

VOL. 1

NO. 2

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
TUESDAY, MAY 11, 1982

The House met at 3:00 P.M.

Mr. Speaker in the Chair

MR. SPEAKER (Russell): Order, please!

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: Mr. Speaker, before we move to the Orders of the Day, even the Routine Orders, I would like to, and I know the hon. gentlemen there opposite and all members of the House would like to join in an expression of sympathy to the late Mr. George W. D. Allen, the former Auditor General of this Province, and as such also a former servant of the House.

Mr. Allen had been the Auditor General for quite a period of time. He was the first Auditor General, I believe, after Confederation, and shortly after Confederation in 1950 he transferred from Director of Taxation to this particular post, and he served it eminently and with a great deal of distinction. He is well known in the Province. Apart from the fact of his occupying this high office in the public service he also contributed a great deal to community affairs in the Province.

I would like, as I know all members will wish, to join in an expression of sympathy to his widow, Mrs. Irma Allen, and his two daughters and members of his family. Mr. Allen, as I say, is well known to all of us. He had a great facility for interest, particularly in younger people, and he had a great hand in the development of the public service. So I would like to propose, Mr. Speaker, that a message of sympathy go forth from the Assembly to his widow and the members of his family.

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

MR. ROBERTS: Mr. Speaker, we on this side
wish to associate ourselves with the message which

MR. ROBERTS: the President of the Council has suggested we send from the House. I guess I am one of the few men left in the House who had the pleasure of knowing Mr. Allen personally. The minister would know him well because of course the minister's father was the Deputy Minister and the Comptroller during, I guess, almost all of the period, if not all the period, that Mr. Allen was the Auditor General of the Province. Mr. Allen, Sir, was not only a gentleman in every sense of the word but was a model of a professional and a model of a public servant, and the stamp which he put on the Auditor General's office has been well and truly carried out by his successors, by Mr. Howley, and now by Mr. McGrath. The late Mr. Allen served, I believe, for about 20-25 years as the Auditor General. I doubt if we will ever again see a man who will make that kind of a contribution to the Province. His passing is the closing of a stage in our history. I think it is appropriate that the House note it with regret and that a message of sympathy go to his widow, Mrs. Allen, to the two daughters who survive him, and their grandchildren.

Thank you.

MR. SPEAKER (Mr. Russell): Before we proceed with the Statements by Ministers, I have been requested, and indeed it is an honour for me to welcome to the galleries today Mr. Henri Everaars, Head of the Economic Section Royal Netherlands Embassy, Ottawa, and Mr. Anthony Ayre, Consul for Belgium and the Netherlands, St. John's. I welcome these distinguished gentlemen to the galleries.

SOME HON. MEMBERS: Hear, hear!

ORAL QUESTIONS

MR.SPEAKER (Mr.Russell): The hon. member for Fogo.

MR.TULK: Mr. Speaker, I have a question for the Minister of Fisheries and it relates to the opening or closing of fish plants in the Province. Two or three days ago the minister indicated that some of this Province's fish plants will probably not be re-opening this year, - as a matter of fact I believe he said they would not be re-opening. In particular he noted that not all the Nickerson plants along the Northeast Coast would be re-opening. I am sure that the minister recognizes that the inshore fishery has started and that many of the fishermen and plant workers are concerned about that problem. My question then to the minister is would he indicate to the House how many fish plants there are in the whole of the Province that will not be re-opening this year? And would he tell us where they are located, that is, in what communities they are?

MR.SPEAKER: The hon. Minister of Fisheries.

MR.MORGAN: Mr. Speaker, since last Fall -early Fall, late Summer -many fish plants around the Province were closed and have been closed since that time.As a result of this administration and the efforts of the Premier and myself as his Minister of Fisheries, and the Minister of Development (Mr. Windsor) and the Minister of Finance (Dr.Collins),we have been able to re-open twenty-seven fish plants.

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: And these twenty-seven fish plants - I could list them off but it would take too long to do it, Mr. Speaker - around the Province, most of them inshore fish plants; I think there is a total of four, that are what we call offshore plants involving the Lake Group and Burgeo Seafoods at Burgeo, the others all being inshore fish plants, and unfortunately these fish plants had to be opened with the dollars of the taxpayers of this Province by means of financial assistance. Because of the high interest rates and because of the slack economy in the U.S.A. and weaker markets the companies found themselves in financial difficulty. So as a result we have to provide some financial assistance to those plants which we feel can be viable in the future and, in fact, we are determined to make viable in the future. I say it unfortunately had to be done strictly by Newfoundland taxpayers' dollars because we could not get any co-operation from the federal level of government -

SOME HON. MEMBERS: Shame!

MR. MORGAN: - and especially from the federal government task force.

We are presently working on a very serious problem at the largest inshore fish plant at St. Anthony. We are doing all we can in our power to get that plant open but it will take the co-operation of the federal government. It will take the involvement of the federal government task force headed by Mr. Trudeau's right-hand man, Mr. Kirby, but to date he has not shown too much interest in that situation at St. Anthony.

We have a number of inshore plants owned by the Nickerson Group.

MR. MORGAN: The Nickerson Group from Nova Scotia, unfortunately again, was turned down recently for financial assistance for Nova Scotian operations. They asked for financial assistance from the federal level of government; however, the federal government said no, which will leave these plants in Nova Scotia to fall by the wayside, that is my projection at this time. However, we are determined to do whatever we can to prevent as many plants as possible from falling by the wayside in this Province as owned by Nickersons.

SOME HON. MEMBERS: Hear, hear!

MR. TULK: Mr. Speaker, a supplementary.

MR. SPEAKER (Russell): A supplementary, the hon. the member for Fogo.

MR. TULK: I think the minister should realize one thing, that fish in the boat and in the water belongs to the federal government and is the jurisdiction of the federal government, but when it comes on the wharf it is the responsibility of the Minister of Fisheries in Newfoundland.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Right on.

MR. TULK: But the minister did not answer the question. The question was: He indicated that there were fish plants on the Northeast Coast that we are not going to reopen; the question is, are there other fish plants in this Province and where are they?

Now the minister is also quoted as saying that both the provincial government and the company feel that plants which are not economically viable are not going to be reopened. Has the minister determined which plants are not economically viable and would he care to name those?

May 11, 1982

Tape No. 38

MJ - 1

MR. SPEAKER (Russell):

The hon. Minister of Fisheries.

MR. J. MORGAN:

Well, Mr. Speaker, back in the month of February the Nickerson firm, with regards to their operations in Newfoundland, strictly Newfoundland, put forward a proposal to both levels of government outlining their plan, the company or corporate plan of Nickersons in Newfoundland, with regards to the plants they own and their plan for the future operations of these plants. The proposal fell on deaf ears in Ottawa. They fell on deaf ears and I again mention that the Nova Scotian operations and request for assistance was turned down. Well, it was just two weeks ago shortly after the provincial election in this Province that the federal government again chose to turn down requests from Nickersons for assistance for this Province, for the plants. So as a result of that we have no choice but to sit down in earnest with the company, officials from three different departments and ministers, and in fact I am meeting again this Thursday and Friday with the senior officials of Nickersons to continue to pursue with them all possible angles, and to the limit that we have with regards to financial resources to do what we can with getting their plan of operations, which they decided as a company, would be a plan to operate their plants in this Province. I am not going to get involved in talking about the detail of these very intense negotiations. I am hoping to be in a position to announce the final results and conclusions of these negotiation over the next three or four days

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

A supplementary, Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the member for Fogo.

