARY: Well, did I say the hon. - Mr. Chairman, the hon. gentleman is interrupting - did I say that the hon. gentleman did anything? I do not understand why it is the hon. gentleman, Sir, out of all the people, 33 of them over there, that the hon. gentleman should say, "You know, what is it you are talking about?"

MR. SIMMONS: It is not me, Lord.

MR. HICKEY: Because I do not know any other ministers who are trying to build a house in Outer Cove.

MR. NEARY: The hon. gentleman might be surprised.

MR. HICKEY: Could the hon. gentleman name a minister who is building a house in Outer Cove or trying, except myself?

MR. NEARY: Did I say the hon. gentleman did anything wrong?

MR. HICKEY: The hon. gentleman said that I was using a heavy hand.

MR. NEARY: All I am doing, Sir, is issuing a little bit of advice,

MR. NEARY: a little bit of advice for the hon. gentleman, the Premier.

MR. HICKEY: (Inaudible); leader (inaudible)

MR. NEARY: Mr. Chairman, I seem to have gotten to the hon. gentleman for some reason or other, Sir. Is there something wrong? Is the hon. gentleman not feeling well?

AN HON. MEMBER: No, I am feeling great

MR. NEARY: I will, sit down, Mr. Chairman, I will have a few more words to say again shortly. But that is my advice to the Premier if he wants to have the happy, smiling faces in Confederation Building. So I hope the hon. gentleman will heed what I just said.

MR. CHAIRMAN: (Butt) The hon. the member for Port au Port.

MR. HODDER: Mr. Chairman, I just wanted to ask a few questions following some words that I heard spoken by my friend and colleague from the district of Lewisporte (Mr. F. White). I believe that the member for Lewisporte was making a point that the Premier's executive assistants in certain parts of the Province - with which I am not familiar - were doing perhaps the jobs of M.H.A.s or were assisting M.H.A.s. My question to the Premier is about the use of the government buildings, both in Corner Brook and in Grand Falls. Now I know that the Premier's Office in Corner Brook has been used by the member for Bay of Islands (Mr. Woodrow) almost constantly, and I would expect that the member for Bay of Islands has secretarial help in that particular office as well. I do know as well that the former member for St. George's - I am not talking about the past one but the one before that - had an office in Stephenville Crossing and then when the last member for St. George's, not the present one, became the member, because that office was set up there and she knew about it, she went to the government and they said, 'Yes, you can use it as well.' What I am asking, Mr. Chairman, is whether some members in this House of Assembly who are trying to look after their districts can have extra help and others not and whether the Premier's Office in Corner Brook can be used by, for instance, myself

MR. HODDER: or any other member from the West Coast? Now I expect that perhaps the member for Bay of Islands (Mr. Woodrow) will have some competition now since there are some other members there who probably want to be using it themselves. But I feel that if certain members of this House of Assembly who are trying to represent their districts and who have only secretarial help or whatnot and the use of telephones and that sort of thing here in the Confederation Building but yet spend most of the year outside, why cannot we, as well, have the same privilege? After all, Mr. Chairman, we are representing districts and there are fifty-two districts in this Province, and I think that any member in this House of Assembly should have the right to represent that district with whatever tools or conveniences that any other member has. Whether a member be on the government side or on the Opposition, he should certainly have the right that if one member can make use of an office in Corner Brook then another member should have an office and secretarial help in Stephenville. And I would like to ask the Premier just exactly what happens in these particular cases and whether the same sort of arrangement is prevalent in Grand Falls?

MR. CHAIRMAN: (Butt) The hon. the Premier.

PREMIER PECKFORD: I just want to answer a number of questions before too many people get up, Mr. Chairman. First of all, the member for Lewisporte (Mr. F. White), his comments as related to the Premier's Office in Central Newfoundland - I tend to agree with his perception of the situation. I am in the process of changing that. The present Speaker of the House (Mr. Simms) did have an office in Grand Falls and there were two other people. Up until a month or two ago there were three people in that office. As of now there are two and there will not be any more than two, and these are Mrs. Shea, who will now be the chief person there in the Premier's Office and another lady who acts in a secretarial capacity. There has been an office in Botwood for a number of years. I do not intend to continue that practice but I have not had an opportunity - we are in the process of streamlining it and trying to make some changes and they have not all been made yet.

PREMIER PECKFORD:

I tend to agree with the members for both Lewisporte (Mr. F. White) and Port au Port (Mr. Hodder) on this point. If backbenchers on the government side are going to be entitled to certain privileges in certain areas of the Province, well, other backbenchers should also have that privilege.

In the case of the member for Bay of Islands (Mr. Woodrow), for a couple of years the member for Bay of Islands had additional responsibilities as the former Premier's assistant there and it was in that capacity that he used the office, not in his capacity as the member for Bay of Islands. But I agree with

PREMIER PECKFORD:

the hon. member wholeheartedly that you cannot make chalk of one and cheese of the other. You cannot, just because you are the party in power, use government offices for backbenchers to further their own political interests in their particular districts. If they have special duties, special responsibilities by government fine and dandy, they use it for those purposes and nobody can argue with that. That is fine but they cannot do it otherwise, in my view, and hence I was not aware of the situation in Stephenville Crossing, I did not know there was such an office until the hon. member just brought it to my attention. What I intend to do and am in the process of doing, is trying to streamline, keep the positions, one or two like in Grand Falls, that will be the Central Newfoundland office. So there will be that presence there.

For example, in the Grand Falls office there now, if the member for Windsor - Buchans (Mr. Flight) wants to have a meeting in Windsor, or some people from Windsor and he does not have a place to use, I offer the hon. member or any other hon. members on the opposite side the right to go and use that office - I will have to put that in some kind of letter so that you will not have any problems with the staff or something - to use that office there or any other government office in that building for that purpose, for those meetings which have to do with your job as a MHA. I see nothing wrong with that and would very much extend the same courtesy to other members in that area, either in Corner Brook or Grand Falls or wherever else we have buildings.

AN HON. MEMBER: (Inaudible).

PREMIER PECKFORD: Yes, you will get into that.

MR. F. ROWE: (Inaudible).

PREMIER PECKFORD: Well I am just saying I do not have a building in Whitbourne yet and so therefore I might not be able to help the hon. member for Trinity-Bay de Verde (Mr. F. Rowe). But all I am saying is where there are existing buildings I believe that if there is space, as, for example, in Grand Falls, the Premier's office where there is a

PREMIER PECKFORD:

big office, or some room and you need to have a meeting, well then any member of the House, in my view, can use that space and I will be prepared to make it available in that way.

But the whole question of staff. There will be a Grand Falls office because there is a building there and there is an office there and there are two people on staff who can do some valuable work for people. And hopefully, after the House closes, as we move around the Province with Cabinet meetings and so on, we will use it more extensively than it has been in the past. And the same way in Corner Brook. I do not intend to extend it any further at this time because we are in a restraint period. That is number one reasons. Number two, I do not know if it is wise or not to do so. I will have to think about it and watch to see how those two offices work before I would think about expanding it any further.

But the third point I would like to make on that because the member for Lewisporte (Mr. White) has on many occasions expressed some views about members and their districts, as I think most members are aware, there is a proposal which I think is going to be adopted by both sides as it relates to—when we get to legislative — the present financial remuneration to members, and the proposal that I put before the Leader of the Opposition was one, a percentage increase of a remuneration in line with everybody else in the public service. But, and more importantly, an independent three-man group, committee, commission, I do not care what you want to call it and we all agree on who those three names should be, together will study from now until the end of October the whole condition of MHAs, their financial remuneration, the condition of their districts, if you will, in a sense of, should they all have an office or not and bring in a report to us and that independent report then, the recommendations can be implemented because it is totally out of the purview of us doing something selflessly for ourselves and it is quite credible in the eyes of the people whom we serve. And that is the way I would like to do it. And if that commission comes in with the recommendation to have offices for members in their districts,

PREMIER PECKFORD:

I think it might be a good move to go that way. But in the absence of that being there I am quite free to provide to the people on the West Coast in the Sir Richard Squires Building, in the provincial building at Grand Falls, members on both sides of the House, backbenchers and so on the opportunity to use those facilities. Grand Falls will continue to have a Premier's office with two people. There are now two people in Corner Brook and that will continue. Otherwise, it will become very streamlined and very accountable in writing, the number of phone calls, the number of letters, what they are actually doing. And if it shown that they are not doing anything then they are no longer going to be working.

