

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
3:00 p.m. - 6:00 p.m.  
MONDAY, APRIL 13, 1981

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

I would like to welcome to the Galleries the newly elected member for Bellevue district who is sitting in the Galleries today.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I would also like to draw the attention of hon. members to the portrait now hanging on my right, of my predecessor.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The portrait is that of my predecessor and former Speaker, the hon. Gerald Ottenheimer, who served this House as Speaker from 1975 to 1979 and who was the thirtieth Speaker to have served the Newfoundland Legislature since our first Speaker, Speaker Garland in 1833, and was the fifth Speaker to have served in the Newfoundland House of Assembly since Confederation. He served the House, I believe in that capacity, extremely well and had the respect of the House and, indeed had a great deal of respect amongst his peers throughout Canada and throughout the Commonwealth. He has also been of great assistance to me personally, and I would like to thank him for that at this point in time and as one particular member of this House so frequently says, the hon. Mr. Ottenheimer now hangs where he so rightly deserves to be hung in this House.

SOME HON. MEMBERS: Oh, oh!

SOME HON. MEMBERS: Hear, hear!

STATEMENTS BY MINISTERS

MR. SPEAKER (Simms): The hon. the Minister of Fisheries.

MR. MORGAN: Mr. Speaker, following the success of last season's initiatives to stabilize lobster prices paid to Newfoundland fishermen, I took certain steps this past year to ensure that conditions in the lobster fishery will continue to improve during the coming lobster season.

I now wish to inform this House that I have met with officials of the Fishermen's Union-in fact a series of meetings-and that they have informed me that they have negotiated an agreement with a major buyer concerning a minimum price for lobster to be paid to fishermen this year. That minimum price will be \$2.05 per pound.

In accordance with some of the findings of the previously tabled report, in fact it was tabled last Friday in the House -by the Fishing Industry Advisory Board, a report on Pricing and Marketing in the Newfoundland Lobster Industry, I am confident that prices paid to our fishermen during the coming season will reflect fair market values.

However, in order to ensure that this is indeed the case, I have also instructed the Fishing Industry Advisory Board to monitor the market situation and lobster prices throughout the season and to provide me with a weekly record of actual

MR. J. MORGAN: lobster prices being paid by various buyers throughout the Province. If a review of the accumulating data indicates that mark-ups are excessive, mark-ups by the buyers, or that fishermen are not given the benefit of favourable market conditions, I will not hesitate, Mr. Speaker, as minister to take appropriate action. The action, of course, will be through the Fishing Industry Advisory Board which has certain powers given to it by the House of Assembly.

So in this connection I wish to inform the House that my department has taken an important step by issuing notices to all holders of Shellfish Buyers' Licenses around the Province for 1981 buyers' licenses. In other words, the 1981 license will be a conditional one, and that the following conditions will be applied to all the buyers' licenses around the Province as licenses to buy lobsters and shellfish: Number one, the minimum price paid to fishermen will be as negotiated by the Newfoundland Fishermen, Food and Allied Workers Union. In this case, \$2.05 per pound. And number two, the fishermen are to be paid based upon the quantity accepted and receipted, in other words, "no weigh-backs". When a fisherman sells his lobsters he will get paid for the amount received at the receipt of the shipment and to the buyer. This second condition is intended to remedy a situation whereby fishermen often had to accept reduction in payment because of alleged losses in transit or because of culling. And we believe that this "no weigh-back" condition will put an end to the many potential causes for dissatisfaction or abuse. Another important step to improve the marketing of lobsters concerns the recognition now of the Western European market. And that is becoming a fairly major lucrative market for Canadian lobsters. So in order to provide Newfoundland firms with up-to-date marketing assistance I have asked the Fishing Industry Advisory Board to investigate and to prepare a detailed report on European

MR. HOLLETT:

pounds. I think, however, Mr. Speaker, that it is fair to say that there are a lot of buyers in this Province who could find difficulty in meeting that price. I would like to compliment the minister in saying that he has certain stipulations and that the minimum price will be as negotiated by the union. And certainly "no weigh-back" is something that fishermen in this Province have been looking for, not only in lobsters but a lot of other species.

I think also, though, the minister should have put in there as number three, that the buyers who did not meet this minimum price their 1982 licence would be withheld. The minister does not mind doing it elsewhere and probably in this case he should follow that same lead.

MR. FLIGHT: Hear, hear!

MR. HOLLETT: In relation to the European markets, Mr. Speaker, I would like to say that certain companies in this Province have already gained limited entrance to this market and I would suggest that our Fishing Industry Advisory Board, whereas it is quite competent and, in my opinion if it was given a wider range could do a much better job, the information would probably be too little and too late to readily affect this season. But certainly I would suggest, Mr. Speaker, that it should be started now with a view to greatly improving our export by air to Europe and also other lobster pacts.

Once again, Mr. Speaker, I would like to congratulate the union and I wish all the lobster fishermen in the Province well this coming season.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): I would also like to ask hon. members to join me in welcoming today to the galleries a group of twenty-nine students and their three people accompanying them from

MR. SPEAKER (Simms): St. Augustine's High School in Plum Point, from the district of St. Barbe. We hope they enjoy their visit.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements?

000

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

MR. STIRLING: A point of order before questions,

Mr. Speaker.

MR. SPEAKER: A point of order.

MR. STIRLING: It has just been brought to my attention that in keeping with the tradition, you asked for permission to allow TV coverage of the budget. We cannot report on what happened except to say because of the past press comments, that that request was not withheld by somebody from our side. I would just like to make that point clear.

SOME HON. MEMBERS: Oh, oh!

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

I do not really believe that that is a point of order. A point of order should be raised if there is a breach of the rules or procedures used in the House. That is not really a point of order.

The press gallery, I might just add, have already been informed of the decision of the House.

MR. NEARY: As long as they know.

000

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

MR. STIRLING: Another point of order, Mr. Speaker.

I would just like to give notice that we are not prepared to discuss that kind of thing in private which is not recorded any further. I respect the Speaker's ruling that it had to be done that way this year. I just want to give notice to the House that we think that that is too important an issue and that we did not withhold permission this year and that I do respect the Speaker's ruling.

MR. MARSHALL: To that point of order.

MR. SPEAKER: To the point of order, the hon. President of the Council.

MR. MARSHALL: This is an

MR. MARSHALL: abject derogation of the Speaker's rights and an ignorance of the rules of this House of Assembly.

AN HON. MEMBER: Hear, hear!

MR. MARSHALL: Mr. Speaker, the hon. gentleman got up and because he wanted to inject something that he thought relevant into the proceedings of this House, he usurped the time of this House and apart from the normal Orders of the Day.

AN HON. MEMBER: (Inaudible)

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: Your Honour gave a ruling on the matter and the hon. Leader of the Opposition -

AN HON. MEMBER: (Inaudible)

MR. SPEAKER: Order, please!

MR. MARSHALL: The hon. the Leader of the Opposition, when he occupies the position which he occupies in this House, should know better. Your Honour having made a ruling the hon. the Leader of the Opposition then in almost derogation of Your Honour's ruling and authority, gets up and persists in his pursuit, in effect, of interfering with the rules of this House and infringing on the rights of all hon. members.

MR. SPEAKER: To the point of order. May I say again that there is no point of order. Hon. members have taken an opportunity to express or to give some explanation or some point or another. The procedure that has been followed is that which has been followed in this House for as long as I am aware, and certainly since I have been the Speaker, and I will continue to use that procedure until I am told otherwise by the House itself. There is no point of order.



ORAL QUESTIONS

MR.SPEAKER (Simms): The hon. member for LaPoile yields for the hon. Leader of the Opposition.

MR.STIRLING: I have a question for the Premier, Mr. Speaker. Could the Premier tell this House why it is that he refuses to allow TV coverage of either the sitting of the House or the recording of the Budget Speech?

MR.SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, we believe that the Budget Speech should be covered live by the television media in this Province.

MR.STIRLING: Mr. Speaker.

MR.SPEAKER: A supplementary?

MR.STIRLING: A supplementary. Yes.

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

MR.STIRLING: Could the Premier please advise the House why he refused the TV and radio people to televise the whole thing and then pick out excerpts which they would like to have on the news? Would he explain why he is prepared to give permission for live coverage and not permission for coverage in total but with some editing by the news media?

MR.SPEAKER: The hon. the Premier.

PREMIER PECKFORD: We believe, Mr. Speaker, that the people of Newfoundland and Labrador have the right to hear all of the Budget Speech, that annual, historic document, all of the Budget Speech because we believe the people of Newfoundland would like to hear and see all of the Budget Speech and not parts of it which have been edited by other than people in this hon. House.

SOME HON.MEMBERS: Hear, hear!

MR.STIRLING: A supplementary.

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

April 13, 1981

Tape No. 1176

AH-3

MR. STIRLING: The Premier and I are certainly in agreement on that, Mr. Speaker, but would he extend that agreement now to say that the people of the Province should have the right to hear everything that happens in this House? TV and radio.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: And would he now by his comments give permission as of today that there will be live coverage of all sittings of the House including the Budget Speech?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: That is a consideration that the government has looked at from time to time and we are willing to look at it again. It is a costly proposition and it might take a mile of pavement away from some member opposite but no doubt they would not mind that, they would go along with seeing some reductions there to allow that. But we are willing to consider that idea and have considered it in the past, but it is a costly operation and therefore we need to look at all aspects of the cost of it and other aspects of it which are important.

MR. NEARY: Mr. Speaker.

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

MR. STIRLING: Mr. Speaker.

MR. NEARY: I will yield.

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

MR. STIRLING: Mr. Speaker, would the Premier now be prepared to tell us when he is prepared to make a decision on that matter?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Very soon, Mr. Speaker, very, very soon.

MR. STIRLING: Mr. Speaker.

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

MR. STIRLING: Mr. Speaker, since we are dealing with paving, since we are dealing with the reform-looking approach of the government and the honesty and

MR. STIRLING: integrity -

AN HON. MEMBER: Hear, hear!

MR. STIRLING: - and the freedom that every Newfoundlander and Labradorian has, and the equality that every Newfoundlander and Labradorian has, would the Premier indicate what was the - now maybe first of all I should get him to indicate whether or not he recognizes this letter which was put out under the letterhead of the Premier and signed 'Brian Peckford', dated April 8th, addressed "Dear Voter, My challenge to you" and delivered to the voters in Bellevue. Is this authentic or is it a forgery, Mr. Speaker?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. STIRLING: Mr. Speaker, I will table the letter. In case he has not seen it, I will table it with enough copies for everybody, because I am sure members on both sides of the House would like to see a copy of the letter.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

I believe it would be pertinent, at least if I were to quote from Beauchesne several references that I have been thinking about since this matter was made public a few days ago. I refer to Beauchesne, paragraph 357, citation 171 on page 129, which says, "In putting a question a member must confine himself to the narrowest limits. In making a question, observations which might lead to debate cannot be regarded as coming within the proper limits of a question." Further, on page 130, section (dd): "A question must not deal with matters not officially connected with Government or Parliament, or which are of a private nature." And further, on page 132, it says, "A brief question seeking information about an important matter of some urgency which falls

MR. SPEAKER (Simms): within the administrative responsibility of the government or of the specific Minister to whom it is addressed" would be "in order". Finally, section 10: "A question ought not to refer to a statement made outside the House by a Minister."

Now, in all of these references and citations, the Chair's concern is that in matters of this nature, which are matters that have occurred outside the House in a political election campaign, are not matters which the Chair, or at least the House, should even have jurisdiction under, but the Chair should certainly not be put into the position of having to determine what items or what matters should be allowed in an election campaign. For that reason and for the reason of the references

MR. SPEAKER (Simms):

that I have quoted in Beauchesne, I would rule that that question is not in order at this time.

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

MR. SPEAKER: A point of order, the hon. President of the Council.

MR. MARSHALL: Whilst Your Honour was giving his ruling I heard the hon. member for Eagle River (Mr. Hiscock) indicate - he used words like partiality or impartiality with respect to presumably the import of the words that were being used by the hon. Speaker. Now, Mr. Speaker, it is completely out of order for any member of this House to indicate in any way or to suggest in any way that the ruling of this hon. House, Your Honour's or anybody's ruling who sits in the Chair, is partial or impartial. So I would draw this to the attention of Your Honour, indicate that it was distinctly said by the hon. member for Eagle River and indicate also, as well, that this calls for the prompt retraction and apology to Your Honour for such an insinuation of any type of this nature.

SOME HON. MEMBERS: Hear, hear.

MR. HODDER: To the point of order, Mr. Speaker.

MR. SPEAKER: To the point of order, the hon.

member for Port au Port.

MR. NEARY: Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. HODDER: Mr. Speaker, I am sitting here on this side of the House, I heard no such comment or reflection on the Speaker's -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

MR. HODDER: Mr. Speaker, I hear many comments from the other side that I would rather not hear, particularly from the Minister of Fisheries (Mr. Morgan). But, Mr. Speaker, there is no point of order here, The hon. the House Leader

MR. HODDER: (Mr. Marshall) opposite is just trying to spend some time wasting the time of the House and the time of the Opposition in their Question Period.

MR. NEARY: To the point of order, Mr. Speaker.

MR. SPEAKER (Simms): To the point of order, the hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I was sitting near my colleague and I did hear what my colleague said. He was looking at the Premier and questioning the Premier's impartiality and honesty -

AN HON. MEMBER: That is right.

MR. NEARY: - the gentleman who is going around with an honest government, I heard my hon. friend say. I am sure Your Honour will want to consult with Hansard before making a ruling but the remarks were directed across the House not at Your Honour. My hon. colleague had no more intention than I have at this moment of insulting the Chair or questioning the Chair, the rights of the Chair.

SOME HON. MEMBERS: Hear, hear.

MR. NEARY: Mr. Speaker, my hon. colleague was questioning the Premier and not Your Honour. And I would submit that there is no point of order, Mr. Speaker.

MR. MARSHALL: To the point of order, Mr. Speaker.

MR. SPEAKER: A final submission to the point of order, the hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, the hon. member for LaPoile (Mr. Neary) is gifted, he is a very gifted individual but I did not realize that he was gifted with ESP - extra sensory preception. I heard, Mr. Speaker, and it was distinct in this House that the hon. member for Eagle River (Mr. Hiscock) indicated and made a statement to the effect that in as far as any import of it can be -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

April 13, 1981

Tape No. 1178

SD - 3

MR. MARSHALL:

of the Chair.

- is that he questioned the partiality

SOME HON. MEMBERS:

Oh, oh.

MR. SPEAKER (Simms):

Order, please.

MR. MARSHALL:

Now, Mr. Speaker, you know, this House cannot exist where the partiality of the Chair has been questioned.



MR. MARSHALL: The hon. member for Eagle River (E. Hiscock) had used these statements when Your Honour was speaking, and it is completely, by the way, Mr. Speaker, out of order; for any member of this House when Your Honour is speaking, apart from anything else and I think that the hon. member for Eagle River could well -

SOME HON. MEMBERS: Oh, oh!  
MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: - resolve the situation by retracting the words and apologizing to Your Honour with what amounts to not only a gross insult to Your Honour but to this hon. House.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Well, to the point of order, quite frankly the Chair did not hear any comments made so I am at a loss to really rule whether there is a point of order or not. I have to say that there is not at this point in time. However, I will check Hansard and if I find that there were any remarks of that nature or reflections on the Chair, then obviously the members will have to be told about it.