MR. B. TULK:

Mr. Speaker, the truth is that the government, this government, encouraged the building and expanding of fish plants after the two hundred mile limit

MR. B. TULK: was put in place. The processing licences were issued to anybody, practically anybody who applied to the government for them.

MR. WARREN: Now they have doubled them.

MR. TULK: Now the minister is saying that those plants are not viable economically.

MR. WARREN: Now they are in trouble and they do not know what to do with them.

MR. TULK: Is the minister now saying that the government is guilty of poor planning and these plants should not have been established in the first place and that he is about to throw them to the wolves? Is that what he is saying?

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: Mr. Speaker, I thank the hon.gentleman for asking that question so that we can explain some of the somewhat bizarre policy statements coming from federal sources the last two or three weeks. About too much expansion in the inshore fishery was one policy statement which we do not agree with at all.

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: And the second statement is blaming the Provinces, blaming the provincial governments for too much expansion in the processing sector of the fishing industry. Now, let us assess that, Mr. Speaker, and answer the question. We issue processing licences to companies, and in some of these cases over the past number of years these licences were for operations to be carried out in facilities called community stages. But suddenly with the full support, and suddenly with the encouragement of federal government dollars we saw these small operations in

May 11, 1982

Tape No. 38

MJ - 3

MR. J. MORGAN: community stages change into
multi-million dollar fish plants, money coming in from

MR. J. MORGAN:

DREE, for example, in many, many plants along the Northeast coast. We have no controls over these expansions.

MR. NEARY:

You licence them.

MR. MORGAN:

We do now, Mr. Speaker, We do now because we realize that the dishing out of federal dollars to expand operations without some proper planning, which was done in the past, should not re-occur in the future. So our licences now to processors will have conditions attached, and one condition will be we will control any expansions they may plan for the future. They have to consult with us and outline their expansion plans and we will have to approve them. But in the past the federal government encouraged these expansions by dishing out the federal government dollars from DREE. Now there may be some need to halt or to hold the processing sector of the industry. As recognized by the Premier and this government, in the past two years we have imposed a freeze on the issuance of any additional processing licences and we intend to hold that freeze, at the present time, indefinitely. At the same time as we see a freeze on the processing sector, we are now talking about a freeze by the federal government and a reduction; they are talking about buying back boats from inshore fishermen. At the same time, Mr. Speaker, today I had to wire a telegram to Mr. LeBlanc, It will be made known tomorrow publicly, Why? Because yesterday the federal government agreed to give away 14,500 tons of squid -

SOME HON. MEMBERS:

Shame, shame.

MR. MORGAN:

- to Japan again this year.

SOME HON. MEMBERS:

Oh, oh.

MR. MORGAN:

14,000 tons! To give away 14,000 tons of squid this year to the Japanese fishermen to come and catch the fish in our waters -

SOME HON. MEMBERS:

Oh, oh.

MR. MORGAN:

- and take it back to Japan -

SOME HON. MEMBERS: Shame! Shame!

MR. MORGAN: - at the same time, Mr. Speaker, they are talking about there are too many fishermen. Three weeks ago they gave away 6,000 metric tons to the Cuban fishermen to come and catch these fish in our waters.

PREMIER PECKFORD: Right! Liberal policy.

MR. MORGAN: If my arithmetic is right that is 23,000 metric tons of squid to be given away this year. Squid, which is so important to our fishermen, being given away by a government that says, 'There are too many fishermen in Newfoundland'.

Mr. Speaker, the fact is that this government, despite the fact that we have very little jurisdiction over the fishing industry, are determined to get more because we want to see the fishing industry and the inshore fishery in particular be a very viable industry in the future.

SOME HON. MEMBERS: Hear, hear.

MR. ROBERTS: Mr. Speaker

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

MR. ROBERTS: Well, Mr. Speaker, if I can bring the minister and the -

MR. STAGG: The former, former, former Leader of the Opposition.

MR. ROBERTS: Better to have been a former Leader of the Opposition than a prospective nothing which is what I would say about the gentleman from Stephenville (Mr. Stagg).

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, Oh!

MR. ROBERTS: Mr. Speaker, I have a -

MR. BRETT: (Inaudible) Razor blades and Corn Flakes again this morning.

MR. SPEAKER: Order, please!

PREMIER PECKFORD: You take the low road and we will take the high road.

MR. SPEAKER: Order, please!

MR. TULK: You do not know how, boy.

MR. ROBERTS: Mr. Speaker. the Premier's singing is no better than his logic.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: Now if I could bring the minister down -

PREMIER PECKFORD: Forty-four. Forty-four seats.

MR. TULK: That was not logic.

MR. SPEAKER: Order, please!

MR. ROBERTS: Thank you, Mr. Speaker. If I could bring the minister down from the elevated realms of -

MR. TULK: Federalism.

PREMIER PECKFORD: You can ask a question if you wish.

MR. ROBERTS: I would be delighted to ask a question when the hon. gentlemen opposite keep quiet long

MR. ROBERTS: enough to get it out. Down to the realities of St. Anthony, I wonder what the minister can tell us about the situation with the plant at St. Anthony which, of course, as the minister knows and as the House may be aware, Mr. Speaker, is a plant that serves not only the community of St. Anthony but a very large area. In fact the plant at St. Anthony is the only significant economic activity in at least the Northern third of the Northern Peninsula. What can the minister tell us about it at this stage?

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

MR. MORGAN: Mr. Speaker, I have been down to the reality in fisheries problems for the past number of years. In fact, during the last election campaign in particular I campaigned a lot in fishing districts and many of them sent back PC members.

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: But, Mr. Speaker, in all seriousness, the question that was asked is a very serious question because St. Anthony fish plant is indeed the lifeblood of that community. In fact there are communities around the coastline exactly like that where a fish plant is the only means of employment, is the only industry, the fishing industry, and take it away and it could mean the death of that community. So it is a very serious question so I will attempt to answer it in a very serious light.

The company, Fishery Products, indicated to us in a letter back in January that they could not re-open the plant in St. Anthony this year because of financial difficulty. They were losing too much money at the plant. As a result of that, my friend in the Opposition who asked the question and the senior officials in the

MR. MORGAN: Department of Fisheries and myself sat down with the Company and Mr. Monroe, Dennis Monroe and Gus Etchegary in particular, and we discussed what their problems were and upon agreement by the company, the Newfoundland Government then arranged to appoint a chartered accountant firm or a consulting firm, in this case Clarkson Gordon, and we arranged for Clarkson Gordon to go into St. Anthony to verify the information that they were giving us in their letters and correspondence with regards to their losses. Not that we were doubting the company and what they were saying. They agreed to us doing this, appointing a chartered accounting firm. The firm that

MR. MORGAN: the Newfoundland government engaged came back with a report and they did indeed verify there were financial problems in the St. Anthony plant, they were losing substantial amounts of money, and the report indicated three or four, I think it was four, possible means of resolving some of the financial difficulties. That report was provided to the federal government task force on the fishing industry, to Mr. Kirby, and we asked Mr. Kirby to get involved. In fact I met with Mr. Kirby in a meeting here in St. John's and I asked him to get involved in the St. Anthony problem. It was obviously beyond the financial capacity of the Province to resolve the problem in St. Anthony, for us alone to do that, and we wanted his task force and the federal government to become involved.

At the time he declined to become involved. He told us he was not going to get involved in individual fish plant problems.

We were hoping a meeting would have taken place last week in Halifax involving the federal task force, but that meeting did not take place. The meeting is still being postponed by the task force, not by us. We want them involved as soon as possible because the indications from the company as of yesterday morning at a meeting with them again - I met with Mr. Monroe, Mr. Etchegary of the company - and they have now wired a Telex to Mr. LeBlanc as of this morning, pointing out that at least one or two proposals -

MR. WARREN: You are wasting time, boy.