MR. WHITE: What about Springdale?

PREMIER PECKFORD: At Springdale in my own district? I do not know what I am going to do there yet. I have been delaying making a decision on that for obvious reasons. It does not look very good. I do not know how to handle that.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: (Butt)

The hon. member for Lewisporte.

MR. F. WHITE:

I just wanted to ask one or two questions

relative to what the Premier has just talked about and that is in connection with Mr. Billard. I would like to ask him what happens to Mr. Billard who is now in Botwood, Mr. Din Billard? And I would also - and I do not want to be nit-picking in this regard but I would also like to know if Mr. Billard was paid while he was running my opponent's campaign this time around in Lewisporte district? He was a full-time campaign manager there and I just wondered if he was still being paid by the government while that activity was taking place? And the same thing would apply to the present Speaker and Mr. Billard during the leadership campaign.

MR. CHAIRMAN:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Chairman, on both counts they did

get a leave of absence in writing because I remember distinctly, especially in the case of the provincial election, I remember distinctly that the letter was communicated and I was also aware of it in the leadership because I made it my business to find out because I was one of the opponents of whom he was speaking.

MR. WHITE:

(Inaudible) Mr. Billard.

PREMIER PECKFORD:

A good question and I have to talk -

I think Mr. Billard is presently on holiday and I am going to be discussing the matter with him when he comes back off holiday.

MR. F. STAGG:

Mr. Chairman.

MR. CHAIRMAN:

The hon. member for Stephenville.

MR. F. STAGG:

Thank you, Mr. Chairman. My nemesis

over there is trying to upstage me again. I think we are on the Premier's office. This is the Head of expenditure we are on. There have been some irrelevancies, one of which was the irrelevancy brought up by my colleague from LaPoile (Mr. S. Neary) concerning whether the Premier is going to discipline his members or he is going to crack the

MR. F. STAGG: whip or whatever and he alluded to my threatening the public service. That is a question of interpretation, so I would like to set the record straight for, I think, the fourth time. My dissatisfaction with the public service is directly as it relates to their activities in the Stephenville area and that Stephenville historically has been an area that has been approached very cautiously by both the public service and politicians. There have been a few disasters in the Stephenville area commencing in 1966 when the then Premier, that is two Premiers ago, brought in forty-five industries none of which came to fruition and then a linerboard mill which was a debacle. And it is my contention that the difficulties that were surrounding these industries have permeated the mentality of the public service and the things that are proposed for the Stephenville area are met with a certain negative reaction. So, it is that mentality that I am attacking and I will continue to attack. I will not attack individuals because I realize how it has come about and I thank the hon. member for giving me the opportunity to say it again in front of some of my constituents, which, certainly is a welcome opportunity.

As far as the negative attitude in the public service is concerned, I say it is there and I say it has to change. I also say that it is possible that there is a negative attitude among some political figures in our Province, that may be on both sides of the House. It is my job to change it and that is what I was elected for and that is what I intend to do. But the hon. member to point me out as some kind of ogre who is out witch hunting, that is not what it is. I am representing my district which I intend to do and I intend to do it to the best of my ability which I have done for some considerable time now. And the hon. member's dubious tactic of trying to paint others as he probably is himself, is not going to work.

MR. NEARY:

Mr. Chairman.

MR. CHAIRMAN: (Butt)

Order, please!

I have been advised by the Speaker that there are no items for the Late Show this evening.

The hon. member for LaPpile.

MR. S. NEARY:

Mr. Chairman, I am not sure if I heard the hon. member for Stephenville (Mr. F. Stag) correctly. I am not sure, Sir, if I - I could not believe what I was hearing. The hon. gentleman says that he was elected to try to correct the mentality and the attitude of the public service in Stephenville, that is one of the reasons why the hon. gentleman was elected. Did the Premier hear that statement? The hon. gentleman must have quivered and shaken in his seat if he did.

Mr. Chairman, the hon. gentleman was not elected for that purpose. There are other people who are appointed for that purpose. And if the hon. gentleman has any grievances or any complaints or any beafs with the public service then he should go through the proper channels and not to try to attempt to discipline the public service in Stephenville himself as he just said he intended to do. That is one of the -

MR. F. STAGG:

Point of Order, Mr. Chairman. It is not the public service in Stephenville I am talking about.

MR. S. NEARY:

The hon. gentleman said, "I was elected -" not -

MR. CHAIRMAN:

Order, please!

MR. SIMMONS:

'Steve', do not forget he did straighten out the Premier, he says, "On March the 17th". Remember on television?

MR. CHAIRMAN:

Continue.

MR. S. NEARY:

Mr. Chairman, I raised the matter and then the hon. gentleman, Sir, the hon. gentleman spends all of his time on his feet not talking about the Premier's salary and the Premier's opinion and the Premier's attitude but decides to unleash an attack on me when we are debating the Premier's salary. It is not

MR. S. NEARY: my salary they are debating, I am not Premier, I would like to be Premier but I am not. The hon. gentleman's attention should be directed to that side of the House. We are discussing 02-01, the Premier's salary, and not unleash a personal vendetta and an attack on me because I have raised certain matters in reacting to a statement that the hon. the Premier had made a few moments ago when he said that

MR. NEARY: everybody in the public service must be happy, must be smiling, must have a happy face. Well, Sir, if you have the salary and you have the fringe benefits and you have the hours of work and you have the working conditions and you have a good minister who will not try to ride roughshod over you, who will not say, "If I cannot get a cabin built on the Salmonier Line because there is a freeze on down there, a freeze on the Salmonier Line on building Summer cabins, but if I am minister" - Let us say, Mr. Chairman, for argument's sake now, just for argument's sake, that I am minister of Municipal Affairs -

AN HON. MEMBER: (Inaudible).

MR. NEARY: No, Municipal Affairs, that is a good heavy department, and I want to build a cabin on the Salmonier Line and there is a freeze on and I cannot get the permit, well I will say, "I am going to get it anyway because I am minister of Municipal Affairs", and the next thing you know, lo and behold, I got the permit, up goes the cabin, everybody else turned down. Now, how would you expect, Mr. Chairman, I ask Your Honour, how would you expect the public service, especially those who know that there was a bit of underhanded work and a bit of skulduggery went on in getting that kind of a permit - how would Your Honour react to that if Your Honour was a public servant in the Department of Land and Forests, and go to your colleague and say, "Look, Mr. Minister, as your colleague I have been turned down. I cannot have my permit because there is a freeze on. Will you get me the permit?" And the minister says, "Yes, I will get it for you, here it is. We are not paying any attention to the public service, go out and build your cabin and enjoy yourself." Now, is that the way to make the public service happy and make them all smile, is that the way to do it? Does Your Honour think that these are all hypothetical cases I am using. I could go on, Sir, I have a list down in my office the length of the Chamber here. I did not

MR. NEARY: know this was coming up this afternoon. I did not know the hon. the Premier was going to ask everybody to go around Confederation Building with a smile on their faces and look happy. I did not know he was going to raise that, because if I did I would have brought up a number of classic examples of where ministers in a highhanded way with a heavy hand have gone in and threatened public servants in their own departments and in other departments and in Crown corporations and in agencies of the government - just sulking, wanted to get their own way. And, Mr. Chairman, let us talk about the land freeze here in St. John's East, or in the greater St. John's area, not in St. John's East although that would be a good one for me to talk about in St. John's East Extern, but I am not going to talk about that - the land freeze. Is my hon. friend aware, who wants the public service to be happy and smiling all the time, is my hon. friend aware that some of his ministers who are still - I am not talking about the past, I am talking about the born-again regime, the born-again government, who still have some of these ministers sitting on the benches, who have said, "Look, my son, if you want that freeze - if you want to build a house, I will see that the freeze is lifted" and the freeze has been lifted in certain cases the houses have been built and no permit given yet and no action taken either. Is that the way to make the public service happy and have a nice little pleasant smile on their faces? I notice the hon. gentleman when he was reacting to comments from this side of the House deliberately steered away from my comments that I had made previously, when I asked the hon. gentleman if the hon. gentleman was going to start with his own Cabinet, with his own ministers, and say, "No more of this bulldozing the public service around, no more hiring so and so's son or so and so's daughter, go through the public service the same as everybody else. No