The hon. the Leader of the Opposition.

MR. STIRLING: Yes, in response to your comments, I do not know whether you have made a ruling or not. At this stage I am trying to find out whether or not the matter is of interest to this House. What I am talking about and asking the question of the Premier, is to find out whether or not the Premier was writing on behalf of the Cabinet or whether he was writing on behalf of the government or on behalf of a political party. I have made no reference to a political party. I was, at this stage, just trying to find out if in fact, this was a piece of correspondence from the Premier.

MR. SPEAKER: I must tell the hon. the Leader of the Opposition that now it appears as if he is debating the ruling by the Chair. The Chair has given a ruling. The question is not

MR. SPEAKER (Simms): permitted during Question Period, and the rulings by the Chair are covered by the Standing Orders 31(F) which I would draw to the member's attention.

Any further questions?

The hon. the Leader of the Opposition.

MR. STIRLING: I have a question for the Premier. Would the Premier explain to the House the basis under which there can be a letter written by the Premier with the Premier's signature which would not be of concern to this House of Assembly? Under what circumstances would the Premier write that kind of a letter?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I can understand why the Leader of the Opposition is upset today. I mean, if I were a leader of a political party and there was a by-election called and I lost as leader as badly as the Leader of the Opposition -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER PECKFORD: - lost, I would be upset too.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: For example, Mr. Speaker, just in a few idle moments I had yesterday, I thought to myself, what would happen if the Bellevue election results were applied along the same lines for the other Liberal districts in the Province? And you know something, Mr. Speaker, what I came up with, there would only be three Liberal districts left.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

MR. F. ROWE: Mr. Speaker. A point of order.

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

MR. HANCOCK: Look at the (inaudible) the last time.

MR. SPEAKER (Mr. Simms):

Order, please!

A point of order.

MR. F. ROWE:

Mr. Speaker just a few moments ago said that the Leader of the Opposition was out of order.

SOME HON. MEMBERS:

Oh, oh!

MR. F. ROWE:

Mr. Speaker, I can wait till the cows come home on this one. Your Honour said a few moments ago that the Leader of the Opposition was out of order referring to a transcript or a letter that might not have had anything to do with this hon. House. Now, the Premier is launching into a campaign speech and the campaign is over and I would suggest, Mr. Speaker -

MR. STIRLING:

MR. F. ROWE: Yes, it is quite over- that the Premier is completely out of order by going over what happened in the Bellevue election, talking about the statistics of that particular election. We are quite happy to talk about the statistics of that election if he wants to.

MR. W. MARSHALL: To the point of order, Mr. Speaker.

MR. SPEAKER (Simms): To the point of order, the hon. the President of the Council.

MR. W. MARSHALL: Mr. Speaker, on behalf of the Premier and the government we apologize to the hon. member for having his rose wilt so soon.

SOME HON.MEMBERS: Oh, oh!

SOME HON.MEMBERS: Hear, hear!

MR. W. MARSHALL: The wilted rose. In answer to his point of order, Mr. Speaker, if you ask a question that is out of order and you get a response that is out of order and it hurts - too bad, you will have to pick up your marbles and go home, Mr. Speaker.

MR. SPEAKER: To the point of order, there is no point of order, it is a difference of opinion. I might say, the hon. Leader of the Opposition's (Mr. Stirling) question that he put was in order, the final question that he put, because he asked under what conditions would the Premier send a letter. It did not refer to that specific letter. The Premier answered it. The hon. member may not be satisfied with the answer. If that is the case, there is another procedure he can follow. But there is no point of order.

The hon. Leader of the Opposition.

MR. L. STIRLING: Mr. Speaker, I would like to ask the Premier another question. Does the Premier, on behalf of the government of this Province, condone the practice of having ministers deliver messages which indicate an action that should be taken by a voter in a by-election?

MR. SPEAKER(Simms): The hon the Premier.

PREMIER PECKFORD: Mr. Speaker, you know, if the Leader of the Opposition (Mr. Stirling) continues to be so upset, I will have to release the survey that I did yesterday. I mean, as I indicated to the hon. Leader of the Opposition in an answer to a previous question, if he is so upset with the results of Bellevue -

SOME HON. MEMBERS: Oh, oh!

MR. J. HODDER: A point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

A point of order has been raised by the hon. the member for Port au Port (Mr. Hodder).

MR. J. HODDER: Having listened carefully to Your Honour's ruling concerning matters that take place outside of the House of Assembly and political matters, I would submit, Mr. Speaker, that the Premier is out of order in his answer when he refers to matters which do not have anything to do with this House.

MR. SPEAKER: To the point of order, there is no reference that I quoted about answers. The references are all there about questions -

MR. STIRLING: Oh, you cannot ask a question but you can answer anything you like.

MR. SPEAKER: - and I believe they are fairly clear. Also, I might add that the hon. Leader of the Opposition's question was allowed, it was permitted, it was in order. The answer was given. It is not for the Chair to

April 13, 1981

Tape No. 1180

DW- 3

MR. SPEAKER(Simms):       decide whether or not the answer is acceptable to the hon. members to my right, that is up to them to decide. If it is not, then they have another procedure which they may follow.

MR. STIRLING:           The procedure is taken up on Thursday.

MR. SPEAKER:           There is not point of order.

PREMIER PECKFORD:      Mr. Speaker,

PREMIER PECKFORD: the district that the hon. Leader of the Opposition (Mr. Stirling) represents, if you apply the Bellevue district results to it, will find that the PC Party would win Bonavista North 3,616 to 1,294.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: So I think it would be very advisable for the Leader of the Opposition to take another approach in Question Period so we can get on to creating jobs, so we can get on to helping the fishery, so we can get on to the forestry.

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: Paved roads.

PREMIER PECKFORD: That is what we should be doing and to ask questions about a campaign that is completed in which the Liberal Party lost and the PC Party won -

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

MR. SPEAKER (Simms): Order, please!

PREMIER PECKFORD: - I think does not do anybody any good at this point in time.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. member for Eagle River.

MR. HISCOCK: Mr. Speaker, I regret that over on this side I am unable to -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HISCOCK: - that I am unable to hear the Premier because he is eating either a candy or something like that and I believe in this question -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HISCOCK: Mr. Speaker, if we are going to have, as the President of the Privy Council (Mr. Marshall) always says, the decorum of this House, if I am going to listen to the question from the Premier of this Province, I would like to have him speak distinctly and clearly.

AN HON. MEMBER: To that point of order, Mr. Speaker.

MR. SPEAKER (Simms): To the point of order, is the point of order -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Is the point of order that has been raised now the fact that an hon. member is consuming food in the House? Is that the point of order the hon. member raised?

MR. HISCOCK: I do not know what he is consuming.

MR. SPEAKER: Because if it is it is out of order. The hon. Premier.

PREMIER PECKFORD: I have a throat lozenge because I have a bad throat and I am sorry if my speech is not as clear and as distinctive - I hope it is grammatically correct. But there could be some problem with the way the words come out. But I think what I am saying is grammatically correct, if not as clear as the hon. member would like it.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: We have no objection to the Premier chewing on something, Mr. Speaker, providing -

MR. HANCOCK: Unless it is his tongue.

MR. NEARY: - providing it is sticky enough to keep his jaws together.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: (Inaudible).

MR. NEARY: Mr. Speaker, would the hon. gentleman tell the House, this great reformer who went around the Province campaigning on reforms, honest and open government, would the hon. gentleman inform the House whether or not the letter



MR. NEARY: referred to by the Leader of the Opposition (Mr. Stirling) is the latest example of the Premier's zeal for reform in this Province?

MR. SPEAKER (Simms): The hon. Premier.

PREMIER PECKFORD: That question does not really demand an answer, Mr. Speaker.

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

MR. HANCOCK: (Inaudible). Send over the question.

MR. NEARY: Perhaps I will go down to the Minister of Education (Ms. Verge), and ask the Minister of Education, who once referred to Mr. Smallwood as the most corrupt Premier in the whole of Canada, would the hon. Minister -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: - would the hon. Minister of Education - to a Mainland magazine I might say - would the hon. Minister of Education inform the House if the lady was instructed by the Premier to deliver this immoral letter to the constituents in the district of Bellevue?

April 14, 1981

Tape No. 1182

AH-1

MR.SPEAKER (Simms): The hon. Minister of Education.

MS.VERGE: Mr. Speaker, that certainly does not deserve an answer. I do not even know what the hon. member is talking about.

SOME HON.MEMBERS: Oh, oh!

MR.SPEAKER: A supplementary. The hon.member for LaPoile.

MR.NEARY: Would the Minister of Education (Ms. Verge) inform the House if she did indeed deliver, door to door, hand deliver letters signed by the Premier of this Province?

MR.SPEAKER: The hon. minister.

MS VERGE: Mr. Speaker, my job does not include delivering mail. That comes within the responsibility of the federal government.

SOME HON.MEMBERS: Hear, hear!

MR.SPEAKER: The hon.member for LaPoile.

MR. HANCOCK: The hon. member is just trying to kill time. It is ridiculous boy. We are going back to the old Hilter times again.

MR. NEARY: Mr. Speaker, I would like to ask the Minister of Education, a lady who has many times in this House expressed her feeling and her affection for the Premier, the great reformer in this Province, a man who is going to bring in all kinds of reforms and run an open and honest government, if the minister has read this letter and if so, would the minister consider this as one of the great reforms of this great Newfoundland reformer, the greatest reformer in Newfoundland's history?

MR. SPEAKER: The hon. Minister of Education.

Ms VERGE: Mr.Speaker, I have read a lot about a lot of subjects and I stand by my statement that the present Premier is the greatest Premier in the country today and is certainly the greatest -

SOME HON. MEMBERS: Hear, hear!

MsVERGE: - in the history of this Province and our record of legislative reforms speaks for itself.

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

MR. F. ROWE: Mr. Speaker, since the hon. the House Leader is so concerned about partiality and objectivity in this House, I am wondering if the Premier who was heading up the last week of the campaign could inform the House whether the member for Conception Bay South (Mr. Butt), the Deputy Speaker of this House, was in that Bellevue by-election taking part in it?

SOME HON. MEMBERS: Oh, oh!

MR. F. ROWE: Oh just keep quite will you!

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: It is wonderful to see the way the Opposition across the way here are all so concerned about Bellevue district. Just let it be recorded that the Progressive Conservative party of Newfoundland went from twenty-nine per cent to forty-five per cent of the vote, that we increased our vote by fifty-one per cent and that the Liberal party of Newfoundland should be ashamed of themselves.

SOME HON. MEMBERS: Hear, hear!

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

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

MR. F. ROWE: Does the hon. the Premier realize how stunned and stupid and foolish he sounds when he comes up with that kind of an answer.

SOME HON. MEMBERS: Hear, hear!

MR. F. ROWE: Does the hon. Premier of this Province realize, Mr. Speaker, that the Labrador South by-election was a turnover? Does he realize that the Hermitage by-election was a turnover? Does he realize that the Ferryland by-election was a turnover? That the Bonavista North by-election

April 14, 1981

Tape No. 1182

AH-3

MR.F.ROWE: was a turnover? That the Exploits  
by-election was a turnover? That the second by-election in  
Exploits was a turnover -

SOME HON.MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR.F.ROWE: - that St. John's West was a turnover?

SOME HON.MEMBERS: Oh, oh!

MR.SPEAKER: Order, please!

AN HON. MEMBER: What is the question?

MR. F. ROWE: That is the question.

MR. SPEAKER: Order, please! I think

MR. SPEAKER (Simms): hon. members can observe as easily as the Chair can that this Question Period now is turning into a debating forum rather than Question Period. And I think that matters that are being raised now, and as I mentioned initially, are meant more for the debate than they are for Question Period. I believe that hon. members now are asking questions and obviously getting answers, that both provoke debate, and I would ask hon. members to please consider the rules of the House.

The hon. the member for Trinity - Bay de Verde.

MR. HANCOCK: Take things out of your mouth when you are talking, boy!

MR. SPEAKER: The hon. member has not asked the question. I think he was giving some (inaudible).

I would ask the hon. member to direct his question.

MR. F. ROWE: Mr. Speaker, to summarize the question: After these ten turnovers in by-elections does he not think that this is a great Liberal victory. For the first time we retained the seat.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

A point of order has been raised by the hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, Your Honour has already ruled that the hon. gentleman's ten questions were out of order and then he presupposes -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MARSHALL: - he presumes, Mr. Speaker, then to summarize the ten that are out of order. I suppose the

MR. MARSHALL: answer to it is, Mr. Speaker, does not he realize that the many elections that occurred since 1949 to 1971 called the turnover in Newfoundland, almost caused it to turn bottom up?

MR. SPEAKER (Simms): That is not a point of order.

AN HON. MEMBER: To the point of order.

MR. SPEAKER: There is no point of order.  
Further questions?

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: Mr. Speaker.

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: May I answer the question, Mr. Speaker?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order, please!  
It is very difficult for the Chair

to know if a question has been asked or not. The hon. member had the floor for a couple of moments. I presume he asked a question. Did he not ask a question?

MR. F. ROWE: I asked a question, yes.

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Thank you, Mr. Speaker.

Now, Mr. Speaker, I cannot help it if the member for Trinity - Bay de Verde (Mr. F. Rowe) is upset about the Bellevue by-election and that the Liberal Party has lost ground. I cannot help it if the Leader of the Opposition is upset. I cannot help it. I cannot help it, Mr. Speaker. If you take the Bellevue by-election and you transpose that result on the other Liberal districts, Bonavista North would be lost.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Burin - Placentia West would be lost, Carbonear would be lost, Eagle River would be lost. Fogo would be lost.

SOME HON. MEMBERS: Oh, oh!

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

SOME HON. MEMBERS: Hear, hear!

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

As I indicated, that type of questioning was obviously out of order. I would suggest that type of answering too is out of order.

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

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

MR. F. ROWE: Mr. Speaker, the Premier is extremely clever. He has not yet answered the first question that I directed to him, and that is, Could he inform this House - and this affects this House, Mr. Speaker - did the member for Conception Bay South, the Deputy Speaker of this House (Mr. Butt), take part in the Bellevue by-election campaign? And that is something that affects this House.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: And LaPoile would be lost, Lewisporte would be lost, Port au Port would be lost.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

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

SOME HON. MEMBERS: Oh, oh!

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

May I make two rulings here?

First of all, the question was out of order because you cannot repeat a question that has already been answered or to which an answer has been refused - Beauchesne, 357(b) and, of course, the answer is not

MR. SPEAKER (Simms):

in order as well, because I just indicated it was not.

Any further questions?

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. member for Windsor - Buchans.

MR. FLIGHT:

Mr. Speaker, my question is also

for the Premier. I wonder if the Premier would care to elaborate on a line in a letter supposedly signed by the Premier and the line being: 'Vote for the PCs or vote for nothing'.

SOME HON. MEMBERS:

Oh, oh.

MR. FLIGHT:

To 7,000 voters in this Province,

Mr. Speaker, a district of 14,000 people roughly, would the Premier care to comment on the philosophy or ideology or whatever, or the sensibility, of saying to those people to either vote for a chance and the chance, of course, meaning

MR. SPEAKER:

Order, please!