MR. MORGAN: Mr. Speaker, the hon. gentleman from Labrador may think I am wasting time. The people in St. Anthony, and I am sure the hon. gentleman, who asked the question, do not think I am wasting time.

MR. MORGAN: One of the proposals put forward by the Clarkson Gordon report was to look at getting some turbot fish from the Northern waters, offshore fish, and land that fish into St. Anthony, in other words an additional supply of fish, because an inadequate supply of fish is one of the problems down in the St. Anthony plant.

This morning the company wired a Telex - I think they sent a copy, I am quite sure they did, to the hon. gentleman from the area, who asked the question, and to myself - pointing out that the turbot proposal, a proposal to take turbot from Northern waters offshore and land it in St. Anthony, would not resolve the problem sufficiently to re-open the plant. And from where we sit now if the company feels that the turbot - additional fish - is not sufficient to open the plant, and if they are losing \$2 million a year, which they indicated they are and that is verified by the report, we are of the opinion it is very important, it is very important that a meeting take place as soon as possible involving Mr. Kirby, who is out to address these kind of problems in the fishing industry, involving the federal minister, and the member for the area, and the federal minister from the area. Because there is a federal minister in the Federal Cabinet representing the St. Anthony area -

AN HON. MEMBER: That is not right?

MR. MORGAN: And I am rather astounded, and I am not playing politics; I am rather astounded the minister is not pressuring Mr. Kirby

MR. MORGAN: to get more involved.
Because, and I say it again, that plant means the
lifeblood of St. Anthony. And I want to see Mr. Kirby,
who is going to have - professes to find, and perhaps
is going to find the answers to the fishing problems
in Atlantic Canada. Well, here is a problem. Let
him resolve that one and help us work it out. I am
saying that we will sit down anywhere, any place,
we will co-operate fully with the member for the
area, with the federal minister, with Mr. Kirby, Mr.
Leblanc, and Mr. Trudeau if necessary, to get that
plant reopened as soon as possible.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: A supplementary, Mr.
Speaker, if I might, Sir.

MR. SPEAKER(Russell): A supplementary, the
hon. the member for the Strait of Belle Isle.

MR. ROBERTS: Mr. Speaker, could the
minister tell us, please, whether in the government's
opinion - and this grows out of his answer to one of the
questions put by my friend from Fogo (Mr. Tulk), and I
would say as well to remind the minister that it has
been a theme in his public statements on behalf of the
ministry - could he tell us whether he and his colleagues
consider the plant at St. Anthony viable? And I ask
that not from any debating or tautological standpoint
but because, of course, that is the precondition which
he and his colleagues have laid down to govern the provision
of support to any fish plant.

MR. MORGAN: Mr. Speaker.

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

MR. MORGAN: Well, Mr. Speaker, based
on the information that we have received from the company
and Clarkson Gordon, and from our own investigations,

MR. MORGAN: the fact that 27 million pounds of fish went through that plant last year in St. Anthony - 6 million from the local fishermen, 7 million from the Port au Choix area, and some of the remaining coming from the foreign vessels they had engaged in the area - 27 million pounds and they still lost \$2 million, I think it is obvious to anybody with any kind of a business head on his shoulders at all that it is not viable under the present conditions. Under the present conditions.

We want to see more fish for that plant. It is the largest inshore fish plant in the Province. The largest resource-short plant in the Province I would call it, because an inshore plant is usually a resource-short plant. And unless there are arrangements made by the people who control the harvesting sector - and there is no question as to who controls the harvesting sector of the fishing industry; the jurisdiction is totally in the hands of the federal government - unless there are arrangements made to get additional fish into St. Anthony, it is obvious, from the information we have gathered, that the plant cannot be viable under present conditions.

MR. ROBERTS: Mr. Speaker.

MR. SPEAKER (Russell): A supplementary, the hon. the member for the Strait of Belle Isle.

MR. ROBERTS: I thank Mr. Speaker and I thank my colleagues for allowing me to pursue this, and I thank the minister. Is the minister then telling the House, Mr. Speaker, that with an additional supply of fish, in addition to the turbot - we know there are 10,000 tons metric tons of turbot now - is he of the view, Sir, that with the additional supply of fish the plant at St. Anthony would be viable?

MR. MORGAN:

Mr. Speaker.

MR. SPEAKER(Russell):

The hon. the Minister
of Fisheries.

MR. MORGAN:

Well, that is something,
Mr. Speaker, I am having the officials, who are far more
qualified and have been around many more years that I
have been in the fishing industry,

MR. MORGAN: to assess. And I am hoping, and I say it very sincerely, that because Mr. Kirby has engaged, I think, a staff now of thirty-four people, the last report I got thirty-four people on his staff, surely he can find among those thirty-four employees on the task force someone who can determine whether or not the plant is viable under present conditions, whether it can be viable with an additional 10,000 metric tons of turbot or what else is required. And that is the reason why I say, very sincerely, I hope that Mr. Kirby will get involved very, very quickly to help resolve that problem, because I feel that if he is going to engage the expertise now working with him, put them to good use and help them resolve a major problem in St. Anthony.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: A supplementary, Mr. Speaker.

MR. SPEAKER (Russell): The hon. the member for the Strait of Belle Isle, one more supplementary.

MR. ROBERTS: Thank you. Well, a new question if there is time for that, the same subject though, certainly.

I am not interested, Mr. Speaker, in getting into a debate with the minister about the Kirby Commission but I do wish he would answer the question instead of trying to slough everything off on Mr. Kirby's shoulders, as broad as they may be.

Let me come back then, The minister has not said whether the plant would be viable with the additional supply of fish or not, I do not know the answer. Perhaps when he answers he could deal with that. Could he also indicate whether the government of the Province is prepared to do at St. Anthony what they did at Harbour Breton with the Fishery Products plant

May 11, 1982

Tape 43

EC - 2

MR. ROBERTS:

there?

MR. SPEAKER (Russell):

The Hon. Minister of Fisheries.

MR. MORGAN:

Mr. Speaker, we will do every-
thing that we feel possible to do. Taking into consideration
that both levels of government today, looking at the
fishing industry, federal and provincial, we have to
recognize that fine line in the fishing industry which
separates the social factors from the economic factors,
and the social factors to date have not been taken into
consideration by any programmes and policies coming from
Ottawa with regard to the fish plant and fishing industry
problem. We will tie the economics into the future
viability of the plant in putting forward financial
assistance. At the same time as putting forward financial
assistance, we will take into consideration the social
factor and the social problem. And we know, as government,
that closure of the plant in Harbour Breton or the closure
of the plant in St. Anthony is going to cause a very, very
major social problem in these two communities.

MR. ROBERTS:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the member for the
Strait of Belle Isle.

MR. ROBERTS:

Thank you, Mr. Speaker.

Well, I guess the minister is
not going to tell me whether he thinks the plant would be
viable with the additional supply of groundfish so I will
put that aside.

Now again, what Ottawa does or
does not do is not something we can decide in this House
but what the minister and his colleagues do is something
we can talk about here, Sir. Granting that the plant
is not economically viable - and I use the word 'economically'
and I think we can agree on that, the minister and myself,
Sir because if it were economically viable it would

MR. ROBERTS: be operating or about to
operate today - we are then into the social area of which
the minister speaks. Can the minister tell us, Sir,
whether he and his colleagues are prepared to lend
financial - I do not mean lend necessarily in the loan
sense - to provide financial assistance if that in fact
is what is required

MR. ROBERTS: to make that plant operate given the social necessity of it operating?