MR. NEARY:

more of this promoting on the basis of what society you belong to or whose inlaw you are, no more of that foolish nonsense. Is that what the hon. gentleman means when he says that the public service will be happy, should be happy and should be smiling? Because if that is what the hon. gentleman means then he has my backing and my support and my blessing. But it is going to take a strong Premier to do it. And the first time that a minister steps out of line, who does not conform to that kind of clean, decent politics, the first time he steps out of line he should get the boot as an example to his colleagues. That is the kind of thing - now we are getting somewhere. If we stay on the Premier's salary long enough I tell you we are going to get somewhere this afternoon. It has been very worthwhile so far. The hon. gentleman told us a few moments ago that we are going to get an independent commission to look at member's salaries, their expenses and their allowances and whether or not they should have district offices - yes?

PREMIER PECKFORD: That is not new. (Inaudible).

MR. NEARY: I know it is not new but, I mean, I commend the hon. gentleman for it because I think it is a good idea, not that I want to get an increase - I could stand one - but I think it is the right route to take. It is the right way to go. Do it clean.

AN HON. MEMBER: You could send it back.

MR. NEARY: I would not be like the hon. member for St. John's North (Mr. J. Carter), I would not send it back. I would not be that hypocritical. The hon. gentleman must really have had pangs of conscience when he did that. And judging by his track record and his attendance in the House, now I know why he sent it back - that is the increase.

But, Mr. Chairman, I would like to have the Premier's reaction to my few remarks about, how you get that pleasant look, that happy face and that pleasant smile in the public service and when you walk through Confederation Building it is heaven on earth? Everybody is happy! And everybody in the House of Assembly is so happy that you feel like going over and grabbing the member for Humber

MR. NEARY:

East (Ms. Verge) and waltzing her around the floor. Everybody is happy! But the only way you can make everybody happy is to start at the top and do away with the iron heels and do away with this idea of threatening a public servant if you cannot get your own way and sulking and then issuing instructions contrary to the law. Mr. Chairman, if I wanted to I could name names in this House.

That just reminded me of something. The hon. former Premier (Mr. Moores) - we are on the Premier's salary - the former Premier, not the former former Premier, the former Premier reacting to a few remarks I made in this House yesterday said that I was crazy. Well, if the hon. gentleman wants chapter in verse, if the hon. gentleman wants documents and witnesses I will be glad to provide them, would be very happy to, about the EPA takeover and the Linerboard Mill and the renting of space down at Atlantic Place. And when I get on my next ten minutes, Sir, I have a few questions I want to put to the hon. gentleman about the home on the hill, Mount Scio house, not in a critical way, not criticizing the hon. gentleman because the hon. gentleman, I believe, has been criticized enough and made a little bit of a goof. That was the first blunder. I did not fan the fire because I figured the hon. gentleman was smarting enough under the criticism he was getting anyway. But I do have a few questions about that house that I want to ask and a few questions about some of the decisions that were made by the former Premier, when the hon. gentleman told us before the House was resolved that he was reviewing certain decisions made by the former Premier. Well, I want to try to find out what these Orders-in-Council were, the final days.

MR. CHAIPMAN

The hon. the Premier.

PREMIER PECKFORD:

There has been a wide-ranging discussion, some of it not too relevant to, I guess, the Premier's office. Some of the matters that the hon. member for LaPoile (Mr. Neary) is now raising will not really be relevant to this aspect of it but will be, I guess, under Public Works and other subheads which will come up.

PREMIER PECKFORD:

And I understand that there are questions on the Order Paper dealing with some of the matters that the hon. member just raised.

The only thing I would like to respond to now very briefly, Mr. Chairman, is simply that in the whole business of reviewing the public service and putting a freeze on the public service, on hirings and trying to determine the priorities of departments where additional staff are needed and trying to make the government more efficient and the departments more efficient, I think a part of that whole programme, a part of that whole policy, a part of that whole concept, must be that people must be at least relatively happy at what they are doing, and not only that, they must recognize - and I think if somebody gets harboured in this building very long in the bowels of the bureaucracy and the labyrinth of paper which one can find in the catacombs of the ground floor of the Confederation Building, I guess after a number of years it can become a rather gray, dull place and one can get insulated from the people outside who really have a tiny, little problem about getting a birth certificate or about getting some other thing through the system. And being an outport member, Mr. Chairman, and having to go through that myself - I can remember, as a matter of fact, Mr. Chairman, in 1973 I think I spent - oh, I do not know - a week and a half or two weeks down in the - well, the Crown Lands was on the ground floor then, the Registry, and I spent almost three weeks down in Crown Lands in behind the counter, just bulled my way in behind the counter, going through piles of files looking for the name of my constituent who was in the pile and taking the file out and putting it on top to insure that it might get considered within the next six months rather than the next thirty-six months. And very often, I am sure, a lot of other members on both sides of the House and citizens must have that same kind of experience. I know what it is like walking in there. And somehow or other we have to try to instill into the people who work and who are on the front lines, as it were, of a number of departments where citizens are coming to see them every day that they have to be

PREMIER PECKFORD: more responsive and more positive in their attitude and try to be efficient and businesslike and help as much as they can. I think if there is not that sort of esprit de corps - and I think it is time for us to review that in the whole public service - then we are not going to get the job done that we were elected to do and that we have as ministers or whatever. That is an initiative that I want to pursue and in my meetings with all the departments which I have arranged over the next six or seven weeks, one of the principles which I will be saying is that one, that I want to see the senior staff meet with the rest of the staff of departments and say, 'Look, here are a number of principles that the Premier and the ministers feel very strongly about. You had better start being a little bit spryer when you start walking up and down the corridors and you had better start being somewhat more courteous if you are not already in the way you handle 'phone calls, mail and people as they come in. And it is just that whole thing. I think we have gotten away from it.

I know, many times when I was in my constituency during the Summertime when the House was closed and you called in to Confederation Building to try to get an answer to a question - and I am sure I am speaking on behalf of a lot of rural members now - sweet Moses! it took you two or three days to get an answer to a very simple question, first if you could find somebody and secondly then, if after you found somebody they did not refer you to somebody else or told you that they would let you know and then they never did phone you back or let you know. And having gone through that the way I have, I suppose I am in a better position than a lot of members are, now being Premier, to still remember those dark days and to try to make those changes and make the whole system work a tiny bit better than it is right now. It is that kind of thing that I want to do. Perhaps it is being somewhat naive to think that it can be done in such a large bureaucracy, but - am darned well going to try, Mr. Chairman. And the ministers, all of whom are happy and courteous and co-operative and positive and optimistic and not using the iron hand, are going to assist me in that great endeavour

PREMIER PECKFORD:

over the next three or four years.

MR. CHAIRMAN: (Butt)

The hon. the Leader of the Opposition.

MR. JAMIESON:

Mr. Chairman, it had not been my intention to participate this afternoon, but I apologize to the House and to the Premier for having been absent when he indicated his intentions with regard to services and the like for members. I think I ought to record that like the member for LaPoile (Mr. Neary) has said, I am, as he knows, in full agreement with this and I want to take advantage of this opportunity to say that I think that this is something which is long overdue,

MR. JAMIESON:

that I find it not only in this jurisdiction but in many places that we fail miserably to realize that, in fact, elected members, whatever party, whatever side of the House are indeed in every sense of the word individual ombudsmen and they have a responsibility to their constituents. It was such a responsibility to the distinguished mayor of Come By Chance who happens to be in the gallery right now that brought me out of the House this afternoon. But the situation is that unless the public is aware that the member needs a great deal more by way of back-up support and the like - I am not sure, for example, if there is any awareness in the country. I doubt very much if there are half a dozen people outside of this room who realize that there are members of this House who are, two and three of them sharing secretarial help, a situation which went out of vogue at the lowest echelons of any kind of position, donkeys years ago, and yet we find ourselves still in that position. But I merely wish now to reaffirm that I agree with the process and the Premier has been good enough to say that he will consult with me as to the makeup of the commission and I will have some suggestions to make in that regard.