MR. FLIGHT:

- vote PC or vote for nothing?

MR. SPEAKER:

Order, please!

The Chair has to be consistent.

I have ruled that that line of questioning is not in order. The hon. member has to await or rephrase the question. I will permit it, but if it refers to the letter and all that sort of thing - I think I have indicated at the outset, and the House has obviously put the Chair in a difficult position because I have ruled it out of order.

The hon. member for Windsor - Buchans.

MR. FLIGHT:

Okay, thank you Mr. Speaker, I respect your ruling, of course.

SOME HON. MEMBERS:

Oh, oh!

MR. FLIGHT:

Would the Premier care to comment on the principle, the ideology, the philosophy of telling 7,000 people to either vote for the PCs or vote for nothing?

MR. SPEAKER:

The hon. the Premier.



PREMIER PECKFORD: Yes, Mr. Speaker, I would love to comment on that. I will comment and give my philosophy behind it as soon as the Liberal Party gives the philosophy behind saying (inaudible) nothing.

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER (Simms): Order, please! Order, please!  
A point of order has been raised by the hon. member for Trinity - Bay de Verde.

MR. F. ROWE: Thank you.

SOME HON. MEMBERS: Oh, oh!

MR. F. ROWE: Mr. Speaker just ruled that we could not read from a letter that was delivered during an election campaign. The hon. the Premier is about to quote from a newspaper -

SOME HON. MEMBERS: Oh, oh.

MR. ROWE: Because I can see the thing because I have (inaudible), okay?

SOME HON. MEMBERS: Oh, oh.

MR. F. ROWE: Okay. Now, Mr. Speaker, I -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

MR. F. ROWE: - submit that the hon. the Premier cannot quote -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

MR. F. ROWE: - from that particular - thank you,

Mr. Speaker - cannot quote from that newspaper or table it or use it in the House whatsoever.

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

MR. OTTENHEIMER: To that point of order for a minute, Mr. Speaker.

MR. SPEAKER: Well I am not sure the hon. member has finished.

MR. NEARY: (Inaudible).

SOME HON. MEMBERS:

Oh, Oh!

MR. SPEAKER (Simms):

The hon. Minister of Justice, to the point of order.

MR. OTTENHEIMER:

Mr. Speaker, I think that these points of order probably put Your Honour in a very difficult position. Your Honour has ruled a number of times that questions and answers referring to election campaign material in the recent by-election are out of order. However, when people continue to ask the questions even though you have ruled them out of order, and then to get up and say, oh, the answer is out of order - I mean, after the Chair has ruled the questions were out of order, and the questions continue to be posed, then it appears somewhat inconsistent, after asking questions that are out of order, that then they object to an answer. I mean, the natural result of that would be that there would be thirty minutes of questions out of order with no answers.

SOME HON. MEMBERS:

Oh, oh!

MR. STIRLING: To the point of order, Mr. Speaker.

MR. SPEAKER (Simms): To that point of order, the hon. the Leader of the Opposition.

MR. STIRLING: Mr. Speaker, what we are attempting to do and I accepted the Speaker's ruling and I would expect that if the ruling is fair for this side, the ruling is fair for that side. Now, what the point of order was saying was that in keeping with your original ruling, that we could not quote from campaign material. Now, the whole purpose was to find out whether or not this was done with the blessing of the government and if there is any corrupt practice of the government. Now, we accept that we cannot ask that question. But if the Speaker has ruled the questioning of that kind of material out of order, then my colleague is pointing out that you cannot then have the speaker, who has been abusing the Speaker's ruling all day, then quoting from campaign material. We will be quite happy to have it quoted both ways, Mr. Speaker.

MR. MARSHALL: To the point of order, Mr. Speaker.

MR. SPEAKER: A final submission to the point of order, the hon. the President of the Council.

MR. MARSHALL: All I can say, Mr. Speaker, is that this question period will surely go down in the annals as the Question Period of the wilted roses.

AN HON. MEMBER: (Inaudible) go down in the annals.

MR. MARSHALL: I think, Mr. Speaker, -

MR. SPEAKER: Order, please!

MR. MARSHALL: I think, Mr. Speaker, that what the member for Trinity - Bay de Verde (F. Rowe) is surely afraid about when he gets up on his points of order, is that the Premier will get down to the assessment of his district. So I think that if perhaps the hon. Premier can be given his (inaudible)

MR. SPEAKER (Simms): Well, to the point of order, -

PREMIER PECKFORD: He lost too.

MR. MARSHALL: He lost too, did he?

MR. SPEAKER: To the point of order, Beauchesne is clear with respect to guidelines for asking questions with respect to quotations and so on. With respect to the point of order raised by the hon. member for Trinity - Bay de Verde (F. Rowe), I do not believe the hon. the Premier had a chance to say anything or do anything, so I do not know if he quoted or was going to quote or whatever.

In any event, I am sorry but the time for Oral Questions has expired.

SOME HON. MEMBERS: Hear, hear!

PRESENTING PETITIONS

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

MR. HODDER: Mr. Speaker, I beg leave to present a petition on behalf of 274 residents of the community of Mainland on the Port au Port Peninsula. The prayer of the petition, Mr. Speaker, is 'We, the residents of Mainland hereby request that the road from Lourdes to Mainland be upgraded and paved'. Mr. Speaker, this is the second petition which I have presented in this House during this session from the residents of this area and if Mr. Speaker will remember that the last time --and I do hope that the new Minister of Transportation (R.Dawe) does get a copy of the brief that was presented here in this House by the residents of Mainland and Three Rock Cove just a few short weeks ago.

Now, Mr. Speaker, I would like to get the attention of the new Minister of Transportation because I think that this particular brief, which was presented by the committee in those towns, was a very important one and a very

April 13, 1981

Tape No. 1185

EL - 3

MR. HODDER:                    good effort. Not only that, Mr. Speaker, but they have again presented this petition to the House because they know there is a new minister and they also know, Mr. Speaker, that this minister represents Bay St. George and, of course, Mr. Speaker, Bay St. George is an area that hangs together.

MR. HODDER: Mr. Speaker, one part of Bay St. George is hailed the same as another part of Bay St. George. And even though there are three separate provincial districts in that area -

SOME HON. MEMBERS: Oh, oh!

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

MR. HODDER: - even though there are three separate provincial districts in that area there is great sympathy for other areas. Because as you know, Mr. Speaker, Stephenville is, I suppose, the commercial centre of Bay St. George with the district of St. George's and the district of Port au Port being more or less feeder areas into Stephenville. And what is good for one part of one part of the district is good for another. And, Mr. Speaker, one of the problems that we have is that the road conditions in the Bay are not ideal by any means. And, of course, the conditions of the roads in the Port au Port district, which include the Mainland road, which is the road from Mainland to Lourdes, the Fox Island River Road, the road from Fox Island River to Port au Port East, and the Black Duck Brook Road, the conditions of those roads are deplorable and the residents there are tired of trying to navigate those roads. The children have to go long distances. It was laid out pretty well, Mr. Speaker, in the brief which they presented.

But, Mr. Speaker, even though these roads have become an issue, a symbol, a rallying point for the whole people - all the people of the district of Port au Port, and the people of Stephenville and the people of St. George's, even though those roads have become a rallying point, while inaction goes on and lack of upgrading over the past two or three years on those particular roads, the main trunk road which goes from the community of Port au Port West into Campbell's Creek, a distance of seven or eight miles, which was earlier a chip seal road

MR. HODDER: and then was later paved, about five years ago, that is deteriorating badly and the result, Mr. Speaker, is that the whole district has very, very bad roads. And if the government does not find funds to look after the unpaved roads, they are going to find that the paved roads will become as bad or worse than the unpaved ones.

So what I am asking, Mr. Speaker, is that the minister, who must be sympathetic to this particular area, being Bay St. George's Cabinet minister - and we are very pleased, Mr. Speaker, to have him. We are very pleased that he was appointed Minister of Transportation

(Mr. Dawe), because we know now that he will give us sympathetic hearing in Port au Port. And the residents, all 247 of them, Mr. Speaker, all voters, have sent this petition to him, asking for upgrading of their road, and they feel, Mr. Speaker, that that minister, who represents our area, will give it sympathetic hearing, and that he will correct the problems, being from the region -

AN HON. MEMBER: Roads are not (inaudible) problem.

MR. HODDER: - hearing the problems of the region, and knowing how bad those roads are, Mr. Speaker.

MR. J. HODDER:

He and I flew over them one time and he saw them and I am sure he has been over them himself. So, Mr. Speaker, we are looking for good things. I do wish the minister well in his portfolio and I would hope, Mr. Speaker, that when the Budget comes down that lo and behold this problem will be looked after and these people will never have to petition this House again, Mr. Speaker, and I will never have to present another petition to the House on their behalf, because I am sure the work will be done.

Mr. Speaker, I will present this petition and ask that it be referred to the department to which it relates.

MR. SPEAKER (Simms): To the petition, the hon. Leader of the Opposition.

MR. L. STIRLING: Well, Mr. Speaker, I assumed that the minister would speak on the other side since he is from the area and is responsible and understands something about roads. Roads got to be a very big issue in the recent discussions in various places over the last three weeks so much so that people voted to have their roads done not only in this area but also in the Southwest Arm area and in the Markland area. They accepted the letter from the Premier, as I am sure these people would accept the letter saying, 'Give us a chance to do the job'. And they want the job done, Mr. Speaker, they want roads done. This is a government that is not paying attention to the real issues and they got the message. They got the message recently in Bellevue and they will get the message from all over the Province if they continue to use that kind of distorted view.

Mr. Speaker, I wonder what is happening in Newfoundland when we see such a valiant effort to convince themselves after losing that they -



MR. F. WHITE: That they have won.

MR. L. STIRLING: - that they have won. I wonder if this same kind of distorted view -

MR. SPEAKER(Simms): Order, please!

It should be directed to the prayer of the petition.

MR. L. STIRLING: I wonder if this same kind of distorted view can be explained to the people who have petitioned for roads, this kind of distorted view that you can lose badly but somehow you win. Maybe they should be told that, 'Oh, yes, the government is satisfied'. Is this same kind of problem affecting our negotiations with everything? Is it possible that we have not got the money for roads because in the distorted view that says you can lose and somehow in losing you win - they are on such an ego trip, Mr. Speaker, such an ego trip that they cannot ask for support for the roads as have been asked for in this petition, that somehow they feel that it is a victory, that the roads get worse and worse but they have not asked anybody for any help, they have not consulted, they have not negotiated.

Mr. Speaker, maybe the people of Newfoundland are now getting some kind of a view about how the mind of that government works when they make such a big to do to prevent us from asking questions, presenting a letter written by the Premier. The people

MR. STIRLING: in this area, Mr. Speaker, would also like to have a letter written by the Premier, a letter to the Minister of Transportation (Mr. Dawe) saying that yes, roads are important, more important than all the highfalutin that they are kidding themselves with.

Mr. Speaker, it appears that they must get together, give themselves injections of some kind of LSD, some kind of distortion, and by whatever kind of theory, they can convert, they can convert a resounding rejection of the Premier's plea and can convert a great win on behalf of the Liberal Party. Whatever that same kind of distorted view, the people in this district, in Port au Port, are wondering how it is that they cannot get their roads done. All over the Province the people in PC districts and Liberal districts are asking the same questions but they do not care. Mr. Speaker, they just do not care.

MR. NEARY: Callous, callous.

MR. STIRLING: They do not care about people. As long as they get themselves on their own little cloud and they have something that they can justify in their own minds, they can get away from the real issues - unemployment, road construction, building construction, creating jobs, municipal taxes, force property taxes down. All the people want in the Port au Port area is a reasonable look at their roads and a commitment now to do something about roads.

And, Mr. Speaker, I certainly join my colleague and I am very disappointed that the Minister of Transportation who is from that area did not have the courtesy to respond and support the petition.

MR. SPEAKER (Simms): Further petitions.

ORDERS OF THE DAY

MR. SPEAKER:

Order 14.

Motion, second reading of a bill,

"An Act To Amend The Financial Administration Act, 1973".

Bill No. 41.

The debate adjourned the last day by the hon. member for LaPoile (Mr. Neary) who has, I am not sure exactly, approximately half an hour.

MR. NEARY:

Mr. Speaker, when I adjourned the debate on second reading on this bill, 'An Act To Amend The Financial Administration Act', on Friday, I was dealing with the things that had occurred as a result of the Comptroller of the Public Treasury being very lax in his responsibility in the last seven or eight years. As hon. members know, the Public Accounts Committee are presently dealing with the McConnell Advertising scandal - in case there is somebody in the House who does not understand what it is about it had to do with spending of public funds on a film of a Tory convention in Gander. Somehow or other money was taken from the Public Treasury and spent on a film of the Tory convention in Gander to be used on a programme called Provincial Affairs on CBC -

SOME HON. MEMBERS:

Oh, oh.

MR. NEARY:

- a free time political - boys, you know, I cannot hear myself - telecast on CBC. There were four of these five minute films done, paid for out of the Public Treasury. In addition to that, Mr. Speaker, there were four more films done paid for out of the Public Treasury of the fishery conference and the films were to be used for the same purpose for the free time political telecast on CBC called Provincial Affairs. And lo and behold, Mr. Speaker, I do not know if hon. members are aware of it, if hon. gentlemen have seen the film, but one of these five minute

MR. NEARY: films was done by none other than the great reformer himself.

SOME HON. MEMBERS: Who? Who? Who?

MR. NEARY: By the man who was going to run a honest and clean government. A five minute film paid for out of the Public Treasury for a five minute political telecast on CBC. Now, who is the great reformer who would do that who would allow himself to be filmed for Provincial Affairs on CBC? Who would allow himself to do that, surely not the great reformer?

MR. LUSH: Who?

MR. NEARY: It would not be the Premier of this Province, Mr. Speaker, no. It would not be the Premier when he was Minister of Mines and Energy, surely? Surely as a senior minister in that government he would not allow himself to be -

MR. WARREN: Not you.

MR. NEARY: - no the former Minister of Mines and Energy - allow himself to be filmed - a five minute film paid for out of the Public Treasury

April 13, 1981

Tape No. 1189

AH-1

MR. NEARY:

to be shown on Provincial Affairs. Now, these films, that were never shown by the way, Mr. Speaker - I believe the first time that they were screened they were shown to the Public Accounts Committee and the news media had an opportunity to see the films and any members of the House who were in attendance at the public hearing saw these films. These films cost over \$50,000. The taxpayers of this Province paid illegally, the money was extorted or there was a conspiracy to defraud the Public Treasury to the tune of \$50,000 for these five films. In addition to that, we have the Devine Advertising scandal where a political poll was paid for out of the Public Treasury, a political poll, another \$50,000. Over \$100,000 taken from the Public Treasury to pay for political propaganda. Now, Mr. Speaker, that is not good enough.

MR. HANCOCK:

That must have been the former administration. That could not have happened in this one.

MR. NEARY:

Well, the administration may be the former administration but one of the culprits, one of the ringleaders, one of the actors on that film was none other than the present Premier, when he was then Minister of Mines and Energy, sitting there proud in all his glory in living colour talking about the offshore, to be shown on the free-time political telecast. So, Mr. Speaker, if charges are laid, and they should be laid against all those who violated the Financial Administration Act of that day, then certainly I would think that one of the ones who should be charged -

MR. BARRY:

Be careful now.