MR. NEARY: Hear, hear!

MR. SPEAKER (RUSSELL): The hon. minister of Fisheries.

MR. MORGAN: Mr. Speaker, we were pleased to put forward assistance to the plant down in Harbour Breton based on the fact at the same time as we put forward assistance my colleague, the re-elected member for the Harbour Breton area, sat down before the election and during the election with the officials and they put forward to us their plan as a company, a corporate plan, as to what they were going to do to make the plant more viable. And we agreed with that plan, and based on that plan to make the plant more viable in Harbour Breton we provided financial assistance with the condition that the company would carry out the plans of conversion of side trawlers to long lining activity, of bringing in foreign boats and the Faroese boats in particular, these kind of plans. Now to date we have not seen any plan of operations from the company with regards to the future viability of the plant in St. Anthony. But to answer the question directly, Mr. Speaker, I will say again that we, this administration here, recognizing the importance of the inshore fishery and these inshore plants, we will pursue every possible angle -

SOME HON. MEMBERS: Hear, hear.

MR. MORGAN: - with all parties concerned and including, and hopefully including -

MR. NEARY: Answer the question.

MR. MORGAN: You see, Mr. Speaker, it is not good enough for the federal government to say, 'We want total control of the fishing industry'. They are saying in Ottawa, 'We want jurisdiction over the fishing industry', but when problems arise they slough it all off on the Newfoundland government, "here, fellows, solve it." That is not good enough, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: Mr. Speaker, if they want to have jurisdiction and responsibility, let them carry out their responsibilities.

MR. NEARY: Close up your offices, boy.

MR. MORGAN: We have very limited responsibilities Mr. Speaker, but we carry out our responsibilities to the best of our ability.

SOME HON. MEMBERS: Hear, hear.

MR. MORGAN: And, Mr. Speaker, in the next two or three weeks in the Province most of the inshore fish plants will be re-opened, as I mentioned earlier, all because of the effort of this government, not because of the efforts on the part of the federal government.

Now it is just not good enough at a time in our history when we have the most serious problems ever in our fishing industry, in 1981, that suddenly the federal government decides to appoint a federal government task force and take the bright boy out of Mr. Trudeau's office to become head of that task force. All great expectations on the part of the fishermen, great expectation on the part of the overall industry, but to date, Mr. Speaker, they have done nothing only study. And I am saying it is a time for action and quit studying. The most recent indication, Mr. Speaker, now is that that task force is not going to report to its government, not going to report to the federal government, until September of this year. September of this year

MR. MORGAN: the inshore fishery is practically over again, and St. Anthony is an inshore fish plant.

SOME HON. MEMBERS: Oh, oh!

MR. MORGAN: So, Mr. Speaker, surely the processing sector is under our jurisdiction and we are going to carry out our responsibilities in that end. But, Mr. Speaker, the problem here is under federal jurisdiction. We cannot control how much fish can be caught by Fishery Products.

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: Hear, hear!

MR. MORGAN: We cannot control where they catch that fish in the offshore, inshore and midshore. We cannot control the type of boats they are going to use to catch their fish, foreign or local. These are all federal matters and we are saying in order to resolve the problem in St. Anthony it is going to take the close co-operation of both parties and both governments concerned. And all I am saying now is that we are looking forward to sitting down with Mr. Kirby, and the minister in the federal cabinet from Newfoundland, and the member for the area, and the officials from the Departments of Fisheries, Finance and Development and doing all we can to help resolve the problem.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Another supplementary.

The hon. member for the Strait of Bell Isle.

MR. ROBERTS: Another new question, Sir.

My colleagues are obviously aiding and abetting me in this because it is important.

MR. TULK: Right on! It is important.

MR. ROBERTS: Speaking as the re-elected member for the Strait of Bell Isle, if that is to be the test,

MR. ROBERTS: and I may add by a far bigger majority than the hon. gentleman in Burgeo-Bay d'Espoir (Mr. Andrews) -

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: -if that is to be the test that the minister thinks is important, may I ask him if he be good enough to tell -

MR. ANDREWS: Well, I won.

MR. ROBERTS: I am sorry? The hon. gentleman on coattails wishes to say something?

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: Now let me come back to the minister. Would he be good enough, please, to tell the House, Sir, what approaches his officials have made to Fishery Products? He has told us that apparently the company has made none to him. And what approaches he has made perhaps to Mr. LeBlanc or to the people in Ottawa? Let me also add how he intends to bring Mr. Kirby in, since, as the minister has told us, allegedly Mr. Kirby or the task force he is heading is not to report until the Fall? The problem is now. I am not saying, nor has the minister ever heard me say the responsibility is entirely his. But, Sir, I do say to him, I do say to him now that the responsibility in part is his and I ask him what he intends to do about it other than to slough it off on the federal government?

MR. SPEAKER (Russell): The Hon. Minister of Fisheries.
MR. MORGAN: Mr. Speaker, nobody in

this government sloughed it off on the federal government. To date, Mr. Speaker, the federal government refuses to get involved in the problem at St. Anthony. Any action taken to date, the meetings that have taken place between the company and government is strictly with the Newfoundland government. The proposal of getting turbot from the

MR. MORGAN:

Northern waters off

Labrador to land in St. Anthony came from the Newfoundland government. That is where it came from. Not from Ottawa, it came from us here. The appointment of the Clarkson Gordon firm to investigate the whole matter was done and paid for by the Newfoundland government. The meetings we held yesterday did not involve the federal government. What I am saying, Mr. Speaker, is we are not sloughing of our responsibilities. We are dealing with it to the best of our ability and doing all we can, but to date there has been no involvement - and I repeat, Mr. Speaker, no involvement of either Mr. LaBlanc or the federal government task force in the problem in St. Anthony, unfortunately.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER(Russell): May I remind hon. members that there are two minutes left in the Question Period.

MR. E. ROBERTS: Mr. Speaker, the hon. gentleman presumably believes that but, of course, I just want to place on the record he is wrong. There has been -

MR. MORGAN: Those results are accurate.

MR. ROBERTS: Mr. Speaker, the 10,000 tons of turbot is substantially more, it is 10,000 tons more than anything the minister provided. Let me then, since it is the final question, ask again - perhaps the minister could answer a yes or no-quite simply, are the government prepared to provide financial support to the plant at St. Anthony, similar to the financial support which they provided to the plant at Harbour Breton, where they have agreed to underwrite the losses?

MR. WARREN: Yes or no?

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

MR. MORGAN: Mr. Speaker, in fact this afternoon I had a meeting with the delegation from St. Anthony, the mayor and the fishermans committee and plant workers committee chairman etc. and we have not received any requests for financial assistance. All the company is asking for is, 'Help us with the problem with a lack of supply of fish. We have not got an adequate supply of fish, Mr. Morgan, Mr. LeBlanc. Will you try to find solution to it?' And we are saying, 'We wish we could. We wish we could but we cannot. We do not have jurisdiction over the harvesting sector of the fishing industry. We cannot decide what quotas will be allocated to you from the offshore Northern cod or in turbot.' We have not gotten any proposal from Fishery Products asking for dollars, asking for any financial assistance. There is no request being made to the federal government for

MR. MORGAN: financial assistance for St. Anthony plant. They are merely asking them to resolve a problem of an inadequate supply of fish and that is totally in the bailiwick of the federal government but we will work with them trying to resolve the problem. That is all, Mr. Speaker, no more than that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER(Russell): Before we progress to the next order of business, I have been just advised that in the Galleries we also have Mayor Boyd Noel and the town manager, Mr. Wes Boyles, of St. Anthony and the president of the St. Anthony Chamber of Commerce, Mr. Roy Pilgrim. I welcome these gentlemen to the Galleries.