It so happens, also, that the matter which was being discussed as I walked back into the Chamber, namely the responsiveness of the bureaucracy, if that is not becoming an overworked word, is also something on which I feel very, very strongly. I have had an enormous amount of experience in trying to deal with public servants at all levels of government and there is no question about the fact that the problem arises in many instances because our system is so rigid. And I do not say this critically of anyone, I am simply talking now in general, if you like, philosophical terms, far easier sometimes for an official to fall back on the book than it is to use his common sense or her common sense.

There is a story I am fond of telling in this regard which really sums up in a couple of lines the kind of reaction that I find the public gets. It is the story of a chap going into a side diner on the side of the highway and saying to the waitress, I will have a cup of coffee without cream. And she said, "We do not have

MR. JAMIESON:

any cream, you will have to have it without milk." So it is that kind of total logic that sometimes causes so many problems with regard to the relationship between people in the field and the elected representatives. I had reason a couple of days ago to enquire of the Minister of Municipal Affairs (Mr. N. Windsor) about RRAP or rural housing and so on. I have no fault to find with the intentions of that programme. Whether they are federal or provincial is not the point. But I tell you that in my own village where I live to sit with a lady of sixty-two or sixty-three years of age, a widow and to try to explain to her that the point system has been calculated in some way by an official who, I have not the slightest doubt if he were brought before the bar of the House, could defend himself totally that he was doing the normal thing, but while I am talking to her she has to move the bucket because another leak has come down through the ceiling. And it is pretty hard in those kinds of circumstances to tell her that she is going to have her coffee without milk instead of without cream.

So, therefore, I hope in the commendable efforts which the Premier has indicated and which I am sure everyone here fully supports, the ultimate objective is to try to get some kind of responsiveness and I quite agree, by the way, with the member for LaPoile (Mr. Neary) about it originating at the top. If there is a tendency for those who direct ministries and the like to themselves become too bureaucratic, to require too much by way of going by the book as it were and all of the other ramifications of that, then it tends to permeate. And it is, I think, one of the unfortunate developments of big government, whether one is talking big in a small Province or whatever, that there is this proliferation which tends to get us out from under the realization that the minister is

MR. JAMIESON: the ultimate responsibility in our form of government. He has the ultimate responsibility, And I believe one of these days very soon, both here and elsewhere, we are going to have to look at and perhaps the Premier might want to do this, as to whether or not, as has been recommended in some other jurisdictions, that some of the top public servants should not be, for instance, removed to some degree from the protection that our constitutional system affords. In other words, I have every sympathy with ministers who sometimes find themselves of necessity getting up and defending actions either of which they were not aware or which were improperly interpreted and, yet at the same time, it is not possible under our system to, in a sense, put the responsibility where it belongs. I will not go too deeply into this subject, because, as I said, it is more of a general feet-up kind of talk about where government is going, but I can assure the hon. the Premier and members opposite and on this side too, that whatever we do is going to be an abysmal failure in terms - I can see it in the fishery, I can see it happening right now, through nobody's fault in a sense, once again, except the system where we are locked into a whole series of contradictory regulations, some of them are provincial, some are federal. I hope the new era of love and peace and blessing that is going to go on between the member here, the minister here and the minister in Ottawa, is going to solve all this, but I can tell him it is going to be a frosty Friday before it happens. But, nevertheless, the number of people who come to me week after week after week and say, "Look, this makes no sense that, just to use an example, if the boat is 29.5 feet I am alright, but I happen to make a mistake and I got an extra half an inch or three or four inches on the bow or something or other and now I am into six months of wrangling with a whole series of public servants or whatever in order to try to get the thing resolved". That is the sort of thing, as I say, that I had not intended to introduce

MR. JAMIESON: this afternoon, but since I came in in the middle of it it is as good an opportunity as any to say that, while I have the profoundest respect, by the way, for many in the public service and have had the opportunity of dealing with them at many different levels, there is this constant necessity to remind them of the two words, civil and service. That is basic, because if they are not civil and if they are not servants of the people whom they were employed, engaged to deal with, then, of course, the whole system falls apart. So, I reiterate in sitting down, Mr. Chairman, that I hope that we can get on with the assessment of the assistance for members of this House so that we can do our jobs better, but also I would welcome the news that we are seeking some kinds of reforms within the public service itself.

MR. NEARY: Mr. Chairman. /

MR. CHAIRMAN: The hon. member for Lapoile.

MR. NEARY: Mr. Chairman, does the hon. the Premier want to react to anything?

PREMIER PECKFORD: No, (inaudible).

MR. NEARY: Well, as I indicated, Sir, when I ran out of time - this ten-minute bit, I do not know, you cannot get -

MR. SIMMONS: It is a chance to get your breath though.

MR. NEARY: Yes, that is true, it gives you a chance to recharge, get your batteries recharged. You would be far better off if you could say it all in one fell swoop.

Mr. Chairman, what I want to ask the hon. gentleman now, the hon. the Premier, while we are on his salary -

MR. SIMMONS: You sound a lot better serialized anyway.

MR. NEARY: Is that right? But it is hard to maintain the continuity, you forget where you left off and it must look awful in Hansard when you are trying to finish a speech in eight or ten instalments, you know, you just cannot pick it up.

MR. NEARY: I want to ask the hon. gentleman if he would give us a little bit of information on the decisions, some of the decisions that were made in Cabinet by his predecessor in his final days. The hon. gentleman told us before the House was dissolved there were a number of matters, the hon. gentleman said, that were being reviewed by him, meaning the present Premier, before the election was called, and that the House and the people of this Province would be told in due course what these matters were. Well, up to this very moment we have not been told what the present Premier had under review, or has under review. We know that the \$30,000 that Mr. Moores voted to himself, we know that was approved.

AN HON. MEMBER: Who?

MR. NEARY: Mr. Moores voted himself \$30,000 and that apparently was approved as the hon. gentleman told us it was being reviewed. Apparently since that time, it has now been confirmed. It has now been confirmed and both former premiers -

AN HON. MEMBER: (Inaudible) - forecast.

MR. NEARY: - well, that is right, both former premiers are now getting \$30,000. Is that correct?

PREMIER PECKFORD: I forget the figure off the top of my head, but there is a policy -

MR. NEARY: Oh roughly. It amounts to roughly \$30,000 a year.

PREMIER PECKFORD: Whatever it is, there is a policy for former premiers and they are both being treated the same, you know.

MR. NEARY: Well, what I want to know, Sir, the hon. gentleman was kind enough to give us that bit of information, would the hon. gentleman now be so kind as to tell us what other decisions made in the final days are under review, if any,

MR. NEARY:

or have they all been resolved to the satisfaction of the hon. gentleman?
Does the hon. gentleman get the question?

PREMIER PECKFORD: Oh, I cannot stand up until the hon. member sits down.

MR. ROBERTS: No, the hon. the Premier should not but I certainly
hope he can.

PREMIER PECKFORD: One is able but one tries to use -

MR. ROBERTS: One may have when one is able, the Premier is able, have at it.

PREMIER PECKFORD: Yes.

MR. CHAIRMAN (BUTT): The hon. the Premier.

PREMIER PECKFORD: I must recognize, Mr. Chairman, that there are
a number of very fine distinctions as it relates to verbs that we
use frequently in our discussions. Mr. Chairman, most of the issues
that the hon. member for LaPoile (Mr. Neary) refers to; I think one
had to do with the issue of the freeze on salmon rivers in Labrador
I think at that time in the House, has been resolved. I think the freeze
was reapplied because we did not think there there was sufficient information
to selectively unfreeze or melt certain geographic regions of Labrador
over others and that we had to consult with the local people and so on
so that the freeze is back on there again as I remember it.