MR. NEARY:

Careful of what?

MR. BARRY:

(Inaudible) so important?

April 13, 1981

Tape No. 1189

AH-2

SOME HON. MEMBERS:

Oh, oh!

MR. NEARY:

Oh, listen to the cowardly way that the present Minister of Mines and Energy (Mr. Barry) is trying to weasel his way out of it. The hon. gentleman was not in the Cabinet. He is safe on this one. The hon. gentleman was over lecturing law at Dalhousie University but the former Minister of Mines and Energy, who is now the Premier, was one of the culprits. He sat down and had himself taped on a contract that had nothing to do with political propaganda, it was a contract with McConnell Advertising to do work for the Newfoundland government. But the Premier was one of the ringleaders, he was one of the actors who participated in these films that are now in custody. I presume they are in custody of the Public Accounts Committee. At least we had them. The RCMP had the films for the longest time. Apparently they are investigating the possibility of laying criminal charges in connection with the McConnell Advertising scandal and the Devine Advertising scandal.

AN HON. MEMBER:

I am glad you got (inaudible) yourself.

MR. NEARY:

I do not know, Mr. Speaker. I am not a lawyer. That is a job for the Justice Department.

DR. COLLINS:

You are spreading rumours.

MR. NEARY:

I am not spreading rumours. That is a fact.

DR. COLLINS:

Well, who are you charging?

MR. NEARY:

Mr. Speaker, the hon. gentleman should listen to what I said. Here is what I said, that RCMP had custody of these films.

MR. J. CARTER:

How did this develop, Mr. Speaker?

MR. NEARY:

Because we are talking about the Comptroller of the Treasury, that is how it all happened.

MR. HANCOCK:

You would not understand that anyway.

April 13, 1981

Tape No. 1189

AH-3

MR. NEARY: Mr. Speaker, to answer my hon. friend, the RCMP took custody of the film because they were investigating the possibility of laying criminal charges.

DR. COLLINS: Against whom?

MR. NEARY: I do not know.

AN HON. MEMBER: Well, why mention it?

MR. NEARY: Well, I mentioned it because when the Public Accounts Committee went to look for the film, the film was in the hands of the RCMP and the RCMP agreed to turn the film over to the Public Accounts Committee.

MR. CARTER: Was this the same RCMP who investigated your office?

MR. HANCOCK: How low can you get? Can you not think of something intelligent to say?

MR. NEARY: And so, Mr. Speaker, in addition to charges being laid for violation of the Financial Administration Act, I think that

MR. NEARY: criminal charges should be laid, but that is a job for the Justice Department. The whole matter should be turned over to the legal staff of the Justice Department to investigate and look into the possibility of laying criminal charges. Certainly they should look at the Financial Administration Act and look into the possibility of laying charges under that act.

And who should the charges be laid against? Well, as I indicated, Mr. Speaker, the last day I spoke in this debate there is such a thing under the British Parliamentary system that we are operating under, as collective responsibility.

Mr. Moores was not wholly and solely responsible for that dastardly act himself, he was aided and abetted by his ministers. And whether or not they attended the Cabinet meetings that day is irrelevant and does not make any difference, because they all get orders-in-council. They get a copy of the order-in-council and the order-in-council stated that the Premier of that day and the President of Treasury Board, Mr. Maynard, who is now with the Workers' Compensation Board, were given the authority to sign invoices, which was a violation of the Financial Administration Act, a very serious violation, Mr. Speaker, and that is what caused all the trouble. That is what caused the Public Treasury to be looted, was that order-in-council. And so, minister cannot weasel their way out by saying that they did not know about it, they did not know everything that the Premier said or did. But, Mr. Speaker, it does not make any difference, they are still collectively responsible.

And if charges are not laid for a violation of the Financial Administration Act, then this act is just a farce. It would be better if it did not exist. I would like to see criminal charges laid in addition to civil action.



MR. NEARY: Certainly there will have to be civil action to recover the money, to recover the \$100,000 that was defrauded, Mr. Speaker, \$100,000 - \$100,000 - and God only knows how much more defrauded from the Public Treasury. There was a conspiracy to defraud the Public Treasury and every man is responsible, every minister in the Cabinet of that day is responsible for it, whether he likes it or not. And only a rat and a scoundrel and a coward and a traitor would try to weasel his way out of it and try to lay all the blame on Mr. Moores or on Mr. Maynard.

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

MR. SPEAKER (Butt): A point of order, the hon. the Minister of Mines and Energy.

MR. BARRY: All of that diatribe is out of order, unparliamentary and has to be immediately withdrawn.

MR. SPEAKER: It is a very valid point of order and I ask the hon. member to withdraw those remarks, rat -

MR. NEARY: What is your authority for it, Mr. Speaker? What is your authority for it?

MR. SPEAKER: Beauchesne.

MR. BARRY: Scoundrel, rat (inaudible)

MR. NEARY: I said, only - only a scoundrel, only a rat will - only a traitor -

MR. BARRY: You know only (inaudible).

MR. SPEAKER: Order, please!

I might point out to the hon. member anything he says indirectly is the same as saying it directly. And I quote Beauchesne on page 113, remarks as being unparliamentary, rat and so on. So, I will ask the hon. member to withdraw.

MR. NEARY: Now, Mr. Speaker, I would think that Mr. Moores and Mr. Maynard would have some serious questions to ask about ministers who would try to put all the blame on their shoulders, that they would try to weasel out from under their

MR. NEARY: responsibilities by claiming they had selected amnesia, they did not remember. It was so long ago they had forgotten about it or they did not know about it. That is no excuse. Under the British Parliamentary system of government every minister is collectively responsible. Every minister. When I was in the Smallwood administration for three and a half years, I was responsible as much as any member of that government for the decisions that were

MR. NEARY:

made be they good or bad, right or wrong, and I gladly accept that responsibility, Mr. Speaker. But that is more than I can say about ministers in the Moores administration, twelve of whom are sitting in this present administration, twelve of them over there. The name of the administration may change but the faces are still the same.

MR. HISCOCK:

They changed the captain but not the crew.

MR. NEARY:

They were all saved, and now Mr. Moores is the scoundrel - born again - and Mr. Moores is the scoundrel and Mr. Maynard is the scapegoat. Well, Mr. Speaker, the only thing that I can say is that I am hoping that justice will be done, but I have very grave doubts because I think the whole matter will be suppressed by the government. They have a majority and they can almost do as they please. They will suppress that period, Mr. Speaker. They will suppress it, but they will only get away with it for a certain length of time, because somehow or other, Mr. Speaker, governments have a way of changing and when the government changes, the same files are kept in the Department of Justice and in the Department of Finance, and in due course - it may take a little longer, but in due course the matter will be dealt with. And this particular type of thing is not outside the statute of limitations, the seven year limit. So it will be dealt with in due course if this government attempts to suppress the investigations, the charges being laid, whether they be criminal charges or whether they be charges under the Financial Administration Act or whether it be civil action. Justice must not only be done, Mr. Speaker, it must appear to be done, and up to now, justice has not been done. And we have before us

MR. NEARY: today an act now to amend the Financial Administration Act, to separate the responsibilities of the Deputy Minister of Finance and the Comptroller of the Treasury - a good thing. It is a direct result of all the scandals, Mr. Speaker, that occurred a few years ago. It is a recommendation made by the Public Accounts Committee and it is a good recommendation.

But that is not all that is in this bill, Mr. Speaker. I draw hon. members' attention to Section 4 of the Financial Administration Act, the amended act. Listen to this, Mr. Speaker. Just listen to this. They are now doing almost the identical, same thing as Mr. Moores did - almost, only now they are asking the House to approve it. They are asking this House to give the Lieutenant-Governor in Council - and the Comptroller of the Treasury would have to turn a blind eye to it - to give the Lieutenant-Governor in Council approval to make purchases in advance. In other words, they could make purchases ten years down the road and pay for the purchases whether it be services or goods a year, in the next Budget or in the following Budget or in a Budget ten years hence. That is wrong, Mr. Speaker, and that should be removed from the Financial Administration Act.

Let me read it for the benefit of hon. gentlemen who have not read this bill. "Notwithstanding any other provision of this act the Lieutenant-Governor in Council may on the written recommendation of the board, authorize an agreement to be entered into for the purchase of goods or services to be delivered in a subsequent fiscal year so long as the payment resulting from the agreement is due in a subsequent fiscal year." That is a very dangerous precedent, Mr. Speaker, a very dangerous clause.

April 13, 1981

Tape 1191

EC - 3

MR. NEARY:

It is almost as bad as the Cabinet giving Mr. Moores and Mr. Maynard authority to approve invoices, which was contrary to the Financial Administration Act and contrary to the procedure in the public service. It is almost as bad. What the government is doing now

MR. NEARY: is asking the board to give them a blank cheque, to give them authority to make purchases a year or two or ten years down the road, and pay for these purchases in subsequent budgets. That should be dropped from this act, Mr. Speaker. It should be dropped. It is very, very dangerous and could get out of hand and out of control. It could be abused and no doubt would be abused. And it has to be taken out. Mr. Speaker, I think we should stay on this bill, stay on this act until the government knuckles under and removes this very dangerous clause from the bill.

"The minister or the deputy minister or other officer charged with the administration of the relevant Head of Expenditure reports that it is, in the opinion of that person, necessary to make the agreement at that time." It is unheard of, Mr. Speaker, unheard of, It is an outrage! It is an outrage for this government to come into the House of Assembly and ask the House to approve an amendment to the Financial Administration Act, which is the only safety valve that we have on the Public Treasury - the Comptroller of the Treasury is the watchdog of the Treasury- the only safety valve we have, the only one apart from the Auditor General. who is a servant of this House- the Comptroller of the Treasury is supposed to be a servant of this House, - and what the government is doing now in their arrogance and in their contempt for this House -they have already managed to move the estimates off the floor of the House, they have restricted debate in the House, and now they are asking this House -

MR. MARSHALL: The Opposition agreed with it.

MR. NEARY: The Opposition did not agree with it.

MR. MARSHALL: You did agree with it.

MR. NEARY: Mr. Speaker, the Opposition said,  
"We will try it for one year " -

AN HON. MEMBER: Right on.

MR. NEARY:                    -"and then after a year if it does not work, change the rules back." And since then the government have reneged.

AN HON. MEMBER:               That is what we heard.'

MR. NEARY:                   They have not given the Opposition the perks they were promised, neither have they reviewed the Standing Rules to see if they are working, and they are not working. The Opposition has been muzzled and restricted in its performance in this House by this arrogant government, a government that has nothing but contempt for this House. And now they are asking us in this bill - again another example of how they are trying to usurp the authority of the House and take the authority away from the House and put it in the Cabinet. And not only that, giving the Cabinet the right to overrule the Comptroller of the Treasury. The Comptroller of the Treasury is the top man as far as revenue and expenditure in this Province are concerned. He is the number one man. He is the only one that this House can depend on to safeguard public spending. He did not do a very good job in the last two or three or four years. But now they are going to lift the authority out of his hands, the government, and they are going to ask the House to allow the government to enter into agreements to purchase goods and supplies without any reference to the House, without any reference to the Comptroller of the Treasury and the Financial Administration Act, to do it carte blanche, give them a blank cheque and they will pay for it in the next fiscal year, or maybe a subsequent fiscal year, five, ten years down the road.

It is unheard of, Mr. Speaker, It is too dangerous to talk about. And it shows nothing but arrogance on the part of the government and contempt for this House and it should be taken out of that act.

DR. COLLINS:                   Why?

MR. NEARY: Why? Because it is dangerous.

DR. COLLINS: In what way?

MR. NEARY: Mr. Speaker, it is unheard of for a government to ask to enter into agreement to give the Lieutenant-Governor in Council, which is the Cabinet, to give the Lieutenant-Governor in Cabinet the right to enter into an agreement for goods and services and pay for them in subsequent budgets. Why that is unheard of, Mr. Speaker. What is the point of having estimates in the House at all? What is the point in having a Comptroller of the Treasury? What is the point in having a Financial Administration Act, the only thing we can depend on to protect the Public Treasury?

DR. COLLINS: We can do it now.

MR. NEARY: Pardon?

DR. COLLINS: We can do it now.

MR. NEARY: They cannot do it now.

DR. COLLINS: Yes we can. We do it now.

MR. ROBERTS: If you do it now, why do you need legislation to -



MR. S. NEARY: Why are you amending? Why are you bringing in this amendment if you can do it now?

DR. COLLINS: That means special warrants.

MR. S. NEARY: Ah, I see, you have to bring in special warrants. Ah, ha! Now that is a different matter. Now you want to eliminate the special warrants.

AN HON. MEMBER: (Inaudible).

MR. S. NEARY: Oh, sure! Sure! Why do you not just abolish the House of Assembly altogether, eliminate the House altogether? If the President of the Council (Mr. Marshall) had his way there would be no House of Assembly, we would have Emperor Brian and we would have the empress and they would all live in their manor up in Mount Scio House and there would be no House of Assembly, if the hon. gentleman had his way.

MR. D. HANCOCK: If he had his way there would be no Liberals either.

MR. S. NEARY: Mr. Speaker, we are getting closer to a dictatorship in this Province all the time. They do not want the House; the House is a nuisance to them, a bother to them! It is the only protection the people of this Province have. It is the only way they can get information. The main purpose of the House is to pass Estimates. The government does not want to deal with that, that is too much trouble for them. They want to do it now by order-in-council.

So, Mr. Speaker, my time has just about run out, I understand.

MR. HANCOCK: By leave, by leave.

MR. S. NEARY: And I am not going to ask for leave, Mr. Speaker, I am going to wind up my few remarks because I am sure there are other hon. members on this side of the House who want to speak on this bill. It is an important piece of legislation. It will not make amends for the past, the past has to be dealt with in a different way. And if we allow this clause to stay in there, I am afraid we

MR. S. NEARY: are going to have more abuse in the future. Although I am for separating the two positions, the Comptroller of the Treasury and the Deputy Minister of Finance, there are certain aspects of this bill that I am against and will vote against, Mr. Speaker, when I am given the opportunity. But as I say, I am sure my colleagues will welcome the opportunity to speak on this bill. And I would like to hear what my hon. learned friend for the Strait of Belle Isle (Mr. Roberts) has to say about this particular clause in the bill, clause three.

Anybody who understands the way that government works, Mr. Speaker, and the way that the Public Treasury is supposed to be looked after, anybody who understands that knows that this is a very, very dangerous precedent and something that should be taken out of this bill.

So having made these few remarks, Mr. Speaker, I look forward to the other members who will participate in the debate.

SOME HON. MEMBERS: Hear, hear!

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

MR. E. ROBERTS: Yes, I am seconding my friend for LaPoile (Mr. Neary) today, Mr. Speaker.

MR. E. HISCOCK: (Inaudible).

MR. E. ROBERTS: I do not know if my hon. friend for Eagle River (Mr. Hiscock) wanted to say a few words as well on this bill.

MR. E. HISCOCK: You go ahead.

MR. E. ROBERTS: Well, either before or after me, it does not matter, there is loads of time. We are probably going to need the afternoon on this, I would think.