SOME HON. MEMBERS: Hear, hear!

PRESENTING REPORTS BY STANDING
AND SPECIAL COMMITTEES

Mr. Speaker: The hon. the Minister of Finance.

DR. COLLINS: Mr. Speaker, pursuant to Section 28 of the Financial Administration Act, I wish to table copies of the Lieutenant-Governor Warrants issued on March 30th and covering all heads of government

At the same time, Mr. Speaker, if I may, pursuant to Section 32 of the Financial Administration Act, I wish to Table a statement to me from the Comptroller General of the Province and, together with that statement, documents in explanation of that statement, a letter from

DR. COLLINS: the Comptroller General and a minute signed by the Secretary of Treasury Board together with further information. There are several copies of that report.

MR. SPEAKER(Russell): Are there any other reports?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Are there any other Reports of standing and Special Committees?

PRESENTING PETITIONS

MR. WARREN: Mr. Speaker.

MR. SPEAKER: The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I rise to present a petition on behalf of 139 residents of the town of Makkovik in the district of Torngat Mountains.

I might add, Mr. Speaker, that although this petition is signed by 139 residents in Makkovik that it is also supported by the residents in Rigolet, Postville, Hopedale, Davis Inlet and Nain.

The prayer of the petition, Mr. Speaker, is that: "We, the people of Makkovik, wish to express our concern about the passenger service by CN Marine to our part of the coast. We have heard that CN intends to take the motor vessel Bonavista off the Goose Bay to Nain run and substitute with a smaller boat or no passenger boat at all".

AN HON. MEMBER: Why do you not send it to Rompkey, boy?

MR. WARREN: If the ignoramus had a mind to close his lips, Mr. Speaker, I will continue.

"We are not asking for a bigger or more elaborate boat but we do not want a smaller boat.

MR. WARREN: "The Bonavista can hardly handle the passengers now. Our petition is to have the Bonavista continue on the service until such time as something can adequately look after our people who need to travel!" And it says in the final sentence, "Please give this petition serious consideration."

Now, Mr. Speaker, there has been so much rambling in the past six or seven months, in particular the past election campaign by my opponent in my district about the CN Marine and by the Premier's Office about the CN Marine, and in fact about my colleague and myself in the House of Assembly in the last sitting, Mr. Speaker -

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

MR. SPEAKER (Russell): Order, please!

A point of order, the hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, the hon. gentleman has raised clearly a matter not the responsibility of this House but clearly within the purview of the Federal Government. I quote

MR. MARSHALL: Beauchesne, the fifth edition, It says in paragraph 683, "A petition cannot be considered if it contains a matter delegated by Parliament to another body." This, Mr. Speaker, is not even delegated by this Parliament to another body, it does not come within the jurisdiction of this Parliament. I realize that the hon. gentleman has a great deal of trouble communicating with his fellows in the federal government on the Liberal side of the House, but I would suggest he would be much more effective by way of letter and petitioning them directly themselves, rather than to bring a petition into this House which does not relate to matters within the control of this House.

SOME HON. MEMBERS: Hear, hear!

MR. HODDER: To the point of order.

MR. SPEAKER (Russell): The hon. member for Port au Port.

MR. HODDER: I am just amazed, Mr. Speaker, at the innuendo and nastiness and vile of the Government House Leader (Mr. Marshall) opposite. But, Mr. Speaker, this petition was addressed to this House of Assembly, it was addressed to the House of Assembly for the support of this House of Assembly, and there is no doubt that this petition can be relayed through the Ministry of Intergovernmental Affairs to Ottawa and I would think, Mr. Speaker, that it would be something that this House would like to support.

MR. MARSHALL: Send it to Billy Rompkey.

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

MR. NEARY: Mr. Speaker, this is the first time to my knowledge in recent times-- and what I am going to say can be supported by the former Speaker of the House-- the first time that I have ever seen the government House Leader raise a point of order on a matter of whether or not some other parliament has the jurisdiction over this. The petition, Mr. Speaker, is in order, and what we are asking this House to do is for the appropriate minister on the government side to take the petition, deal with it, whatever is necessary to be done with it. We have had literally dozens and dozens and hundreds, Mr. Speaker, we have had literally hundreds of petitions about television, airports, post offices, all kinds of matters that fall under the jurisdiction of the Government of Canada. And this is the first time I have heard an objection from the government side on this particular matter, Mr. Speaker. I hope it is not an indication of what we are going to expect in this House in the future. Are they now going to become arrogant and dictatorial? Are they going to try, Mr. Speaker, to completely silence the Opposition or are they going to allow democracy to carry on in this Province?

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER (Russell): Order, please!

MR. MARSHALL: I would like to say something further on the point of order, Mr. Speaker.

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

MR. MARSHALL: This is the clarion call you can expect from the Opposition. We are trying to conduct this Assembly relevant to the affairs of this Province. They are talking about a

MR. MARSHALL: matter that is within the purview of the Parliament of Canada, within the purview of the Government of Canada. If the hon. gentleman wishes to address this through the House, the way to do it is perhaps by way of Resolution, but certainly not to petition a minister of this House and have it laid under the department to which it relates. Who does it relate to, Mr. Speaker, The Parliament of Canada.

MR. NEARY: There are a lot of departments to which it relates.

MR. MARSHALL: It relates to that great defender of Newfoundland, Mr. Rompkey and his crowd.

SOME HON. MEMBERS: Hear, hear!

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

I would suggest that the point of order is probably a matter of a difference of opinion between two hon. members. The five minutes has expired for the presentation of this petition.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: I rise to support -

MR. HODDER: No, no.

MR. NEARY: No? Tomorrow?

MR. HODDER: No. He is going to -

MR. NEARY: The time is expired. The hon. gentleman's time is expired?

MR. SPEAKER: The hon. gentleman's time has expired.

MR. WARREN: I thought you could (inaudible).

MR. HODDER: No, you cannot do that.

PREMIER PECKFORD: That is what I am saying about the rules. You do not know the rules.

May 11, 1982

Tape No. 49

EC -2

MR. NEARY: Well, I do know the rules, Mr. Speaker, The hon. gentleman's time has expired, I presume, for speaking on the petition. Is that what Your Honour is saying?

PREMIER PECKFORD: Do not waste your time by asking questions about his time.

MR. WARREN: Shut up, boy ! Shut up!

SOME HON. MEMBERS: Oh, oh!

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

As the Chair understands the rules of presenting petitions, the hon. member presenting the petition has five minutes in which to present the petition. Two other persons speaking in support of the petition are entitled to five minutes each, one from either side in support of the petition.

MR. NEARY: Thank you very much, Mr. Speaker.
Now, who knows the rules and who does not know the rules?

Mr. Speaker, I hope we are not on the threshold of having a dictatorship established in this Province, but it certainly sounds like it to us over here. The government have a large majority. They can either misuse or abuse their privileges. I hope they will use it properly.

SOME HON. MEMBERS: Oh, oh!

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

The hon. the Leader of the Opposition, I am sure, is aware that he has been permitted to speak in support of this petition and so far the Chair has not heard anything in support of that petition.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker, I deem it a very high honour indeed to support a petition so ably presented to this hon. House by my colleague, the member for Torngat Mountains (Mr. Warren) on behalf of the native population.