What other issues were there. There were
other issues at the time, Mr. Chairman, which have sort of been taken
care of now as it related to a decision which I wanted to get involved
in. I am trying to think off the top of my head. The salmon river one
comes quickly to mind. There was - I cannot remember. I do not know
if the hon. member for LaPoile (Mr. Neary) can remember specific questions.

MR. OTTENHEIMER: The Action Group one.

PREMIER PECKFORD: Yes, the Action Group was another. The offices
of the Premier around the Province was a third one.

MR. SIMMONS: The Atlantic Place lease review.

PREMIER PECKFORD: The Atlantic Place lease and contract has been
reviewed, was reviewed in May and it is a firm lease and so on, so
we will live up to the terms of the lease that was signed.

MR. SIMMONS: There has been no change.

PREMIER PECKFORD: No. There might be slight changes. We went back, I think, on a number of items in the lease where, I think - the Minister of Public Works (Mr. Young) is shaking his head in affirmation. There were a number of areas in the lease that we went back for questions on and where we were able to get, I think, somewhat a better deal but it was on a very small amount of space and so on than had been negotiated or whatever. So all that has been reviewed and what could be done was done sort of thing and that can be tabled.

I am just trying to remember others, Mr. Chairman. There were a couple of other issues. Oh, the other one that I wanted to get involved in was the cabin at Adlatok and the cabin at Gander River. Of course, it has been in the press since. The Minister of Public Works (Mr. Young) has issued a statement I think. We tendered the cabin down on the Labrador Coast, the Adlatok one and that has been sold to the highest bidder. Tenders were called on the Gander cabin but we only got one. So I think we have retendered again or are in the process of retendering again to see if we can get a better deal on that. A number of people stopped me about that Gander cabin and apparently they had a job to get in to take a look at it, those people who might be interested in bidding on it because all the helicopters were taken up during the election and they could not get a helicopter to fly them in to the cabin. At least, that is what the excuse or the reason that a number of people used who approached me and told me that was the reason why -

MR. ROBERTS: That is bad. The Premier (inaudible).

PREMIER PECKFORD: That is what they told me anyway. So a lot of the helicopters were tied up by different politicians, yours truly included. So we retendered that and hopefully we will get a better deal and get higher tenders so that we can realize a greater amount of revenue than the one bid was. I am sure that somebody could make a good tourist development out of that area there if they went about it the right way.

MR. WHITE: The salmon is the only problem.

PREMIER PECKFORD: Yes, one problem is the salmon, exactly. I agree.

MR. WHITE: (Inaudible) come back.

PREMIER PECKFORD: I hope, Sir, that will come back. But in any case I do not know if there are any others outstanding.

MR. CHAIRMAN (BUTT): The hon. member for Burgeo-Bay d'Espoir.

MR. SIMMONS: Mr. Chairman, two or three quick points. One in reference to a point that the Premier just made. So far as Atlantic Place is concerned, perhaps the Premier when he rises again might clarify why there was no appreciable change in the lease. Was it because the government had no choice in the matter, that it was a legally binding matter or did the government feel it was the best deal we could have gotten? Perhaps he could address himself to that, to the question of the desirability of the kind of lease that was entered into by the previous administration. I think the Premier has my question there so I will just move on before sitting down.

The matter I raised earlier, the Premier responded to in part, that was the status of the leadership candidates during -

PREMIER PECKFORD: I answered that.

MR. SIMMONS: I heard the Premier answer that but what he said in effect was

MR. SIMMONS: that the former Premier's reason had to do with absenteeism, that if a member of the Cabinet were out of town because of his leadership pursuit then they had somebody else acting. Now the quotation - and I have it from The Evening Telegram of February 21st - it quotes a spokesman for the Premier's Office and it says in part - and I read this sentence since it is perhaps most germane: "Mines and Energy Minister, Brian Peckford's post has been transferred to Wallace House." And, you know, my real question is, Was the present member for Humber Valley (Mr. House) the Minister of Mines and Energy at that particular point in time or was he the Acting Minister of Mines and Energy? Because the clear impression was given by the former Premier that these leadership candidates had been relieved of their portfolios during that period of time.

One other point that I am not sure the Premier responded on. I really would genuinely like to hear something from him on the home ownership programme. I had to leave the House, and co-incidentally, I guess, the very matter I left the House on was to meet with two people from the Avalon Peninsula - not in my constituency at all but a couple of people from one of the government members' constituencies as it happened - who wanted to talk to me about the home ownership programme. One of the people has a house partly constructed. And I am not sure if the Premier responded on that point, but it is a matter of quite genuine concern, and as I said to him the other day in reference to the Upper Salmon hydro development, it becomes a matter of credibility for him and his administration. There are a number of people now who are quite disturbed, and not only disturbed but quite in a bind financially because of this \$1,500 commitment as it was understood. I must say to the Committee, that is the way I understood it. If I had been a home builder at the time I think I would have construed it that way and made my budgetary plans accordingly. And I wonder if the Premier would see fit to address himself to that particular one, too.

MR. NEARY: Mr. Chairman, the hon. gentleman is making notes so I want to flick a couple of questions at the hon. gentleman.

MR. CHAIRMAN: (Butt)

The hon. the member for LaPoile.

MR. NEARY:

Because it is now 5:30 P.M. and when the hon. gentleman gets up he may want to answer all the questions at the same time.

I was rather taken aback to hear the hon. gentleman say that one of the matters under review by him was the Atlantic Place leasing agreement. Now, the reason I was taken aback, Sir, I thought that was cut and dried. I thought the ink had gone on the agreements and that they could not be reopened. And we have never been able to see, by the way, what kind of an agreement they have with Atlantic Place. I do not believe it has ever been tabled in this House, has it?

AN HON. MEMBER:

I think it has.

MR. NEARY:

The agreement has never been tabled.

AN HON. MEMBER:

I think so.

MR. NEARY:

No, not to my knowledge. At least, I have not seen it. It may have been tabled but I have not seen it. There was such chaos and confusion before the election was called that, you know, the whole roof seemed to be caving in and we do not know what we got or what we did not get. But I have never seen that agreement and I am going to ask the hon. gentleman now if he would table it. And I am sure the hon. gentleman will because he has this attitude of being decent and honest and a man of integrity, as I keep referring to the hon. gentleman, a born-again Premier, a born-again government, I am sure the hon. gentleman will give us the agreement. But I would like to know, Sir, how in the name of heaven the hon. gentleman managed to renegotiate some of the terms of the agreement if it had been already signed. Was it signed? Did the owners agree to reopen the agreement and then sign a new agreement? Is that what happened?

PREMIER PECKFORD:

I will explain.

MR. NEARY:

There was not an agreement?

PREMIER PECKFORD:

I will explain it to the hon. member.

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MR. NEARY:

Yes, because, I mean, it needs some explanation. Because if the hon. gentleman got

MR. NEARY: better terms and conditions, well, then certainly the hon. gentleman should be commended. But the hon. gentleman should also explain in the next breath how we got such bad terms and conditions in the first place. Because, Mr. Chairman, I have my suspicions, Sir, as I indicated to the House the other day, that there is too much of a coincidence, and I do not care if Mr. Frank D. Moores, by the way, Mr. Chairman, who should not be referred to ever again as hon. because he is not the hon. Frank D. Moores, not because he is dishonourable, but he lost his title when he lost the premiership of this Province. He is no longer hon., he is just ordinary Frank D. Moores. He is not like Mr. Smallwood, the Hon. J. R. Smallwood, P.C., the reason he is hon. is because he is P.C. - Privy Councillor. That is why he is hon., and I understand my hon. friend carries his title for life. They are automatic. While I am on that subject, you know, Mr. Chairman, I have to say this and I am glad my hon. friend, the member for the Straits of Belle Isle (Mr. E. Roberts) is here, because I am sure he is more of an authority on what I am going to say than I am -

MR. ROBERTS: At least I hope I am still (inaudible).