MR. E. ROBERTS: Mr. Speaker, my friend for LaPoile (Mr. Neary) has spoken in his usual eloquent and effective way about the effect of some of the clauses in this bill and I would like to add a few words to what he said because I think that the grant of authority, which the government is asking for in asking us to approve this bill, is unwarranted. And while we are more than prepared to support the government on the question of separating the position of Comptroller from that of the Deputy Minister of Finance - and we do support that, in fact - as I am sure my friend for LaPoile (Mr. Neary) pointed out, that legislative action is nothing more or less than the implementation of a recommendation made a year or two past by the Public Accounts Committee. It is one of the many legacies which the former member for Burgeo - Bay d'Espoir, Mr. Simmons, has left to us in this Chamber. Mr. Simmons, of course, has gone on to serve in another place as the Member of Parliament for Burin-St. George's where he is making a mark in Ottawa -

MR. L. BARRY: A black mark.

MR. E. ROBERTS: My friend for Mount Scio (Mr. Barry) thinks a black mark." I would take issue with him on that. And at least he has made a mark, which is more than my friend for Mount Scio has ever done anywhere he has ever been.

But what I am saying is that the

MR. ROBERTS:

separation of the Comptroller's position from that of the Deputy Minister of Finance's position is a good idea, in our opinion, and accordingly, we are prepared to support it, as my friend from LaPoile (Mr. Neary) has already said. But this bill has lurking down in it, buried in the fine print of the legalese, a very dangerous provision and one that surprises me. We hear so much from our learned friend from St. John's East (Mr. Marshall) about the role of the Legislature, and we hear so much prating about the alleged respect in which he and his colleagues hold the Legislature but, Mr. Speaker, when it comes to the eating of the pudding - and the proof of the pudding, as Your Honour is well aware, is in the eating - we see that on the other side they lack respect and in fact it is not going too far to say as my friend from LaPoile just did, that if hon. gentlemen opposite had their way there would be no Legislature when it came to financial matters, that once a year or so we would simply ratify - or maybe not even be asked to ratify, we would simply be informed and then we could do what we wished. And we all know that this government has long ago flung aside contemptuously any feeling they ever had in support of that great principle of representative and responsible government, a decent respect for the opinions of mankind. This government has no respect for the opinions of mankind; they have become arrogant, we saw that in the Bellevue by-election. That letter that the Premier had carried around is nothing less than arrogance. It is the work of a petulant, power-mad politician.

MR. J. CARTER: Rubbish, rubbish, rubbish!

MR. ROBERTS: Mr. Speaker, the hon. gentleman from Rubbish has returned again.

MR. FLIGHT: Rubbish has returned again.

MR. ROBERTS: Mr. Speaker, I once again say that I have only a few minutes in which to enlighten the House and if the hon. the member for St. John's North (Mr. Carter) chooses not to be enlightened I cannot help that, Sir. As I have told him many times, you can lead a horse to water but you cannot make him drink, and in his case, you can even lead half a horse to water but you cannot make him drink.

AN HON. MEMBER: Which part?

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: But I would ask, Mr. Speaker, that my few humble thoughts be put before the House to bloom and perhaps to perish in the desert air, the arid air of the hon. gentleman and his colleagues, without the benefit of his fertilization, Sir.

Now, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Butt): Order, please!

The hon. member wishes to be heard in silence.

MR. ROBERTS: I am grateful to Your Honour for extending to me the beneficent and omnipotent protection of the Chair, Sir, that tradition that goes back so many hundreds of years to the days when the Speaker was taken out and shot if the Crown did not like the decisions of the House.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: And, Sir, my friend from Mount Scio (Mr. Barry) and I agree on that. And we would be the very first, both of us, I want to assure Your Honour, to nominate Your Honour for that high honour.

MR. BARRY: In some ways we have not stepped forward at all.

MR. ROBERTS: Martyrdom, Sir, would become Your Honour. The martyr's crown would sit easily on

MR. ROBERTS:

Your Honour's brow.

Now, as we were saying, Sir, the effect of Section 3 of this bill would be to allow the government to do nothing more or less if they so chose than to destroy completely the whole fundamental process by which this House controls the expenditure of public money. The fundamental process, the principle, the rule, is that the government may not spend money unless the House first approves it. That is not a radical or a new principle, that is the very basis of parliamentary government.

We have seen grown up over the years a situation that is embodied in a procedure called Special Warrants that allows the government to spend money for which provision has not been made but, Sir, that is only within the financial or fiscal year - and in this sense they are the same, the terms are synonymous in this usage - that is only within the fiscal year and it must be covered as it is retroactively by supplementary supply. But now we are being asked to approve a procedure which would allow the government to make a commitment now to buy now goods or services to be delivered in a subsequent fiscal year,

MR. E. ROBERTS: and there are no limitations on that, Sir.

MR. NEARY: That is right.

MR. ROBERTS: Now the hon. and pious gentleman from St. John's East (Mr. Marshall) in due course will drag himself to his feet and will unburden himself of assurances that he is holy, that his master is thrice holy and that such a heinous or heinous, as Your Honour would prefer, crime would never cross their minds. The clear untroubled brows of the ministry, Sir, would never be perturbed by that kind of action. Nonetheless, they come before the House and they are asking us to give them the power - and the words really are quite sweeping; notwithstanding any other provision of this act." So in other words, all the Financial Administration Act is taken up and thrown aside, forget all the so-called counter measures and all the cheques and balances put in. "Notwithstanding any other provision of this act." So in other words, the first seven words of the section we are asked to amend throw aside the entire Financial Administration Act. And that is why they are there, of course, they are not there by accident, the draftsman did not just simply say, well, that has a nice euphonious ring to it, we will simply put those words in to give it a little better rhythm and when law clerks down before the court, Sir, are reading it in metered rhyme, it will sound better with those words 'notwithstanding any other provision of this act'. No, they are there to wipe aside the Financial Administration Act and they is what they do.

In any event, once we dispose of the Financial Administration Act we have a gentleman known as the Lieutenant-Governor in Council who, of course, is nothing more or less than the Cabinet and in the dictatorship which we now have, that is the Premier. We have a legal dictatorship, a very, very autocratic gentleman, the Premier,

MR. ROBERTS: running the government and let us never forget. It is no longer the Queen's government in the Premier's eyes, it is my government. And if the first person singular was ever to be dropped - if something were to happen to the Premier's mind that were to take aside that part of the brain which makes the lips and the tongue form the word that is the first person singular pronoun, the Premier, Sir, would be inarticulate. He would not be able to speak if he could not use the word 'I' or the pronoun 'my'. He would not be able to. And, of course, when he uses this word constantly as he does, it is no longer the Queen's government as far as he is concerned - everywhere else in Canada it is the Queen's government -

MR. NEARY: The Lieutenant-Governor -

MR. ROBERTS: - the Lieutenant-Governor says 'my' ministry.

MR. NEARY: He was wrong, the Lieutenant Governor was wrong 142 times.

MR. ROBERTS: When he said 'my ministry'?

MR. NEARY: That is right.

MR. ROBERTS: Of course, he was. The Lieutenant-Governor was correct constitutionally but wrong in the eyes of our Premier. And our Premier using it simply reveals what is going on in his mind exactly as one would if one took a little kaleidoscope and shook it up and saw the coloured pattern that resulted. You would see the Premier's mind as clearly as one would see that confused and convoluted pattern in the kaleidoscope when the Premier uses the word 'I'. We do have an autocratic government. The Premier thinks it is benevolent - perhaps it is - all dictators think it is benevolent, they always have. And the Premier also thinks it is justified, that all dictators have always felt they were justified. Of course they are but the fact remains the Lieutenant-Governor in Council, so here we are, it is the Premier.



MR. ROBERTS: So we have now swept aside the entire Financial Administration Act. The whole legal structure by which we are governed in financial matters is now aside and we are down to one man, the Premier. What may he do? He may authorize an agreement to be entered into for the purchase of goods or services to be delivered in a subsequent fiscal year as long as - oh, as long as, some limiting words - as long as what? - "as the payment is due in a subsequent fiscal year and the minister or the deputy minister or other officers in charge is, in the opinion of that person, necessary to make the agreement at that time".

So all we need now is for a minister - let us take the Minister of Fisheries (Mr. Morgan), a gentleman of intellect and of integrity -

SOME HON. MEMBERS: Oh, oh.

MR. ROBERTS: - and he says, 'In my opinion, it is necessary to make a commitment in the 1993 fiscal year to spend \$562 million to buy out Nickersons' - let us assume, let us take our example now - and he signs a paper saying 'in my opinion' and then the Lieutenant-Governor in Council may make that law, may make an agreement that would stand under the authority of this act, would stand in the courts of this Province and be enforced in the courts of this Province. And what would we here in the Legislature - oh, in due course, under the provision of section 5 we will be told about it within three days of the authorization if the House is sitting. They can

MR. ROBERTS:

even do this while the House is sitting, If this bill were to pass and in due course be given assent to become law, the boys could nip downstairs now after this session and they could pass that order, saying that \$562 million will be expended in the 1993 fiscal year. And that, Mr. Speaker, meets all of the tests of this section of the legislation. And that then is a binding legal commitment on the government of this Province and upon the Legislature of this Province and upon the Treasury of this Province and upon the taxpayers of this Province.

Now, I say to you, Sir, what possible justification is there for that? What possible justification can this ministry or any ministry have for arrogating onto themselves this kind of power? Now, they may say, 'oh, we are not going to use it, we are reasonable men'. They can even say they are reasonable women and they may believe that. Maybe they have no use for it right now but why do they want the power? Why should we, in this Legislature, give them that power? Why should we give them the power to spend money into the future when they have shown no need for it? Why should we give them the power to bind this Province for many years to come? What conceivable, what possible reason could there be?

I could see if they wanted to make a forward contact, they come back to the House and there are hundreds of examples in the statute books where this House debates a matter and adopts a bill and act to ratify an agreement between the government and XY, whoever it may be, and that then binds us for years and that is acceptable. The House can do that if it wishes and if the government wished to do something along those lines, they will have it done. They do have the majority, they have it to their backs.

MR. ROBERTS: But it is done in the open, not in the secrecy of the Cabinet chamber. Oh, they say they will report it to the House but, Sir, that is locking the barn door after the horse is stolen because by the time it is reported to the House, the deal is made, legally binding, signed, sealed, delivered. Whip off to the courts of the Province and either get an injunction or get specific performance or get damages. All these remedies will be open.

So, I say to the President of the Council (W. Marshall), why does he want this power? - to buy now a few pencils for the next fiscal year, to come in at the end of February and say let us make a deal now, we are going to use 5,000 pencils in the next six months in the government, we can get a price on them, let us go ahead and bring them in? Is that why they want to do it? If so, why not put in words to limit it, expenditures of not more than \$20,000, or put in expenditures to be spent in not more than six months into the next fiscal year. But all this says is a subsequent fiscal year, it could be a hundred years from now.

Now, how does that square? How can that square with responsible government? I say to my friend from St. John's Centre (Dr. McNicholas), a man who thinks about these issues, how is he going to explain this to himself, to his constituents? Most people in Newfoundland do not even know we are here and if the truth is known, this kind of issue is not of a great deal of public concern. But it ought to be of concern to us. We have a duty. We sought electoral support. We accepted election. We took the oath to become a member and we sit here. And we have a responsibility to ourselves and to the House, to our constituents and to our posterity.

So, why do the government want this? What conceivable reason could they want, can they give? What justification can they present to ask for a grant of power that

MR. ROBERTS: first of all wipes away the Financial Administration Act in its totality, completely, gone, forget it, and gives them the power, even when the House is sitting - they do not even want to come before the House and say we have a situation, we have a deal, we can make a good deal for this Province. Give us the legislative authority, Even while the House is sitting they can use this procedure that would enable them to bind this Province for a hundred years to come.

What happened to the principle in our constitution in this Province that says, 'the public cheque, the Public Treasury shall not be bound without the prior consent of the Legislature? What happened to the principle that the Law Officers of the Crown have established time and time again that there shall be no contract of more than twelve months duration unless it has first specifically been approved by the Legislature, or unless there is a specific grant of authority? You realize if this was done - and my friend from LaPoile (S. Neary) is within earshot - Mr. Robert Cole could have been hired forever, the ten year contract would have been legal.

Goods and services - he was supplying goods or services or both, and yet the Premier himself boasts how he bought his way out of that, it only cost us \$40,000 or \$50,000 whatever, but the Action Group could have been contractual forever under this, with no comeback.

MR. ROBERTS: Now, it is wrong. This government, you know, Mr. Speaker, is as arrogant, as smug, and a self-satisfied a group of men as I have ever seen, and I have seen arrogant, smug, and self-satisfied governments.

MR. HISCOCK: (Inaudible) pure arrogance.

MR. ROBERTS: But this particular government, Sir, it reflects the Premier. The Premier's belief is if he wants something done, therefore, it is wise and proper to do it. And furthermore if one choose to debate it, one choose to question it, one is not only being wrong and mistaken, but one is being immoral.

AN HON. MEMBER: And anti-Newfoundland.

MR. ROBERTS: And anti-Newfoundland.

You know, that was reflected in the Bellevue by-election. The people of Bellevue gave them - well, it is unparliamentary to say what they said to the government, they told them where to go and what to do, And that letter - the great intellectual integrity, the new revolution, the new reform of our Premier.

MR. LUSH: The new look.

MR. ROBERTS: The new look.

The kind of tactics that were reprehensible thirty years ago, and if they were used by some of our predecessors in the Liberal Party, as they may well have been, that does not justify them now. John A. MacDonald took bribes. Does that mean that - who is the Leader of the Tory Party this week? - Mr. Clark in Ottawa would be justified in taking bribes? No. What John A. did a hundred years ago is not relevant today, what Mr. Smallwood did thirty or forty years ago is not relevant today.

The Premier talks of reform and of conflict of interest and of extending, and yet

MR. ROBERTS:                    what do we see? What do we see? We see a letter being sent out to Bellevue that is straight blackmail. Of course, that is not new, he tried the same thing in St. Mary's-The Capes when he stood on a platform and said, "I will cut it off at the Salmonier Line."

AN HON. MEMBER:                    Oh, oh!

MR. ROBERTS:                    And hon. gentlemen over there who slavishly endorse him, who have no choice, they have so sold their political souls, that they have no choice except to slavishly endorse him, lavish admiration upon him -

MR. HISCOCK:                        Yes.

MR. ROBERTS:                    - admiration amounting to subservience.

SOME HON. MEMBERS:                Oh, oh!

MR. ROBERTS:                    Read their speeches. Read their speeches. Listen to them. And now the great reform administration comes before the House and asks us to approve a bill to wipe away the Financial Administration Act and to allow the government to enter into contracts - oh there is a great check on them, the opinion of a minister.

Well, Mr. Speaker, my opinion of some of the ministers over there is that their opinion, Sir, is not worth a great deal, and I do not think that is a great deal to rely upon. If the government have some reason why they want to make a contract binding this Province into the future then let them come before the House, and let them ask the House for it.

MR. ROBERTS:                    Mr. Speaker, the bill is a dangerous one. The principle is a dangerous one. I do not

MR. ROBERTS: understand how men like the Minister of Justice (Mr. Ottenheimer) and the President of the Council (Mr. Marshall) - I can understand my friend from St. John's North (Mr. Carter), he would vote for anything if the Premier told him to do it and he frequently has. I mean he is able to do these mental convolutions. And the abasement - his idolatry of the Premier amounts to abasement.