MR. NEARY:

Mr. Speaker, I do not know if hon. members are aware of it, but I would say the majority of signatures on that petition are Indians and Eskimos, the native population of this Province. And, Mr. Speaker, we should take notice of that. That is something we should not sneer at, Mr. Speaker. These people in Northern Labrador, and in Southern Labrador represented by my colleague from Eagle River (Mr. Hiscock), not too often they ask this House to support them on anything, and it is not too often they get very much from St. John's and from Confederation Building. They are now asking us, Mr. Speaker, the members of this House, especially

MR. NEARY: the Minister responsible for Transportation to support their request, outlined in the prayer of the petition, that C.N. Marine reconsider cutting down on or doing away with the coastal boat service from Goose Bay to Northern Labrador, especially to the community of Makkovik. That is the prayer of the petition.

And, Mr. Speaker, as I said yesterday in the remarks I made on opening day, when it is necessary we will take strong exception and strong objection to anything that Ottawa is doing that we do not agree with. And we do not agree with this, Mr. Speaker, so, therefore, we are taking strong objection to C.N. reducing the coastal boat service from Goose Bay to Makkovik, just the same as I personally took strong objection to the coastal boat service being changed to South East Bight, and Paradise, and the other community in Placentia Bay recently, in a telegram to the concerned citizens down there.

When necessary we will take a strong stand against Ottawa, and we are doing it now, Mr. Speaker. We are doing it now, and we are showing not only members of this House, but the whole population of Newfoundland and Labrador, that when the occasion arises, when we are not happy with a decision that has been made, then we are going to let Ottawa know that we disagree with them.

So I hope that the Minister of Transportation (Mr. Dawe), who tried to intimidate my colleague a week or so ago, playing his little political games, instead of playing games with the people of Northern Labrador will send off a message or arrange a meeting with the Minister of Transport (Mr. Pepin) and strongly condemn C.N. for reducing this service, or

MR. NEARY:
altogether.

doing away with it

So, Mr. Speaker, as I said when I started, I am deeply honoured to support this petition. It is a great pleasure for me to support this petition. I know the needs of the people in that area, and I would hope that my hon. friend, the member for Naskaupi (Mr. Goudie) will also stand in his place in this House and give support to that petition.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the Premier.

PREMIER PECKFORD:

This side of the House fully supports the petition. Unfortunately, we can do very little about it. As the House Leader has already said, this petition deals with something that comes under federal jurisdiction. I wonder where the Leader of the Opposition, the present temporary Leader of the Opposition (Mr. Neary) was when this Minister of Transportation who sits behind me right now was fighting with Mr. Pepin over the whole question of marine services on the Labrador coast?

PREMIER PECKFORD: Over the last two years when we refused to sign an agreement when the Liberal Party of Newfoundland, the Liberal Opposition were asking us and begging us to sign it at all costs with no conditions attached to leave the people of the Labrador coast without a decent passenger service, there was no sound of it then, Mr. Speaker.

MR. NEARY: Not true. Not true.

MR. SPEAKER (Russell): Order, please!

PREMIER PECKFORD: We support the prayer of this petition, but we say to hon. members opposite that where were the hon. members opposite when they say they will support it when it is good for Newfoundland against the federal government. Where were they on Argentinia? Where they on the synchrolift? And only for the Minister of Transportation (Mr. Dawe) here, without the support of the Liberal members of this House, without the support of them, with their quiet way of going about things when the Liberal Government does something which affects this Province, we were able to get into the transportation agreement on Labrador that they are forced to consult with the Government of Newfoundland before they make any changes to the marine passenger service.

And Mr. Pepin and Mr. Rompkey wanted to put landing strips in Labrador. Where would they get the money for the landing strips? They would get it from the boats that they would not replace on the marine passenger service on the Labrador Coast. And we said we do not agree with trade-offs for transportation in this Province, That crowd over there were quiet.

SOME HON. MEMBERS: Hear, hear!

MR. WOODROW:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. member for the Bay of

Islands.

MR. NEARY:

It is going to be a good session.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. NEARY:

Two leaders, two flags.

MR. WOODROW:

Mr. Speaker, I would like first of all to read the prayer of the petition and secondly make a few comments on it.

"We the undersigned would like to advise our provincial government that the snow clearing equipment provided by the Department of Highways for our area is totally inadequate for the following reasons; Number one, a grader is not a snowplow it is designed to grade a gravel road, not plow snow. Neither will it wing the snow back from the road. Number two, the age of the grader provided for our area is long past the age of antiquity. Number three, at least forty per cent of the operating time for the above mentioned grader is used in repairing and maintaining the machine instead of using it for the purpose of clearing the roads. Number four, because of the inadequacy of the equipment provided there have been numerous occasions when a significant number of people in our area have been unable to or have had great difficulty in reaching their places of employment during the Winter of 1981-82, causing in too many cases conflict between the employers and employees due to

MR. WOODROW: absenteeism because of road conditions in the area. Thus we wish to register our complaint with you and make you aware that it is imperative we receive proper and updated equipment immediately."

That comes, Mr. Speaker, from the South Shore of the Bay of Islands district. And I would like first of all to thank the minister - I think he has gone out of the Chamber at the moment. On April 14th., eight days after the election - he had of course received a copy of the petition - he wrote me a two page letter commenting on every item in the petition. It shows that our Minister of Transportation (Mr. Dawe), as well as all the other ministers, are really on the job. And I suppose that is the reason why we are here today with such a great majority.

Now on the petition there are 231 names. I would like for the minister, and I am sure he will, when he is considering new snow clearing equipment for the Province, to look at the South Shore of the Bay of Islands from O'Connell Drive to John's Beach. But I would like to say also that in spite of the severe Winter we had, one gentleman told me - a gentleman who worked on the RC church in Curling for McIver's, he missed only one day, and on the South Shore of the Bay of Islands a lady for Benoit's Cove worked at Woolworth's, and she did not miss any days at all. So considering that, the snow clearing was not all that bad.

Now I would like to point out, and I say this with a lot of joy, that the roads on the North and the South Shore of the Bay of Islands are travelled extensively all the year around. And they are travelled because the people from the South Shore of the Bay of Islands are employed at places like the hospitals, the college, the stores, the Inter-faith Home, Newfoundland Farm Products, the hotels and many other places in the city. And I make that remark because perhaps

May 11, 1982

Tape No. 52

NM - 2

MR. WOODROW: my district, the district of the Bay of Islands, has the least unemployment of any district in the Province. I am certainly very, very happy about that.

I am delighted that I could present this petition and I would like to have it presented to the Department of Transportation, And I am sure the hon. minister, when he is looking at snow clearing equipment for the Province

MR. WOODROW:

will look at my district, the district that gave me such a great majority in the election of April 6th.

Thank you.

MR. SPEAKER (Russell): The hon. member for Port au Port.

MR. HODDER: Mr. Speaker, it gives me great pleasure to support the petition which was presented, bravely I might add, by the member of Bay of Islands (Mr. Woodrow).

MR. CALLAN: Bravely?

MR. HODDER: Yes. The fact that he would dare to point out a problem with the Department of Transportation and Communications when he sits on that side.

SOME HON. MEMBERS: Oh, oh.