MR. NEARY: Well, the hon. gentleman keeps referring to his counterpart, the Government House Leader, as my learned friend, and what are we, unlearned friends?

MR. ROBERTS: Well, if the hon. gentleman will yield for a minute.

MR. NEARY: No, I will not yield, I will yield - I want to say right in the presence of my hon. friend, who is such an authority on these things, a walking encyclopedia on the Privy Council and history and so forth, and I want to say it in front of my hon. friend, the former Prime Minister, Mr. Trudeau, no, the Governor General the Governor General offered the former premier of this Province the highest award available in Canada, the Order of Canada, and I am not an expert -

MR. ROBERTS: Original (inaudible).

MR. NEARY: Yes, that is right, he said - last Christmas they wanted to give him the Order of Canada and the hon. premier told me the story one day and he wanted to know why, because he had a call from this person in the Governor General's office, "Well, because you brought Newfoundland into Confederation, gave us the tenth province, so we want to give you the highest award we can give you in Canada" -

AN HON. MEMBER: (Inaudible) scars of battle.

MR. NEARY: - Yes, he still shows the scars, that is right - in Canada and they were going to give him the Order of Canada, and he said, "But that is not the highest honour".

AN HON. MEMBER: Yes, it is.

MR. NEARY: No, it is. No, Sir, it is not the highest honour.

AN HON. MEMBER: What is?

MR. NEARY: Right Hon. is the highest honour that you can get in Canada and there are two ways you can get it. Now I beg your pardon, Sir.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: It is called the Imperial - you are an Imperial Privy Councillor, an Imperial Privy Councillor. John Diefenbaker is the only living Canadian today who is Right Hon. That is the highest honour you can get -

MR. ROBERTS: I think the hon. gentleman is wrong on that.

MR. NEARY: No, Sir, I am right.

MR. MORGAN: Well, there is Trudeau.

MR. NEARY: Mr. Trudeau, yes, well, let me explain the difference. Mr. Trudeau -

MR. ROBERTS: (Inaudible) John Diefenbaker is the only Imperial Privy Councillor alive, I think that is correct.

MR. NEARY: - and that gives him the title of Right Hon.

MR. ROBERTS: But Mr. Trudeau (inaudible).

MR. NEARY: Oh, wait now, let me explain. The hon. has so much knowledge about this that he cannot wait for me; he is so impatient, he cannot wait for me to finish my explanation. What Mr. Trudeau did when he became Prime Minister, Mr. Trudeau and the Cabinet decided that there would be a title that the Governor General could give. The Canadian government decided Right Hon., but that does not make him an Imperial Privy Councillor, there is a difference. The Imperial Privy Councillor comes from the Queen; the Governor General makes the recommendation to the Queen. The other one is granted in Canada. So the highest honour that you can get in Canada is Right Hon. and that has to be done on the recommendation of the Governor General by the Queen, and that is why Mr. Smallwood did not take it in case the hon. gentleman ever wondered. That is why he did not take the Order of Canada. There are twenty in Newfoundland. They said, we are going to give you the highest honour, there are twenty in Newfoundland, including Harold Horwood, and that was the honour that they were going to bestow upon the hon. gentleman. And if the hon. gentleman ever wants to do something for a former premier of this Province, that is the thing to do. In his recognition of bringing Newfoundland into Confederation or whatever they wanted to recognize him for, make him an Imperial Privy Councillor and then he will be Right Hon. J. R. Smallwood and that is what they should have done.

MR. SIMMONS: They cannot do that here though.

This jurisdiction cannot do that.

MR. NEARY: No, no, but this jurisdiction can, with their counterpart in Ottawa, they can certainly do it and then pass it on to the Governor General, which would not be a bad thing by the way, because the former premier, and one of the questions that I wanted to put

MR. NEARY:

the hon. gentleman. The former Premier -

AN HON. MEMBER: (Inaudible) sidetracked.

MR. NEARY: Yes, I got slightly sidetracked. The former Premier thought it was very unfair that the hon. J.R. Smallwood should sell his house to the government for a dollar and they had no use for it. And in the corridor somewhere, according to the Morning News, Mr. Moores thought they should give him back his house for a dollar. I am wondering if the hon. gentleman had time to check that out during the afternoon when we are doing the Premier's salary. But I will be interested, Sir, in hearing what the hon. gentleman has to say about Atlantic Place. That one intrigues me because we have had so much controversy about the rental of office space in this House and about calling public tenders and about the hanky-panky and about Mr. Moores being clunked down in the middle of all kinds of negotiations of a suspicious nature, wheeling and dealing with the owner of EPA, the owner of Atlantic Place, EPA changing hands, Atlantic Place getting rented, Abitibi being given the Linerboard Mill for a gift, all on about November 16, 1978. And as the gentleman from the CBC says, "But Mr. Neary provided no documents or no evidence. You know, it is just the statements that are made and no evidence." Well what does the hon. gentleman want me to do? Does he want me to give my source of information and have about a dozen people lose their jobs in the process? I know and I can get the facts. I can get names, I can get witnesses and I can get documents and I can get whatever you want on the face of this earth, but first of all I want to know that these people will have the protection of a judicial enquiry of some kind, that these people will have the protection of the law, that they will not lose their jobs by saying that EPA - and maybe contribution is not the right word.

MR. MORGAN: Same old Opposition (inaudible) innuendo after innuendo.

MR. NEARY: Oh, yes. And I know the CBC will say the same thing.

MR. CHAIRMAN: Order, please!

MR. NEARY: The CBC will parrot what my hon. friend is saying.

MR. CHAIRMAN (BUTT): Order, please!

MR. NEARY: But, Mr. Chairman, maybe contribution to SSF is not the right word. If Mr. Moores wants another word I will give him that too.

MR. MORGAN: Same old tactics.

MR. CHAIRMAN: The hon. the Premier.

PREMIER PECKFORD: Mr. Chairman, on the first issue which is common to the member for Burgeo-Bay d'Espoir (Mr. Simmons) and the member for LaPoile (Mr. Neary) having to do with Atlantic Place. The lease was signed on Atlantic Place when this administration came into office and I had it reviewed. The lease was signed so there was no changing that. There was a certain section down - I am not familiar now exactly with the details but I can get them for the hon. member - where either we changed the condition that was attached to that bit of space or we changed it somehow, whether we took it or left it I am not sure now off the top of my head but there was a minor change in it. But there was a lease signed which was a legal document that binds the government into renting so much space. This was just an adjunct or an appendage to it and was in no way impinged upon or made less valid, the overall lease that was signed. We had that checked out with the Department of Justice and other lawyers. So, you know, what the Government of Newfoundland signed to do in Atlantic Place substantially is what we are bound to live up to on, you know, the square footage and the amount of money and so on.

The matter of tabling the lease. I thought it was tabled last session of the House, last Spring. But in any case I will check it out and if it has not been the hon. member for LaPoile (Mr. Neary) can be assured that we will table the agreement. No problem.

On the leadership candidate question that the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) brought up again, the hon. member quoted a story from one of the newspapers that a spokesman in the Premier's office had said that the leadership candidates were no

PREMIER PECKFORD:

longer ministers, well that is just untrue. Whether it was untrue for the spokesman from the Premier's office or untrue for the reporter who wrote the story I do not know. The situation is that the members who ran for leadership were still ministers and in the absence of them being present to sign documents or letters and so on in the various departments, for example, the hon. present Minister of Health (Mr. House) was acting Minister of Mines and Energy but I was still a Minister of Mines and Energy but if I was absent - and that is the way the thing read - then the hon. Minister of Health, as he was then, was acting Minister of Mines and Energy for that period of time and could sign on my behalf and whatever.

The home ownership programme that the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) mentions; we have reviewed the documents, statement of policy that were made during the provincial election and the statements that were made since and they do correspond.