MR. FLIGHT: That is right.

MR. ROBERTS: But, Mr. Speaker, I do not understand how gentlemen like the Minister of Justice, the President of the Council, my friend from Ferryland (Mr. Power), my friend from Naskaupi (Mr. Goudie), the present member from Naskaupi, the gentleman from Deer Lake - I am sorry, Humber Valley (Mr. House) is the name of the seat - how they can vote for this legislation. No reason shown for it, just an arrogation of power onto to the government unwarranted, unjustified, reprehensible.

There is another section in the bill that reflects the same attitude. Have a look Your Honour at section (4), "Where the government commences an action or makes a counterclaim for money as a debt due the government or where there is a criminal charge in relation to the money of or due the government." The government can hold on to the money. And, it goes on, "the person against whom that action is commenced claims an amount of money from the government."

Now, you know, that appears to be a great thing, and it may be directed to a particular situation, I am not aware of it, but it may be. What the House is being asked to do is to determine guilt or innocence. The government can hold on to that money. It

MR. ROBERTS: cannot do it anywhere else. If my hon. friend for Mount Scio (Mr. Barry) gets in trouble with his savoury farm for paying workers less than the minimum wage, as he has been known -

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

MR. ROBERTS: St. John's North, I am sorry. - as he has been known to do on occasion, if he gets into trouble with that and somebody sues him for debt, you know, he cannot take benefit behind this kind of principle. Why should the government? Why should hon. gentlemen have this kind of power? They are not even going to pay interest. So if they owe somebody some money - let us suppose they owe me some money and they take an action against me and they then can hold onto the money. Why? Is that not prejudging the guilt or the innocence? It is a new principle in our law. I always thought, perhaps naively, that things like,



MR. ROBERTS:

you know, a person is innocent until he is judged guilty in a criminal matter, that that holds. Or that in a civil matter until the action was established the claim was not established, until the court had ruled a debt is not owing unless and until a court says it is owing. Again it reflects the thinking, the mental cast of this administration. Well, Sir, I suspect this bill will pass. It will not get my support. You know, you get bills that have some good and some bad in them and you have to weigh up and decide whether the good outweighs the bad, in which case one can support the bill, or whether the bad outweighs the good. In this case, in my view, the bad outweighs the good and I will vote against the bill. That is not going to cause anybody over there any trouble. In a few minutes we will hear some pious pratings. We will be told that this is a perfectly reasonable thing. I will say we will never get any satisfactory explanation because there is not one, there cannot be one. And I will say this clause will be pushed through by the government. It is a reflection of their approach -

MR. HISCOCK: "An Act To Amend The Financial-".

MR. ROBERTS: Mr. Speaker, my friend from St. John's North (Mr. Carter) persists in interrupting despite Your Honour's admonitions. As well as being borish, he is rude. And as well as being rude he is inconsequential. And as well as being inconsequential he is a damned nuisance and on top of that he is acting like a child. Now, I do not interrupt him. If he said something that was worthy of riposte I would. And I appreciate the courtesy he is doing me, but if he would but control himself in patience, he would possess himself in patience, as the old people used to say, who knows, good things may even come to him in the fullness of time.

As I was saying before the most recent interruption from the irrelevant gentleman from

MR. ROBERTS: St. John's North (Mr. Carter), the point of this bill is that the bad outweighs the good. The government are going to put this clause through. They have got a majority and they have got the cast of mind that says they can do what they want with a majority. They reflect the Premier in that. The Premier thinks the House of Assembly is at best a nuisance, at worst considerably more than that. He thinks the electorate is at best a nuisance, at worst considerably more than that. And the general attitude of this administration is 'Whatever we want we shall do', and they think they are justified simply because they are a majority. Well under the parliamentary system they will have their way. We will see what happens when next the people of the Province are asked to judge. For my part I think the quicker we can have that judgement of the people in this Province the better it would be. And any time hon. gentlemen opposite feel so completely carried away that they think we should have then I would invite the Premier to call upon His Honour, as only the Premier can, only the Premier has the power, and let us have a dissolution. And let the Premier write his offensive little blackmailing letters which is what they are, threats, blackmail, not worthy of the dignity of the Premier of this Province, certainly not worthy of the member for Green Bay.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: From what he has told us about himself - we know he is a great fellow, he has told us so repeatedly in every way he can.

This is a bad bill, Mr. Speaker. It is a bad bill. The principle of these sections is an offensive one. There is no possible justification for it. And for my part I am going to vote against it and I shall ask my colleagues to do the same. Thank you, Sir.

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

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Mr. Speaker, I have no intention of speaking for a long period of time. But in the absence of the Minister of Finance (Dr. Collins) there are a few words I would like to say, particularly about the remarks made by the hon. the member for the Strait of Belle Isle (Mr. Roberts). I shall not deal with the remarks made by the hon. member for LaPoile (Mr. Neary) because they are the same remarks that have been made from time to time in this House and the answers are the same. So I just refer to about thirty or forty or fifty editions of Hansard, and we can take his remarks as answered by that.

The hon. member for the Strait of Belle Isle made a speech, as the hon. member has made many speeches in this House, some of them, like all of our speeches, good, some of them bad, some of them mediocre. I would suggest, Mr. Speaker, that the observations he made, particularly with respect to the provisions of section (3) of the bill, "An Act To Amend The Financial Administration Act", could be entitled, really, much ado about nothing. Because, Mr. Speaker, the hon. gentleman has tried to concoct a case and to present certain facts and to give his interpretation of the facts and

MR. MARSHALL: tries to make this bill as being an invidious bill and one not worthy of any administration, certainly not this. His objection, Mr. Speaker, is to the alleged use of the bill for the purpose of derogating from the rights of this Legislature and the rights of Parliament. One of the quotations he made is that by providing in this particular case that the Lieutenant-Governor in Council may on recommendations of Treasury Board authorize an agreement to be entered into to purchase goods and services to be delivered in a subsequent fiscal year - that by that harmless section we are destroying the whole fundamental process by which the House votes money. On this, Mr. Speaker, I draw issue with the hon. member. What this amounts to, Mr. Speaker, really, all that this particular section authorizes is the ordering of goods and services such as, for example, hospital supplies and non-corporations for the ensuing year, for the purpose of ordering supplies, goods and services for the Labrador stores, Northern Labrador stores and what have you; because, in fact, Mr. Speaker, it regularizes what has been done not just by this administration but by previous and the previous, previous administration because it had to as a necessity and a fact of life. The previous provision in the Financial Administration Act and its successor, the Revenue and Audit Act, provided that a deputy minister or other officer charged with the administration of a head of expenditure shall not - there was a prohibition, Mr. Speaker - enter into any commitment unless appropriation exists or is in a sufficient amount to meet the commitment. So, Mr. Speaker, in other words, at the end of March 31st. or if for some reason or other the government had run out of money in March or in February, there was no way that the deputy minister could order supplies, necessary

MR. MARSHALL: supplies for hospitals, necessary supplies in the Department of Social Services or in the Department of Municipal Affairs or Northern Development or what have you unless this House had approved of the appropriation. And this, in this day and age, Mr. Speaker, is obviously impractical. For instance, Mr. Speaker, as we have seen this year - and supply ran out on March 31st - interim supply was brought into this House. It was not voted until April the 8th and, Mr. Speaker, this government was not prepared to, as in the words of one hon. member of this House, let them suffer. This government, Mr. Speaker, has to be sure that government continues on and the normal affairs of government are conducted.

So, for the hon. gentleman to make a capital case of this is patently ridiculous, particularly when you consider that this legislation does not, and I repeat, does not in any way take away the authority of this House with respect to the matter. Because when these contracts are entered into, they are not allowed to be entered into willy-nilly by the head of the department as the head of the department may enter into contracts where he has budgetary approval for same. No, this is greeted as a special case. It has to be done, Mr. Speaker, on special recommendation of the Treasury Board; it has to be done on an act of the Lieutenant-Governor in Council and, furthermore, Mr. Speaker, this Legislature is recognized, as it has been recognized by this government in all of its legislative measures, by providing within the appointed time that such actions have to be tabled in this House of Assembly so that the public know it. Perfectly reasonable and perfectly rational, Mr. Speaker, it has reference to the House of Assembly and it is to be used only, Mr. Speaker, for the purpose of necessary contracts with respect to goods and services

MR. MARSHALL: To show the heights and the lengths to which the hon. gentleman would wish to try to colour this act, he draws a reference to supplementary supply and says that supplementary supply - this is not the same as it. Well, what is supplementary supply - it is exactly the same thing. The only thing is you spend the money beforehand, Mr. Speaker, before it is authorized and you come into this House afterwards with a warrant indicating and drawing to the attention of the people's House the fact that you have spent more money and that you have voted another warrant under the Financial Administration Act. All this act does is very harmlessly - it is

MR. MARSHALL:

effect, very kindred, to special warrants for which we get supplementary supply by merely authorizing the contracts to be entered into so necessary supplies can be obtained in order to operate essential services in this Province. And to use the analogy, and I think I am quoting the hon. member correctly, he said 'This can be used to buy out St. Nickerson's. Well, Mr. Speaker, this cannot be used to buy out Nickersons. The section very clearly says, 'An agreement to be entered into for the purchase of goods or services'. Now, the purchase of Nickerson's is much more than goods or services, it is the purchase of a gigantic business. And I do wish that if hon. members would wish to make comments on sections of the bill, that they could well, Mr. Speaker, read the bill before they make such comments. Because it is casting, Mr. Speaker, a shadow on this bill which is certainly not there. It is a harmless bill for the purpose of purchasing necessary goods and services to which reference is made by the Legislature and to which such contracts are only made after recommendations by Treasury Board, after approval by the entire Cabinet.

MR. MARSHALL:

Then it is done but afterwards the actions of Cabinet as all actions of the government in this particular government, are submitted to the scrutiny of the House and through the House to the public.

MR. S. NEARY:

(Inaudible)

MR. MARSHALL:

In conclusion - listen to the hon. member, Mr. Speaker. I get a great joy out of listening to the hon. members there opposite, the same government that supported measures where you could borrow billions and billions in secret Cabinet session without reference to this Legislature, now having the consummate gall to get up in

MR. MARSHALL: this House and champion the cause of the Legislature -

SOME HON. MEMBERS: What government?

MR. MARSHALL: The government the hon. member was a member of. The hon. members get up, they talk about sanctimony, Mr. Speaker, they get up and they talk about-

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: -it as if year one occurred in 1971 or 1972 -

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: - or 1980. The fact of the matter is, Mr. Speaker, these -

MR. S. NEARY: (Inaudible)

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: - same people who object to such -

MR. S. NEARY: (Inaudible) embezzlers.

MR. MARSHALL: - these same people, Mr. Speaker, who object to a harmless section such as this in the act were the same people-and complain about there being no reference to the Legislature and the destruction of the whole fundamental process by which the House votes money- were the same hon. crowd, Mr. Speaker, when they were in government, which were prepared to, and in fact did, squander and pledge billions of dollars of this money through borrowing in secret Cabinet session and the money was borrowed and the money was spent, Mr. Speaker, before the people of this Province knew what happened to them. So as I say it ill behooves them to get up and they talk about sanctimony and all that-to talk about a section of this nature which is so harmless and so necessary and in effect, regularizes what has been done in the Province for a long period of time, and which is so necessary for the effective operation



MR. MARSHALL: of hospitals and other social services.

With respect to section 4, Mr. Speaker, which is a section authorizing the government to withhold monies from people who the government alleges owes money to them. Well, Mr. Speaker, there is only the ordinary, legal right that any particular citizen has with respect to a counterclaim, that if you have a counterclaim against somebody you hold back the money pending the resolution of the whole issue. As a matter of fact, I sometimes think that some of the people get a little bit too zealous in the need for legislative matters in the bill and I do not really see whether this is absolutely essential, because the right was there anyway, but all you are doing in this right is incorporating the usual statutory right. It expands it a little bit, Mr. Speaker, where it says that where there is a criminal charge in relation to money of and due the government. Well, Mr. Speaker, that is essential as well and that is necessary.

MR. S. NEARY: (Inaudible)

MR. MARSHALL: The hon. member for LaPoile (Mr. Neary) gets up with great glee with his imagined -

MR. S. NEARY: A.B. Walsh trial.

MR. MARSHALL: Yes, it was the A.B. Walsh trial. with his imagined wrongs of the previous administration. But we have actual facts that I will not go into now, Mr. Speaker, of persons who had dealings with the previous administration who became subject to criminal charges being laid and had the bare-faced gall, consummate gall to try to hook money out of this government for alleged civil debts, and that is what that is aimed at, because if we want to give instances, Mr. Speaker, we will.

MR. J. CARTER: Do, do.

April 13, 1981

Tape No: 1200

RA - 4

MR. MARSHALL:            However -no, I will not - this bill is a very forward bill. As I say, the hon. member for the Strait of Belle Isle (Mr. Robetts) when he spoke, you know, made much ado about nothing, tried to fabricate a capital case out of this, that we were trying to establish a dictatorship, that we were trying to

MR. W. MARSHALL:

denigrate the House of Assembly, that we were trying to destroy the fundamental process by which the House operates. But, Mr. Speaker, I do not think a bill of this nature warrants that type of criticism. It is a forward bill. Mr. Speaker, what it does, in effect, by the one section to which the major objection has been taken, that it really does is it codifies what has happened in the past and makes regular that which happens in the past and after all which is necessary, because just because March 31st. comes and goes does not mean the end of the world comes. Government has to carry on, as everyone else, and this gives the government the right and the manner and the propriety with which to carry on but at the same time preserving the integrity and the respect for this House by requiring these contracts to be tabled in the House whereas in the past they were entered into, by all administrations past, as a matter of necessity but this House was never aware of it.

MR. SPEAKER (Butt): The hon. member for Eagle River.

MR. E. HISCOCK: Mr. Speaker, in listening to the member for St. John's East (Mr. Marshall) he almost had me convinced that there really was nothing wrong with this bill and that we should go on and pass it.

MR. S. NEARY: It will only do away with interim supply.

MR. E. HISCOCK: But as the hon. member for LaPoile (Mr. Neary) just said the bill itself could do away with interim supply. There would be no need for interim supply. I have heard the member for St. John's East say many, many times the respect of the Chair, the role of the Legislature - that we have a very, very, very open government, that we have a new image, we have a new Premier even though the majority of the members in the Cabinet were also members of Mr. Moores' administration.

MR. F. HISCOCK: And now the people of this Province are asked to pass bills like this, bills that will give the Lieutenant-Governor in Council untold power. We have heard this administration, by way of the former Premier, downgrade Mr. Smallwood's administration and say the country was going bankrupt, the country was going bankrupt. Even though we ran the Province for twenty-one years and only had a debt of \$700 million, we were going bankrupt. Now, after ten years we are going towards \$3.5 billion debt.

And more, an Act as we now see before us, Mr. Speaker, we could see that this debt could be tripled even more and more and more because they do not have to come back to the House and ask for permission. The Minister of Finance (Dr. Collins) said the bill is quite harmless, we already have the clause in it of Special Warrants. I would ask the Minister of Finance now what is wrong with a special warrant? Why is it that this government has to be in such a hurry that it cannot go and ask for a special warrant if it takes two or three hours or two or three days? Why is it that we need to be on top of it? Is it that we need to be on top of the financial markets of the world, the bond markets?