MR. HODDER: But, Mr. Speaker, my district does not adjoin the hon. member's but the -

MR. WOODROW: It does, I think, on the -

MR. HODDER: - perhaps in the background somewhere. But, Mr. Speaker, on the West Coast this year, and in the district which the hon. member represents and in the district I represent and in the district in which the Minister of Transportation (Mr. Dawe) represents, we had one of the worst Winters on record. But, Mr. Speaker, we also had a complete breakdown by the Department of Transportation and Communications. Mr. Speaker, hon. members can talk to any employee out there of the Department of Transportation in Western Newfoundland, and ask them what their equipment is like and they will tell you that it is antiquated. The first snow storm we had most of the equipment went on the blink, and from that point on there was only private enterprise had to fill in the gap at untold hundreds and hundreds of thousands of dollars. But, Mr. Speaker, at that particular time there was equipment for about two weeks that could not be moved from the Burgeo road, there were people isolated

MR. HODDER: for as long as three days at a time on side roads throughout Bay St. George, and if people could get to work in the district of Bay of Islands they certainly could not get to work in Bay St. George. I had personal calls from people with heart conditions; we had a child who died in Lourdes because he could not get to the hospital, He did have some doctor's care for him, the doctor in that area, but he should have gone to the hospital, the child should have been taken to the hospital. We had power outages, Mr. Speaker, whereby people were without power for two and three days at a time, and eventually the Newfoundland Light and Power had to do some of the repairs by snowmobiles. And, Mr. Speaker, I know and I am quite aware that when you have difficult Winters that you are going to have difficult problems and people are going to be inconvenienced, we are all inconvenienced but, Mr. Speaker, this came at a time when we were on a one shift system,

MR. J. HODDER: which meant, Mr. Speaker, for the employees of the Department of Transportation, there was just one shift. So if you had a snow storm they worked twelve or thirteen hours, then they had to go home and go to sleep and just let the snow fall, and this was where the problem started in the beginning, Mr. Speaker, the one shift system, which was brought in. It is a poor way, Mr. Speaker to try save the Province's money by risking their lives. I think, Mr. Speaker, that is a very, very bad policy and only a minister such as the Minister of Transportation (Mr. Dawe) would ever bring a policy such as that into being whereby you cut back on road clearing, snow clearing and risk and endanger the lives of the population. Because that is certainly what happened in the Bay St. George and in the Minister's own district where residents, supporters of the Minister vocally spoke up, had the courage to speak up and to criticize the Minister in his own district in his own for his snow clearing policies. The one shift system did not work, Mr. Speaker, and I do not know if the one shift work on the Avalon Peninsula where there is less snow fall.

MR. NEARY: The Minister had a crisis in his own district.

MR. HODDER: The year before last when the one shift system came in there was no snow whatsoever. But this year it was a disaster, and it was only by the grace of God that there were not more fatalities and injuries than there were. But I will tell you one thing, Mr. Speaker, The money the Province might have saved on the one shift system was certainly spent by the higher premiums in insurance which cars have gone up to now because of the number of accidents that happened throughout those snow storms and the cost to individuals for accidents and the resulting increase in insurance rates.

MR. G. WARREN: Hear, hear!

MR. SPEAKER(Russell): The hon. the Minister of Transportation.

MR. DAWE: Mr. Speaker, I welcome the opportunity to speak in support of the petition from my hon. colleague.

MR. NEARY: It is a condemnation of yourself.

MR. DAWE: The system of snow clearing this Winter was one that I think the Department of Transportation and this government can be proud of. The conditions, the snow conditions and the weather conditions this Winter were such that very few people in this Province -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. DAWE: - very few people in this Province can remember a Winter that had the combination of cold temperatures, high winds and the tremendous volume of snow fall. It was not only experienced in Western Newfoundland; it was also experienced all over this Province. The type of system that the hon. gentleman referred to as a one shift system, as usual he did not understand what the system implied and how it operated. There was no one during a snow storm who went home because their shift was over. There was a system employed this year all over Newfoundland

May 11, 1982

Tape No. 55, Page 1--apb

MR. DAWE: through the use of private contractors, through the use of our own equipment, which had a higher percentage of use this year because of a new maintenance management system that was brought in, than any other previous year in the history of the department.

SOME HON. MEMBERS: Hear, hear!

MR. DAWE: There was no question that in certain areas, all over the Province perhaps, that there is a tremendous need for additional equipment, for new equipment, and we will recognize that and address ourselves to that as money becomes available for those new pieces of equipment. But as it relates to the maintenance management of the existing equipment that we have, there was not a better year in operation, and I look forward to the next number of years being even better.

The hon. gentleman suggests, and I would caution him at making that suggestion, that an individual on the Port au Port Peninsula died because of lack of effort on the part of the Department of Transportation.

MR. HODDER: I did not say that.

MR. DAWE: I would suggest that he go back and perhaps rethink that accusation. There is no indication that that in fact was the case in any part of the Province.

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

MR. SPEAKER(Russell): Order, please!

MR. STAGG: There is no point of order, 'Jim'.

MR. NEARY: Yes, there is. You have not heard it yet, so how do you know?

MR. SPEAKER: Order, please!

MR. HODDER: Mr. Speaker, I said when I was speaking, and the minister has misrepresented my

MR. HODDER: words, that a child who should have been in the hospital could not get to the hospital because of the snow storm and because the roads were not cleared.

MR. STAGG: Oh, that is quite different.

MR. NEARY: Yes, it is.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell): Order, please!

That appears to be, again, a difference of opinion between hon. members.

The hon. the Minister of Transportation.

MR. DAWE: Mr. Speaker, on numerous occasions, in numerous letters of compliment to the department in emergency situations that were brought on by severe weather conditions all over this Province, we are -

MR. HODDER: Table them. Table your references.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HODDER: Table them.

MR. CARTER: Order!

MR. DAWE: I will be pleased to, Mr. Speaker, if the gentleman has the three or four hours to read the volumes of complimentary letters that we had this Winter. The number of people who wrote the department thanking the department for the support from staff in various areas of the Province, who helped them out of very difficult situations in travelling in some Winter conditions where perhaps they never had the good sense, if you will, to listen to weather forecasts or to address themselves to the road conditions and travelled in any case.

MR. PATTERSON: Right on. Right on.

MR. DAWE: And there were many block-ups caused by vehicles being on the road when they were advised not to be on the road. And the subsequent compliments and notes of thanks that came from these people are very gratifying indeed.

I would suggest to all hon. members that we will continue with the excellent performance next Winter, and that the snow conditions hopefully will not be as bad, and that we will continue to have a fine Department of Transportation operating in this Province with the same excellent system of snow clearing that we had this Winter.

SOME HON. MEMBERS: Hear, hear!

MR. CALLAN: Mr. Speaker.

MR. SPEAKER (Russell): The hon. the member for Bellevue.

MR. CALLAN: Mr. Speaker, I beg leave to present a petition on behalf of 161

MR. CALLAN: residents of the town of Northwest Brook, that is in Trinity Bay, just off the TCH there before you get to Clarendville. Mr. Speaker, the 161 people who signed this petition are looking for an improved road. Let me read the prayer of the petition.

"We the undersigned hereby request that funds be made available in this year's Budget for the upgrading and paving of the community road in Northwest Brook during the construction season of 1982."

Now, Mr. Speaker, as I said this little town is located right off the Trans-Canada Highway. As a matter of fact, a lot of the residents who live in Northwest Brook already enjoy pavement because the pavement that runs from the Trans-Canada down to Queen's Cove and Hodge's Cove, towards that area, runs through part of Northwest Brook and presently, Mr. Speaker, a new intersection is being built. I do not think it is quite finished yet but it was started a week or more ago, a \$50,000 job to put in a new intersection to Northwest Brook from the Trans-Canada Highway and so some improvements are being made, Mr. Speaker, in this little town.