PREMIER PECKFORD: There was a mistake in one - it was just an honest, legitimate mistake and for that, you know, I apologize on the matter of the figures. And I do not think it comes down to a question of credibility, there was an honest mistake made on the figures and that I admit and acknowledge. But the intent and the spirit and the phraseology right down to one of the figures to do with \$1,000 or \$500 or \$1,500, there was a mistake and that I acknowledge. We have checked this through on two or three occasions and that is where it stands right now and the programme is as distributed by the Minister of Municipal Affairs and Housing (Mr. N. Windsor) the other day to the various members of the House. But there was a mistake in the figure - it was just an honest mistake for which we apologize. I think that covers the error.

MR. CHAIRMAN: (Butt) Bay d'Espoir.

The hon. the member for Burgeo -

MR. SIMMONS:

I thank the hon. the Premier once again.

There is a larger question we have not raised in relation to the leadership candidates. In isolation it looks such a small thing but it covers a much wider area. It covers the area of, I suppose, integrity to an extent - perhaps that is too strong a term to put on it, but it certainly raises the question of whether people ought to be receiving remuneration from the Public Treasury for work they did not perform. And judging from press clippings alone, I think it is fair to assume that the member for Bonavista South (Mr. Morgan), the member for Green Bay (Premier Peckford), the present Premier, and others whom I could name - these two are the only leadership candidates who are present in the Chamber right now so these are the only two I will name - but I think it is fair to say that these men punched at least - Would you say one-quarter time on the leadership campaign during that period? If they did, by inference it is a quarter they did not punch on their Cabinet positions. Is it fair to say they punched half time on the leadership campaign? - in which case it is a half they did not punch as a Cabinet minister. Is it not really fair to suggest that they spent full time on the leadership campaign

MR. SIMMONS: during that period of time, that five, six, seven weeks or whatever was involved there? If they spent a month pursuing a legitimate goal, mind you, racing up and down the country, going to meetings -

MR. MORGAN: The same goes (inaudible).

MR. SIMMONS: No, no! The member for Bonavista South (Mr. Morgan) once again has leapt and then looked.

MR. MORGAN: (Inaudible) annually.

MR. SIMMONS: Not at all. Members are not paid an annual salary in this House, Mr. Chairman. There is no member of this House paid an annual salary, they are paid sessional stipends.

MR. MORGAN: (Inaudible) get paid (inaudible).

MR. SIMMONS: No, no! Not semantic at all. We are paid in respect to a session of this particular House and if -

MR. MORGAN: For a full year's work.

MR. SIMMONS: No, no! And if there are two sessions in a year we are paid twice, as happened.

MR. MORGAN: No.

MR. SIMMONS: Hold on, now!

MR. MORGAN: (Inaudible).

MR. SIMMONS: No, Sir! Hold on now!

MR. MORGAN: (Inaudible) facts.

MR. WHITE: The same old bionic mouth!

MR. SIMMONS: The same old bionic mouth, I will tell you! Mr. Chairman, if the bionic mechanism could push the right button now and could control itself -

MR. MORGAN: (Inaudible) rock and roll.

MR. JAMIESON: Both sides, obviously.

SOME HON. MEMBERS: Oh, oh!

MR. SIMMONS: Members of the House, as the member for Bonavista South ought to know but may not know, Mr. Chairman, are paid a sessional stipend. It is not a semantic matter at all and as we demonstrated this year, when there are two sessions in a year they are paid two sessional

MR. SIMMONS: stipends. A minister's salary is based on the calendar months and he receives X dollars per month for twelve months. If there are two sessions in a year he does not receive twenty-four, he receives twelve as long as he is a sworn minister of the Crown. The minister may be paid twice as much as he is worth, but that is another issue altogether, Mr. Chairman.

Now, if you have a bunch of men galivanting up and down the country pursuing what is, after all, a legitimate objective, Mr. Chairman - I do not beg that question at all - but if they are doing that they cannot be doing another job. And I rather admired the former Premier on this particular point and I took him at his word that he had removed them from their portfolios, because I could not really see how they could do both jobs at one time, that is pursue the leadership for sixteen hours a day and also be full-time Cabinet ministers, and therefore, I rather admired the Premier's action in removing them from their portfolios. Now, months after the event, Mr. Chairman, we learn it was only semantic, that that is where the semantics were, back there in February, that where the spokesman for the Premier's Office

MR. SIMMONS: and the press were telling us, as a result of what the spokesman had said, that these ministers were no longer ministers. They had been removed and I think that word was used quite repeatedly, had been removed from their portfolios, that there was no talk of acting ministers. And, you know, let us give the press some credit, they are quite used to the label, the designation of acting minister. There is often an acting minister when the regular minister is out of the Province, and the press are quite used to the designation of someone in an acting capacity, but the press here, in this case the Evening Telegram, nowhere mentions the word 'acting' at all. It reports quite forthrightly that the minister who was a leadership candidate was replaced by another minister, that his responsibilities had been transferred to, transferred, not only when he is out of the city, but for the duration of a leadership campaign, and I believe that Mr. Moores, in his wisdom, did it for a very good reason. He did it because he realized and he wanted to acknowledge to the public that you cannot serve two masters, that you cannot do two full-time jobs at once. You cannot be a Cabinet minister and do the job and at the same time be a leadership contender. So, he rightly and wisely had them removed from their portfolios. Now, that is where the semantics are, Mr. Chairman. We find now, Mr. Chairman, that while the Premier of the day said that the men were removed from their portfolios, we also find that their salaries went on. So now, of course, after the fact, it becomes very convenient to plead the acting capacity. That was not the intent of the former Premier's action at all. I think what he did was good; what he did was wise. He recognized that these people could not do two jobs at one time and I submit they should not have been paid. It is not a matter of the dollars involved, although we have to save every dollar we can, but it is a matter of the principle involved here, very clearly a matter of the principle involved, and I say again in response to the member for Bonavista South (Mr. J. Morgan) it is very different than the allowance that we receive as members of the House because if you want to open that

MR. SIMMONS: can of worms, I am quite prepared, I am quite prepared because I am one of a few members on both sides of the House who have no other continuing occupation, And if you want to stop the fellow's session allowance when he is downtown practising law, that is fine with me, or while he is practising dentistry or selling insurance or whatever else he does, that is fine with me. If you want to call it an annual salary, provided that at the same time, you are prepared to see that the annual salary is an adequate annual, full-time salary, but at the moment it is a session allowance related to the session; and my interpretation, as one member, of that says this: it says that I have obligations during session; I have obligations to the constituency and otherwise I can do what I like with my "free time" if there is any. But if I were to assume a Cabinet portfolio, that becomes a different question altogether. What I am then saying is, "I am going to give my full time to this particular job", and as long as I do that I am entitled to receive the monthly salary for that. At such time as something else takes precedence, takes priority, in the case I have quoted, the case of a leadership pursuit took priority, took precedence, supplanted my obligation as a minister, I say to the leadership candidates, and at that point in time I am honour bound to say, "Look, the job you hired me for as Cabinet minister, I cannot do it, I cannot do it for the next six weeks, I cannot do it for the next five weeks", or in retrospect to say, "Look, Treasury or the accounting system down in Finance went on spitting out cheques and I got a couple of cheques during which I was actually doing something else, so here are the cheques". I give them back for those four or five weeks because I was not really working on behalf of the Province that month as a Cabinet minister, I was out trying to get myself as leader of a party. And I believe there is an important distinction there, and I would hope the Premier might address himself to it in that spirit.

MR. CHAIRMAN: (Mr. Butt) The hon. the Premier.