Surely, Mr. Speaker, there are other ways of doing it without bringing in, "Notwithstanding any other provisions of this Act, the Lieutenant-Governor in Council may on the written recommendation of the board authorize an agreement to be entered into for the purchase of goods or services to be delivered in a subsequent fiscal year." Why is it, Mr. Speaker, that we need this? What is wrong with their special warrants? And I would say, Mr. Speaker, there is nothing wrong with it. What we are seeing is we are seeing this government giving total disregard to the Parliament of this Province, we are seeing the government giving total disregard to the Opposition, to the Cabinet and to

MR. E. HISCOCK: the private members on both sides. We see a government that is expanding each day in its own image, its own arrogance, its own ego of the Premier. It is not so long ago in this Province, if people do not realize, that the Premier replaced Mr. Moores and that he was in power for three months and our own party, the Liberal Party, was having a leadership convention. And with that a movement went on the go to get Mr. Jamieson back from Ottawa. What ended up happening? Did we go through the democratic process of letting the Opposition have their convention? No. The Premier, as soon as he heard that Mr. Jamieson was coming back, in his tactics,

MR. HISCOCK: called an election, gave us one with the knee.

MR. MOORES: Ran scared.

MR. HISCOCK: And not only ran scared. But now, Mr. Speaker, those are the tactics the people of this Province have to deal with. Those are also the tactics that he used down in St. Mary's-The Capes of sitting on the chest. They are also the ones that he used down in Burgeo-Bay d'Espoir of sending down civil servants with blueprints, not promises but blueprints trying to convince the people. And now we saw, Mr. Speaker, out in the Bellevue election, promising the people in Arnold's Cove to have a site designated as offshore. Why was it not on the original list, Mr. Speaker. when it came in? And also the Minister of Fisheries (Mr. Morgan) - this is why this Opposition are so vehemently opposed to the provincial government having control over fishing or any more control over it - the Minister of Fisheries turned around and ended up in Chance Cove and signed the licenses and gave the fishermen a license right before a public meeting. Big show, signed it! No regard whatsoever, Mr. Speaker.

MR. NEARY: (Inaudible) turned down.

MR. HISCOCK: So, Mr. Speaker, it was turned down. And if the government has control over it, Mr. Speaker, you can say goodbye to it because look what happened to the Loan Board, it could happen with the other. And this bill, Mr. Speaker, again would give this government too much control.

Mr. Speaker, I would like to move an amendment. I would like to make an amendment to this motion to delete all words after 'that' replacing them with the following, "This bill be not read a second time or that it be read a second time six months hence, seconded by the member for Fogo (Mr. Tulk).

SOME HON. MEMBERS: Hear, hear!

April 13, 1981

Tape No. 1202

IB-2

MR. HISCOCK:

So, Mr. Speaker -

MR. ROBERTS:

He has got to rule that in order.

MR. SPEAKER (BAIRD):

Order, please!

We will take a two minute recess  
and have a look at this.

MR. SPEAKER (Mr. Baird):

Order, please!

The amendment is in order.

The hon. member for Eagle

River.

SOME HON. MEMBERS:

Hear, hear!

MR. HISCOCK:

Mr. Speaker, as I was

saying, my concern with this bill again is giving the Lieutenant-Governor in Council too much power.

AN HON. MEMBER:

And the Premier.

MR. HISCOCK:

The Premier and other

members of this House aside, as well as in the Province realize that giving it the official title that is here within this bill.

Why is it, Mr. Speaker, that when we state something in this House - and when the Premier starts scrutinizing questions and if they are up to his standard then he will answer them? If they are not up to his standard then he will not answer them. Why is it, Mr. Speaker, that we hear continually from the member for St. John's East (Mr. Marshall) talking about decorum of this House? And why is it we hear continually about the role of this Legislature? Why is it then, Mr. Speaker, in saying that on one side and then coming in on the other side and taking more power away from this Parliament of this Province? Why is it, Mr. Speaker? Is it because of their arrogance that they do not want to come and sit in this House and have the Opposition drill them, ask them questions with regard to interim supply. Is it because they are upset that we asked questions with regard to the Premier's plane or the government's plane, and how the Premier's office is using it? Is it that they are upset with various other wastes in this government, that we ask? Why is it, Mr. Speaker, that when we ask if you can borrow the money



MR. HISCOCK: now under special warrant. why do you need to turn around and do away with that power? Why is it that we have to turn around and have more rights?

AN HON. MEMBER: Oh, oh!

MR. HISCOCK: And why is it that the government has to have more power? Is there any need of this Legislature? Is there any need of having an election?

I heard it said in this House about a week ago that the Premier was 99 per cent right, 99 per cent right, one of the Cabinet minister's ended up saying it. I do not care if he is 99 per cent right or 99.9 per cent right, I am concerned about the other .1 where you will make a mistake.

And I am saying, Mr. Speaker, with this bill here, and this clause we are giving this government too much power. We are giving them the opportunity to make the mistake. And if we are going to make mistakes, surely we should have the House scrutinize our mistakes. Even when we passed the Municipalities Act in the last session, now the minister is back again asking for amendments to that.

So, Mr. Speaker, I see no reason why we need to have this act by the Lieutenant-Governor in Council. I see no reason why we cannot continue under the special warrants. But I do ask the question, if this is going to do away with interim supply, why is it then that we need to have interim supply? Is it not that the Parliament itself is concerned with how the taxpayers' money is spent and how their taxes are being spent in a reasonable way? Is it now that by Order-in-Council we go and collect taxes, spend taxes and not even be accountable to this House? Is that the case, Mr. Speaker?

April 13, 1981

Tape 1203

PK - 3

MR. NEARY: . That is right. You are right on.

MR. HISCOCK: Then I would say, Mr. Speaker, -

MR. NEARY: It is just as well to do it.

MR. HISCOCK: -this is a gross over-exaggeration of  
power. It is a gross form of ego,

MR. HISCOCK:                   arrogance and total disregard for the electorate of this Province. It is another example, Mr. Speaker, it is another example, 'If I cannot have it all, I will not have anything'. He was not concerned with regard to the press and tried to blame it on the member from Lapoile (Mr. Neary) that he would not have the TVs in the House and if we do not get the Budget on budget day and if you do not see it, then blame it on the member from Lapoile.

MR. NEARY:                   That did not work.

MR. HISCOCK:                   That did not work. And now, Mr. Speaker, the government wants all or nothing. Either all the speech is going to be televised or nothing and that is the attitude, Mr. Speaker, of this government -

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

MR. HISCOCK:                - and I hope, Mr. Speaker.

MR. SPEAKER (Baird):        A point of order, the hon. House Leader.

MR. MARSHALL:                The hon. gentleman can talk in the appointed time about matters that pertain to public interest. The matter before the House now of public interest is the Financial Administration Act. The principle of the bill is the separation of the Comptroller and the Deputy Minister of Finance, regularization of the procedure with respect to the ordering of goods and services, and the withholding of certain monies in certain specified cases. The hon. member has proposed a six-month hoist. He is getting on now into areas totally unrelated to the bill and, for that matter, Mr. Speaker, totally unrelated to his motion of a six-month hoist.

MR. SPEAKER:                To the point of order, the hon. member for the Strait of Belle Isle (Mr. Roberts).

MR. ROBERTS: Mr. Speaker, if I may, Your Honour is very much aware of the fact that wide latitude is allowed in debate and very much aware of the fact that it is the Speaker's role to ensure that members are able to participate in the debate within the traditions of this House. Now this is a bill, "An Act To Amend The Financial Administration Act", and my friend from Eagle River (Mr. Hiscock) has moved an amendment which Your Honour, after due and proper consultation and consideration, accepted, and he is now giving his reasons why he thinks this should be put off and surely the fact that this government are ashamed of what they are doing, which is established by the fact that they refuse to let the television cameras cover the proceedings of this House, surely that is a relevant argument. My friend from St. John's East (Mr. Marshall) is simply trying to muzzle debate and I would suggest to Your Honour if Your Honour would tolerate that - and I am sure Your Honour would not - that would fly in the face of all of the traditions of free speech which this House has developed over the years.

I submit there is no point of order and that my friend from Eagle River ought to be allowed to carry on with his quite germane and very pertinent and very effective remarks without this harassment from the gentleman from St. John's East who is simply annoyed, I would suggest, because his legislative timetable has once again crumpled before his eyes.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Baird): To that point of order, while relevancy is hard to define, sometimes a member must be given the benefit of the doubt. I would remind all members of the rules of relevancy. Carry on, the member for Eagle River.

MR. HISCOCK: Mr. Speaker, with regard to relevancy to this act, as I said, I see no reason why this House should give up more power and give it to the government when it takes the attitude - and this is the point that I was trying to make - that this government takes the attitude they want all or nothing - the media to cover the Budget Speech, all or nothing - we want every seat in this Province to go Conservative, all or nothing - we want the press themselves before budget day everybody to sign it, all or nothing. It is an attitude, Mr. Speaker, it is an attitude that I find upsetting. It is an attitude that I find that a very young Premier who is concerned about this Province, that here now his government are letting him go astray and patting him on the back. There is nothing wrong with constructive criticism, there is nothing wrong with his own members, and I am sure he would have preferred the member from Trinity North (Mr. Brett) to turn around and give him some advice but they are afraid to, Mr. Speaker. And I am afraid, Mr. Speaker, with this clause in it that if there is nobody in his government to stand up to him and say, 'Mr. Premier, did you think of this?', then what is going to happen to this Province, Mr. Speaker?

I see the member from Placentia (Mr. Patterson) looking at me and I remember distinctly coming into this House - all that I have heard about the Smallwood administration. I hope, Mr. Speaker, I hope that in ten or fifteen years time, whenever it is, or three years time, I hope that I do not have the opportunity and the privilege to be able to say to him, 'Did I not tell you this about this new Premier?' So do not let him go riding, or do not let him take off like a horse breaking his reins, keep him in tow, keep him in line, not only for his sake but for the sake of this Province.

MR. HISCOCK: But I am a little bit concerned, Mr. Speaker, about the openness. Why is it that this bill here gives this government so much power? I thought this government was one of openness, one of letting the people know, the press know, the public, the elected and the media, why is it that we have to turn around and do this in Cabinet? Why is it that we have to turn around and do this behind closed doors? Surely these are the taxpayers who are footing the bill, surely they want to know what is happening with the money in this Province, surely they want to make sure that it is not abused, that it is going towards the disabled, that it is going towards the blind, that it is going towards schools, that it is going towards people on social assistance. And, Mr. Speaker, by taking this out I would ask the question, why does this government need so much power? Why is it? They have a Cabinet, they have thirty-three members, why is it that they need so much power? Why is it that they have to be so disrespectful to this hon. House to take away so much power, Mr. Speaker, particularly when they claim to be so open. If they are so open why do they not start practicing it and letting it? But I would say, Mr. Speaker, when we see other bills that are being passed, the Freedom of Information, we will find out how open they are.

And, Mr. Speaker, I am concerned that if this bill is passed it will do away with Interim Supply. And I am also concerned with an attitude that this government and this Premier have, that he knows right, not only knows right he does right and is right. And, Mr. Speaker, that is right -

AN HON. MEMBER: By leave, by leave.

MR. HISCOCK: - and that is okay when you are right 99 per cent of the time as one of his Cabinet ministers said he is. But I am concerned as we have made the mistakes

MR. HISCOCK: on this side here through our administration, and as the majority of the Cabinet ministers now of this administration made mistakes under Mr. Moores' administration, why is it that we again have to go through the opportunity or allow ourselves to be open? Why is it that the Minister of Education (Ms. Verge) gets up and says he is not only the best Premier that Newfoundland ever had but probably one of the greatest Canada ever had? If it is true, Mr. Speaker, the Premier does not need to have that told to him, he does not have to have a little bunch of dogs yapping around his feet and barking and praising him and that.

MR. NEARY: He loves to hear it.

MR. HISCOCK: But, Mr. Speaker, obviously what is happening, if you want to stay in the Cabinet, if you want to stay in the government, if you want to run in your seat again, you have to have the Premier's favour. If you do not have the Premier's favour then you can be out on your heels.

MR. NEARY: The royal order of the boot.

MR. HISCOCK: So, Mr. Speaker, with regard to this bill again, I am concerned that it is taking too much power away from this House, particularly when the member for St. John's East (Mr. Marshall), the President of the Privy Council gets up and lauds this House and says how great it is and what a disrespect the Opposition is doing to it. And now what do we see? Bill after bill. We saw the Municipal Act come in and was rammed through, we saw the flag come in and it was rammed through, we see this bill and it is being rammed through.

MR. NEARY: The matrimonial property law.

MR. HISCOCK: Everything, Mr. Speaker, and the Matrimonial Act was rammed through. In essence there is probably nothing wrong with these bills but it was the principle of the thing and how it was done. So, Mr. Speaker, here we find another bill. Not only is it being rammed through the House but once it is rammed through again it is going to take away power from this House. And I would say, Mr. Speaker, if they call this leadership, then I do not know what leadership is.

SOME HON. MEMBERS: Hear, hear.

MR. HISCOCK: And with regard to this, Mr. Speaker, I hope the press will pick up on this. I hope that they will point out to the people that the power that this government is taking away from the House, the power that this government is taking away from its people - that here it is, taxes being paid, cannot even afford to pay people with regard to the Trades College, cannot give the nurses an increase in wages, cannot give the teachers an increase in wages or the public servants or any other form - cannot build roads, cannot build schools, cannot basically do anything without money, and here is the highest rate of paying taxes in this Province and now the government is turning around and saying, 'With all of these taxes you are paying, with all of the stuff that we cannot do, we are asking now the people of this Province to give this government a carte blanche cheque and let them



MR. HISCOCK:

do what they want with it. Sure how many houses are they going to buy for the Premier? They might turn around and decide to buy one for every member of the Cabinet. Maybe they will decide that every Cabinet minister should be chauffeur driven. Maybe, Mr. Speaker, because under this act they basically can do what they like with this law. They do not have to come back and ask this House for any permission. And, Mr. Speaker, we are not Saudi Arabia yet, we are not Kuwait and we are not -

AN HON. MEMBER: We are getting there.

MR. HISCOCK: We are getting there and we are getting there with attitude, Mr. Speaker. And I would only ask this question to the media - that this is probably one of the most serious bills that has been brought before this House, even though it is probably one of the most boring bills that has been brought before the House, because financial bills in themselves in most cases are boring and, therefore, the media and many of the people in the Province ignore them. But when you can turn around, Mr. Speaker, and take power away from this House and give it to a government that is totally arrogant now, that they have almost every forum. They turned around and muzzled the Opposition by only allowing us two days of debate on the Throne Speech, turned around and sent things in Committee, a week, turned around and took away the hours of debate from an hour to a half hour and gradually trying to do away with the Her Majesty's Royal Opposition, trying to do away with it altogether. And here they are now asking for more power, fiscal.

So I am beginning to wonder

Mr. Speaker, why is it necessary to turn around and have an election at the expense of the Province when we are going to turn around and give every bit of power in this House to the government? It is just as well, as the member for St.

MR. HISCOCK: John's East (Mr. Marshall) said, "Do not be so foolish". Is this not a typical remark from the member for St. John's East saying "Do not be so foolish". I do not know if it is parliamentary or not but I would assume coming from the learned gentleman that it is. But do not be so foolish, ignore it, let it go on. I am not, Mr. Speaker, elected to this House to turn around and do what the member for St. John's East would like me to do or the member for St. John's North (Mr. Carter) or the Premier or any other members on that side or this side, I am elected to turn around and be a watch guard of the people of my district and the full Province. And if I find that I want to speak with any objection on any piece of legislation I will continue to do it as foolish as the member for St. John's East might like to think it is. The member for St. John's East has been proven wrong many times and I will go again that he will be proven wrong many times in the future.

But, Mr. Speaker, there is no need to take away the power of this House and turn around and give it to the Premier by way of an act of the Lieutenant-Governor in Council. So, Mr. Speaker, I am quite pleased in moving that amendment and I will have something to say on it later.

SOME HON. MEMBERS: Hear, hear!

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

MR. OTTENHEIMER: Mr. Speaker, I do not intend to speak very long on this but I would hope that one of the hon. gentlemen opposite would give the hon. member for Eagle River (Mr. Hiscock) a copy of bill 41.

MR. HISCOCK: I have one.

MR. OTTENHEIMER: You have one, right. Well if the hon. gentleman has one I hope that somebody on the opposite side would encourage him to read it. I mean obviously one can be against this bill. You know that is everybody's privilege. But it has nothing to do with interim supply. That is one

MR. OTTENHEIMER: thing it has nothing to do with.  
You know it has to do with a number of things -

MR. HISCOCK: It will do away with it though.

MR. OTTENHEIMER: No, it has nothing. It does not take away interim supply, it does not make looking for interim supply unnecessary. It just is not related to interim supply. It does not affect it in any way whatsoever. No, the clause in there that the hon. gentleman is referring to would permit a government department to place orders for, let us say, a certain product. Not to purchase but to place orders. Nothing can be purchased, not a cent spent until the financial provisions have been voted by the House. So, you know, no expenditure can be made at all.

MR. HISCOCK: (Inaudible).

MR. OTTENHEIMER: Let me give the hon. member an example. If the hon. member for Windsor-Buchans (Mr. Flight) would stop interrupting, he is a very difficult man to speak over. Oh, I am sorry, it is his colleague.

For example, the Department of Education frequently has a problem with textbooks. They have to be ordered at a certain period of time, otherwise they cannot be gotten for the opening of the year. So it would permit the ordering of the textbooks, the placing of the order but not their purchase. It does not permit any expenditure

MR. G. OTTENHEIMER:

whatsoever but merely the placing of the order. It has nothing to do - I mean it is there in black and white - it has nothing to do with the need for interim supply. That is one thing it does not refer to.

MR. G. FLIGHT: (Inaudible) purchasing Mr. Minister?

SOME HON. MEMBERS: Oh, oh!

MR. G. OTTENHEIMER: What section are you referring to?

MR. G. FLIGHT: Page four, section four.

MR. G. OTTENHEIMER: Page four, section four, 'Notwithstanding any other provision of this Act the Lieutenant Governor in Council may on the written agreement of the board authorize an agreement to be entered into for the purchase of goods'. Yes, an agreement for the purchase but not the purchase. Not the spending of the money. No money can be spent until it is voted by the Legislature. It is an ordering of something. If the hon. gentleman does not believe my interpretation ask somebody else's.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Baird): Order, please!

MR. G. OTTENHEIMER: But it has nothing - you know, hon. members can be against it but there is not much sense being against it by saying this will preclude the need for interim supply. It has nothing to do with interim supply, it has nothing to do with expenditure. It has to do with placing an order but not the spending of money and supply has to do with the spending of money. I mean, it is up to hon. gentlemen if they want to be against it obviously, but there is no sense, you know, deluding themselves into saying that this makes unnecessary interim supply. If this bill were passed a month ago, it would still have been required to have interim supply in just the same way as it was a couple of weeks ago. Now, that is one point. I just wanted

MR. G. OTTENHEIMER: to clarify that, it does not have any direct affect on interim supply at all.

MR. SPEAKER(Baird): The hon. member for LaPoile.

MR. S. NEARY: Mr. Speaker, it does have a direct bearing on interim supply and the hon. gentleman who just spoke either did not read the bill or does not understand it or did not know what he was saying. Because it does, Mr. Speaker - here is the procedure in future if this amendment goes through. There will be interim supply, yes, we will have supplementary supply, interim supply and the Budget but here is the hitch, Mr. Speaker. Here is the rub! We will not, the Opposition or any member of this House who wants to assert his independence cannot stop, for instance, the Public Service from being paid. If this amendment goes through social assistance cheques will be able to go out, cheques to the Public Service will be able to go out and then somewhere down the road the interim supply bill will be passed.

MR. OTTENHEIMER: No. No.

MR. S. NEARY: Yes, yes, yes!

MR. OTTENHEIMER: That is false.

MR. S. NEARY: That is not false, that is true.

The interim supply bill will not mean what it means right now, Mr. Speaker.

DR. COLLINS: That is false.

MR. S. NEARY: It is not false, it is absolutely true. The hon. gentleman now is trying to weasel his way out of it.

DR. J. COLLINS: (Inaudible).

MR. NEARY: Mr. Speaker, did the hon. gentleman take the trouble to really read his own bill.

DR. COLLINS: Have you read it?

MR. NEARY: Yes, I certainly have read it. I read it over the weekend and I circled it, and I have looked at

MR. S. NEARY: it from every angle. It is one of the most dangerous pieces of legislation ever brought before this House, the most dangerous.

AN HON. MEMBER: Since Joey.

MR. S. NEARY: And they always talk about 'Joey'. What time are they going to give up fighting 'Joey'?

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: What time are they going to give it up? They are always - Mr. Speaker, always their defence of a rotten piece of legislation, a rotten bill or something rotten is always 'Joey'. They jump over eight years of corruption to get at poor old 'Joey'. And, Mr. Speaker, one of the reasons why we are objecting to this bill is the way the minister ran his department, the impropriety and the public works spending and the violation of the Public Tendering Act in this Province.

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: Now, I am talking about the wrong minister. You know, Mr. Speaker, it is really funny. The President of the Council (Mr. Marshall) will get up and he will point his finger at me and say, 'You were in the Smallwood administration'. But when I talk about the Tory administration and refer to the Public Works spending, I am talking about the wrong minister. That is really funny, Mr. Speaker, really funny!

MR. YOUNG: I had nothing to do with (inaudible).

MR. S. NEARY: I see, I had all to do with all the decisions from 1949 up until the time I went into the Cabinet, but the hon. gentleman can slink away from his responsibility and skunk away from it because he was not in the Cabinet at that time. This is only a continuation, Mr. Speaker, only a continuation of the Tory administration in this Province.

MR. S. NEARY: And so what they are asking here -  
Oh, go down now and counsel them, counsel them now and tell  
them to keep quiet, counsel them, do not say anything else,  
the muzzle is going on, keep quite, they cannot win!

So it is for that reason, Mr. Speaker,  
it is for the - who would give the Minister of Public Works  
(Mr. Young) in the government today, who would give him the  
right, the authority to enter into agreements and to purchase  
goods and services without reference to this House or without  
reference to anybody? The Comptroller of the Treasury has no  
control over him. Who would give that minister that authority?

AN HON. MEMBER: No one would.

MR. S. NEARY: No, you are right, no one would, I  
hope. One of the most incompetent -

MR. YOUNG: Go on, say it.

MR. S. NEARY: Yes, the most incompetent and insig-  
nificant ministers in the government

MR. YOUNG: Is that right?

MR. NEARY: That is right, insignificant and incompetent. And the government is asking this House to give the hon. gentlemen the authority to go to Treasury Board and then come to Cabinet and say, 'Can I have the authority to purchase goods and services that we do not need now, we will need a year or two from now, and we will pay for it eight or ten years down the road?' Who would give that minister that authority?

MR. YOUNG: (Inaudible) Mifflin Report?

MR. NEARY: Yes. Mr. Speaker, if the hon. gentleman has something to say about that, if it is something that is up his nose, let him get up and say it.

MR. YOUNG: (Inaudible).

MR. NEARY: Mr. Speaker, that is what we are up against. We are up against a crowd of incompetents the Minister of Public Works and Services (Mr. Young), what a Minister of Public Works and Services? Give him the authority.

MR. YOUNG: My character (inaudible).

MR. NEARY: Give him - I am not talking about the hon. gentleman's character but I will put mine up against the hon. gentleman's any time. I am not interested in the hon. gentleman's personal life, I am only interested in his politics.

MR. YOUNG: Now (inaudible) -

MR. NEARY: So the hon. gentleman better take it easy, if he wants some dirt to fly across the House we will have it, but I am talking about the hon. gentleman's politics. And the politics of it is this, that we have a



MR. NEARY: number of incompetents in the administration of which the hon. gentleman is the number one incompetent.

MR. HISCOCK: A number?

MR. NEARY: Number one. Yes, we have them numbered. And they are asking us to approve this amendment to give - it is bad enough, Mr. Speaker, to try to ram the amendment through, to give it to a group of efficient, high calibre ministers, that is bad enough, but when you have to give this authority to a group of incompetents who do not know if they are punched or bored, who do not know how government operates, who do not know The Financial Administration Act from a bull's hoof - it is just as well to face it, they have heard more about The Financial Administration Act today, this afternoon, as a result of us bringing it up, bringing these points out, they have heard more about The Financial Administration Act than they ever thought they would hear in their lives. They did not know but it was something you eat.

MR. HISCOCK: (Inaudible)

MR. NEARY: I would like now to sit down and invite the hon. member for Harbour Grace (Mr. Young) to get up and give me a few words on The Financial Administration Act of this Province. I would like to invite the hon. gentleman to do it and I would -

MR. YOUNG: (Inaudible).

MR. SPEAKER (Mr. Simms): Order, please!

SERGEANT-AT-ARMS: The Lieutenant-Governor has arrived.

MR. NEARY: I move the adjournment, Mr. Speaker.

MR. SPEAKER: The hon. member moves the adjournment.  
Admit His Honour The Lieutenant-Governor,  
May it please Your Honour, the General Assembly of the Province has at its present session passed certain bills to which, in the name of and on behalf of the General Assembly, I respectfully request Your Honour's assent.

April 13, 1981

Tape 1208

PK - 3

A bill, "An Act To Provide For The Protection  
Of The Forests Of The Province From Insect And Disease".  
(Bill No. 54).

A bill, "An Act To Provide For The Funding Of Certain Pension Plans And Retirement Benefits Sponsored By The Province And Consequential Amendments Of Certain Pension Acts Related Thereto". (Bill No. 58).

A bill, An Act Respecting The Reorganization Of Certain Government Departments And Matters Related Or Incidental Thereto". (Bill No. 1).

HONOURABLE GORDON A. WINTER (Lieutenant-Governor):

In Her Majesty's name, I assent to these bills.

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

MR. MARSHALL: Your Honour, I think hon. members will agree that there appears to be no point in pursuing further debate, as vigorous and informed as the debate has been today, Mr. Speaker, so I am prepared to move adjournment now. I move the House, Mr. Speaker, at its rising do adjourn until tomorrow, Tuesday, at 3:00 p.m. and that this House do now adjourn.

MR. SPEAKER: Before I put the motion, at the risk of inviting a tremendous amount of debate over a matter that has been discussed on a couple of occasions, I feel that I have to put another question to the House so that the Chair can have some guidance, and it is with respect again to the coverage of the Budget tomorrow afternoon. There has been some confusion in the request that has been passed on to the Chair. Originally, hon. members will recall, approval was given to the request to broadcast live. Then I was advised that that was not the request but that the request was that it be taped and then edited and excerpts be used. That did not receive the unanimous approval. Now I am advised that, in fact, a part of the parliamentary press gallery, i.e., the radio media, would like to broadcast it live, so I think that I have to put the question once again in order to make sure that the

MR. SPEAKER (Simms): House fully and clearly understands what the situation is. I think my role, again, is not to invite debate because it is not a motion, it is a request that requires unanimous approval and so I would put that request. Does the electronic radio media of the parliamentary press gallery have permission to cover the Budget broadcast live tomorrow?

MR. NEARY: Mr. Speaker.

MR. SPEAKER: The hon. member for Lapoile.

MR. NEARY: Before Your Honour puts the question, could I ask Your Honour if this latest request now is coming from the parliamentary press gallery or from individual stations, and if it is coming from individual stations what stations are we giving approval to? I think that question - that is an important question.

MR. MORGAN: (Inaudible).

MR. NEARY: No, well, no, hold on now.

MR. SPEAKER: I understand that in the parliamentary press gallery there is some confusion as to whether or not the radio stations were to be able to broadcast it live. That is the request that I am asking -

MR. NEARY: But how many radio stations want to carry it live, Mr. Speaker?

MR. SPEAKER: I have no idea.

MR. NEARY: So just the radio stations, not the television.

MR. SPEAKER: Just the radio stations, not the television stations.

Is there unanimous approval?

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER: The hon. President of the Council.

MR. MARSHALL: The hon. gentleman who, you know, asked the question - I suppose he was speaking for the Opposition. I would like to just point out, Mr. Speaker, that I understand - so that we can be sure of what the request is - that the request has been made that those of the electronic media who wish to cover the proceedings live -

MR. NEARY: Radio.

MR. MARSHALL: - radio, being radio - may do so.

MR. SPEAKER: Yes, that is my understanding.

AN HON. MEMBER: Not electronic media, it is radio.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (SIMMS): The request now is for radio.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

If I may try to clarify it or confuse it once again. The request that we had earlier, whenever it was, yesterday or today, was from the television stations which was to tape it and edit it. That was not given approval. So now it is a request from the radio stations who wish to cover it live. Do they have permission or unanimous consent? Is there unanimous consent? Agreed?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed. The motion is that this House -

MR. STIRLING: Mr. Speaker.

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

MR. STIRLING: Just so that there is no misunderstanding on this side, this side of the House agrees with the T.V. coverage and the taping of the T.V. coverage and the judgement of the T.V. people to use extracts from it. The agreement on this side is the radio can cover and use extracts from it in addition to covering live. As I understand, the limited consent given on the other side of the House is that the radio stations only have permission to cover live and do not have permission to do extracts from it.

MR. SPEAKER: The hon. Premier.

PREMIER PECKFORD: Mr. Speaker, that is the most - what shall I call it? - crazy, elementary way to try to summarize what is going on here. Mr. Speaker, if the House has given approval for the radio electronic media to cover live obviously, then, there is no argument about later, after it is used live, of them using excerpts. So I mean it is repetitive and irrelevant, it is completely -

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: On the radio side. The Leader of the Opposition (Mr. Stirling) was trying to then indicate that we were giving approval for the radio people to carry it live but then could not use excerpts afterwards. Well, by using it live you can use excerpts afterwards also.

MR. SPEAKER (SIMMS): Well, if I may, I must say the -

SOME HON. MEMBERS: Oh, oh!

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

As I indicated this is not a motion that is debatable. Both sides have had comments to make on it. The question was put whether there was unanimous approval for the radio stations to broadcast live. I understand there was unanimous consent. That settles the matter.

On motion, the House at its rising adjourned until tomorrow, Tuesday at 3:00 P.M.