PREMIER PECKFORD: Mr. Chairman, I would like to address myself to that. It reminds me of when I was debating in Memorial in 1961 or 1962. There are a few fine things which, if you think about them long enough and you think you have a point, you can really convince yourself that you really have a universal principle to enunciate which very few other people have ever heard or thought of, and I think that is the problem with the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) right now, because if the hon. member for Burgeo-Bay d'Espoir wants to bring that to its final illogical conclusion and he wants to make this fine distinction between

PREMIER PECKFORD: the stipend or the sessional allowance here in the House, let me remind the hon. gentleman—forget about his leadership when he ran for the Liberal Party and he can easily and cosily and very conveniently use phrases which are now part of the thing that he gets on his cheque to show that that was a sessional allowance and therefore he is covered and therefore he has not even encroached upon doing anything which was in any way less than totally and absolutely honest. If that is the approach that the hon. member for Burgeo - Bay d'Espoir (Mr. R. Simmons) wants to take let me suggest very strongly to him that the next time the hon. member removes himself from this House to go somewhere for four or five days, he better deduct those number of days from the sessional allowance he gets because he was supposed to be physically in the Chamber, if you want to bring it to an illogical conclusion. Not only that, when one talks about travel allowances which are supposed to be paid over the twelve months for time spent as a member in the constituency and perhaps we would have to subtract some of that from the time that we spend when we are out fighting leadership conventions to become leaders of various parties. So if you want to take the thing down to its real conclusion, I mean, that is the point that you come to.

There is an opinion, more than a principle, here at stake. I would say, it is an opinion that the hon. member holds, I do not consider it to be a large principle at stake here. The fact of the matter was, I guess, we did spend, the leadership candidates did spend more time trying to become leader of our party then we did as Cabinet Ministers. And perhaps, you know, I can see the point. I do not think it is a real big point but by the same token if one wants to take it all the way down the line and use the distinction that the hon. member used when he talked about his situation was different when he ran for the leadership of the Liberal Party because it was a sessional allowance and only applied to the time that they spent in this physical Chamber called the House

PREMIER PECKFORD: of Assembly. That being so, we better be very careful any time we are not in this physical Chamber because then we are only getting paid for the time we are in here and we are taking money illegally because we are out doing something else. Because we are only getting paid for the session, for this time we are here, Mr. Chairman, talking to you and discussing the Province's business. That is a tidy little fine point too which it extends onward in a very logical progression from where the principle introduced by the hon. member for Burgeo - Bay d'Espoir (Mr. R. Simmons), I suggest.

It is a point, it is an opinion the hon. member has, I am willing to consider it, I do not think it is a big one.

MR. CHAIRMAN: (Butt) The hon. member for LaPoile.

MR. S. NEARY: Mr. Chairman, before I took my seat a few moments ago, Sir, I was talking about the former Premier and I mentioned the fact that the CBC had cast some doubts upon whether or not I had the hard, cold evidence or not. Well, I have the facts. Let me say to the gentleman, Sir, who made that statement on the air that only one newsman came to see me after the House rose to find out the name of Mr. Moores' holding company. One newsman, one only and that was the gentleman from the Evening Telegram. And the gentleman from the Evening Telegram came down to my office and was given the document that I got from Ottawa from the Consumer Affairs Department and gave a fair description in the paper of what he saw in that document. Not one other newsman in the gallery bothered to even ask the name of Mr. Moores' holding company that he set up when he was Premier of this Province.

MR. MARSHALL: What has that got to do with it?

MR. S. NEARY: It got all to do with it, it got a lot to do with it. It has got to do with decisions that were made while that gentleman was occupying the seat of Premier of this Province, feathering his own nest.

MR. MORGAN: That is a vicious attack.

MR. S. NEARY: Ah, no vicious attack, feathering his own nest.

MR. CHAIRMAN: (Butt) Order, please!

MR. W. MARSHALL: On a point of order, Mr. Chairman. You can have a certain amount of debate but there are certain expressions that go a little bit too far. I think the hon. gentleman got rather carried away at the time and I think that he perhaps would like to consider withdrawing remarks of that nature.

MR. CHAIRMAN: Yes, I would like to remind the hon. -

MR. S. NEARY: May I comment on the point of order, Sir. To that point of order, what I said, Sir, is completely within the rules of this House. It is parliamentary. If the former Premier wishes to take action, it is up to him -

MR. CHAIRMAN: Order, please! It is not relevant to the Executive Council. 301 is what we are supposed to be debating here now.

MR. S. NEARY: What is not relevant, Mr. Chairman? Tell me what is not relevant? We are discussing the Premier's salary. The Premier's salary we are talking about includes the salary of the former Premier of this Province, Sir, which is not relevant?

Look over to Your Honour's right and see what we spent on the Premier's salary last year. Your Honour has got to be kidding.

SOME HON. MEMBERS: Oh, oh!

MR. W. MARSHALL: On a point of order rising out of the comments that were just made. It is rather hot this afternoon. It is rather late but the hon. gentleman is completely out of order when he makes an address

MR. MARSHALL:

to Your Honour and a remark of that particular nature.

MR. ROBERTS: Mr. Chairman, if I might to that.

MR. CHAIRMAN (BUTT): The hon. member for the Straits of Belle Isle.

MR. ROBERTS: To that point of order. I heard some of these things and my hon. friend from LaPoile (Mr. Neary) made no derogatory remark to Your Honour. If he had, that obviously would have been out of order. He did express, I think, a measure of - how to put it - a disbelief, a measure of surprise at the ruling but that is not, Your Honour, to derogate from the Chair's authority. To derogate from the Chair's authority would be a very serious thing and I am sure my hon. friend would be the first to say he did not intend to derogate from Your Honour's authority. He was just somewhat taken aback by Your Honour's ruling.

MR. NEARY: That is right.

MR. ROBERTS: Many of us might have found some surprise in Your Honour's ruling. Some of us might have expressed it in different ways but that is not, Sir, to take the Chair into disrespect. So I do not think the point of order is well taken.

MR. CHAIRMAN: It is rather warm and I will not take it as a point of order.

MR. ROBERTS: Rise the Committee or we are going to be here tonight.

MR. CHAIRMAN: It is time, yes.

MR. ROBERTS: Report progress.

On motion that the Committee rise, report progress and ask leave to sit again. Mr. Speaker returned to the Chair.

MR. SPEAKER (SIMMS): The hon. member for Conception Bay South.

MR. BUTT (CHAIRMAN): Mr. Speaker, the Committee of Supply has considered the matters to them referred and has made some progress and ask leave to sit again.

On motion report received and adopted,
Committee ordered to sit again on tomorrow.

MR. SPEAKER (SIMMS): The hon. President of the Council.

MR. MARSHALL: Mr. Speaker, before moving the adjournment notice I think I should, just for the information of the House as well as the information of the press, indicate that the three committees have met today and I have been advised that the Resources Committee will have its first full meeting at nine-thirty on Monday morning in the collective bargaining room at which time they will be considering the estimates of Rural, Agricultural and Northern Development.

The Government Services Committee will have its first meeting at the Colonial Building at nine-thirty on Monday. It will be considering the estimates of the Department of Municipal Affairs and Housing.

AN HON. MEMBER: Ten o'clock.

MR. MARSHALL: Ten o'clock. Thank you very much. And the third committee, Social Services, will have its first meeting on Tuesday at nine-thirty in the Colonial building as well and they will be considering the estimates of the Department of Social Services.

Mr. Speaker, I move that the House at its rising do adjourn until tomorrow, Friday, at 10:00 A.M. and that this House do now adjourn.

MR. SPEAKER: The hon. member for the Strait of Belle Isle.

MR. ROBERTS: Mr. Speaker, if I might simply on a motion. Two things; I thank the hon. member for announcing the meeting of the Committees and I take it it has been agreed that these will be printed in the Orders of the Day. The Committees will be asked to submit the information to the Table officers and it will be printed in the Orders of the Day from now on which I think is a good way to do it because other members other than the members of the Committees might want to attend.

Secondly, I wonder could the House Leader tell us, do we intend to carry on tomorrow with the Committee of Supply

MR. ROBERTS:

to see if we can get enough to pay the Premier and the other votes in that Head?

MR. SPEAKER (SIMMS): The hon. the President.

MR. MARSHALL: We will be going on with Committee of Supply.

This information, I agree, should be incorporated in the Hansard of the day. But also at the same time -

MR. ROBERTS: Orders of the Day.

MR. MARSHALL: The Orders of the Day. And I have also asked the Clerk of the House to post on the notice board the locations of the meetings and the departments that will be considered at the time.

On motion that the House at its rising do now adjourn until tomorrow, Friday, at 10:00 A.M.