I hope that the Minister of Transportation (Mr. Dawe), who just sat down and defended his snow clearing programme last Winter, I hope that that minister will find some money in this year's Budget to give the people in Northwest Brook the pavement that they are looking for.

Mr. Speaker, there are now, as I understand it, there are now 2,000 miles of unpaved roads in this Province. I am happy to say, Mr. Speaker, that of these 2,000 miles only approximately forty miles

MR. CALLAN: are in the district of Bellevue, and one mile, Mr. Speaker, one mile of pavement would pave every inch of the road through Northwest Brook.

So these people are not asking for much. They are asking for one mile of pavement so that the dust problem, and all the other problems associated with a dirt road can be alleviated.

Mr. Speaker, as I read yesterday's paper, I noticed that there is a tender call there for highway and paving. This is in Birchy Cove, from Birchy Cove to Bonavista in the Minister of Fisheries (Mr. Morgan) riding, and they are asking there for twelve kilometers, twelve kilometers is what the Department

MR. CALLAN:

of Transportation plans on paving in the Minister of Fisheries (Mr. Morgan) district as soon as this tender has been awarded. I noticed, Mr. Speaker, in the Interim Supply Bill, which we will be debating in a short period of time, of the \$674,901,000 that we are asked to vote for Interim Supply to take us up to March 31, 1983, of that \$674 million, \$122 million of that is for the Department of Transportation. Mr. Speaker, it indicates to me that there will be a good supply of money available in the Budget for the Department of Transportation and, Mr. Speaker, I hope, as I said, that the one mile that the people in Northwest Brook are asking for will be included in the roads programme for upgrading and pavement when the Budget finally comes down in a couple of weeks time.

Mr. Speaker, I support this petition. I have also added my name to the list of petitioners, which makes a total of 162. I support the prayer of the petition. I support the residents there in their determination and their fight to try and get an improved road and, Mr. Speaker, I ask that this petition be laid on the table of the House and be referred to the department to which it relates.

MR. SPEAKER (Russell): The hon. member for Bonavista North (Mr. Cross). I am sorry. I thought the hon. member was speaking to the petition.

The hon. Leader of the Opposition.

MR. NEARY: Mr. Speaker, I just wanted to take a moment to say how proud I am to be able to support a petition so ably presented by my hon. colleague,

MR. NEARY: the member for Bellevue
(Mr. Callan) who was not supposed to be in this House
today, Mr. Speaker.

MR. WARREN: Bas Jamieson was supposed
to be here.

MR. NEARY: The pride and joy was
supposed to take care of my hon. friend.

MR. WARREN: Where is Bas Jamieson?

MR. NEARY: So what happened, Mr.
Speaker? Here is my hon. colleague in presenting
a petition on behalf of the citizens of Northwest Brook
to have one mile of road paved in their area.

MR. WARREN: What happened to Bas?

MR. NEARY: Mr. Speaker, I do hope
that the -

MR. WARREN: Where is your buddy to?

MR. SPEAKER (Russel): Order, please!

MR. NEARY: Is that you, Bas?

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: I do hope, Mr. Speaker,
that the people of Northwest Brook do not have to resort
to civil disobedience. I hope the people of Northwest
Brook do not have to resort to the kind of thing that is
going on now in the four communities in White Bay, in
Hampden and Sops Arm and Jackson's Arm and Pollards Point,
where people are fighting, are protesting, have

MR. NEARY: blockaded the road in protest of government inaction on that fifty mile stretch of road in the White Bay area. I hope the people of Northwest Brook do not have to do that, and I hope all the other people in Newfoundland and Labrador who have had their hopes and expectations built up in recent weeks about all the contracts that were going to be called early and late in connection with road upgrading and road paving, I hope they will not have to resort to civil disobedience in order to get the administration to carry out their promise.

So, Mr. Speaker, I am happy. I can hardly believe my hon. colleague today presented a petition, the hon. gentleman who was not supposed to be here, and I am proud to be able to support the petition. I am sure, Mr. Speaker, that we will be hearing more from the hon. gentleman in this House in the future.

ORDERS OF THE DAY

MR. MARSHALL: Motion 1, Mr. Speaker.

MR. SPEAKER (Russell): Motion 1, the hon. the Minister of Finance.

DR. COLLINS: Mr. Speaker, I beg to inform the House that I have received a message from His Honour, the Lieutenant-Governor.

MR. SPEAKER: A message from His Honour, the Lieutenant-Governor. All rise, please!

The following message is addressed to the hon. the Minister of Finance: "I, the Lieutenant-Governor of the Province of Newfoundland, transmit estimates of sums required for the public service of the Province for the year ending the 31st of March, 1983 by way of interim supply. In accordance with the provisions of the Constitution Act 1867, I recommend

MR. SPEAKER (Russell): these estimates to the House of Assembly.

Signed

W. Anthony Paddon

Lieutenant-Governor."

The hon. the Minister of

Finance.

DR. COLLINS: Mr. Speaker, I move that His Honour the Lieutenant-Governor's message together with the bill be referred to the Committee of Supply.

MR. SPEAKER: Is it the wish of the House that the message along with the bill be referred to Committee of Supply?

MR. NEARY: Mr. Speaker, before your Honour leaves the Chair, I am looking for the procedure - I thought I had it here with me - the procedure for going into Committee of Supply, Mr. Speaker, I believe the minister is a step ahead. I believe today all the minister can do is to read the message from His Honour, the Lieutenant-Governor. He sends a message to the Speaker, who reads it to the House, and then the Minister of Finance says, 'Mr. Speaker, I move that the message together with the bill be referred to Committee of Supply', and that has been done. The passing of the motion sets up the Committee of Supply and the order 'Committee of Supply' appears on the next day's Order Paper, Mr. Speaker. So we have to wait until tomorrow

MR. S. NEARY: before this particular matter can appear on the Order Paper. That is what it says is the procedure given to me today by the Speaker of the House.

DR. COLLINS: By consent.

MR. NEARY: I beg your pardon?

DR. COLLINS: By consent?

MR. NEARY: No, Mr. Speaker. We have to follow the procedure of the House. And according to Item 5, Mr. Speaker, the passing of the motion sets up the Committee of Supply and the order 'Committee of Supply' appears on the next day's Order Paper under Orders of the Day. I would like to draw that to Your Honour's attention.

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

MR. W. MARSHALL: Mr. Speaker, that is not the situation. The situation is that the hon. Minister of Finance, yesterday when the House opened gave notice of intention - gave notice of motion of moving the Committee into a Committee of Supply. It appears in today's Order Paper under Motion 1, Mr. Speaker, and that is all that is required. I refer Your Honour. to the accepted practices and procedures of this House. For instance, at the closing of the Budget Debate, for example, there are many, many occasions - and it is the occasion and it is the event that occurs after a message is given. The message for instance, on the closure debate last Budget day, after Your Honour reads the message, the message is immediately moved to a Committee of Supply. And then, as I have the procedure here, Mr. Speaker leaves the Chair, which we now ask the hon. Speaker to do, and the Deputy Chairman takes the Chair of Committees. It is an accepted procedure. Really, I am sort of amazed at the hon. gentleman. Here he was harping and carping on the air all the time about the illegal expenditures

MR. W. MARSHALL: of money and the fact that he is going to take the government to court, and now he does not want us to consider the supply when it is here. I mean, does the hon. gentleman know that East is East and West is West? He almost does not know where LaPoile is, Mr. Speaker, as it was shown during the last election.

MR. S. NEARY: Mr. Speaker, I will disregard that. The hon. gentleman is not going to intimidate me with the last part of his remarks there, but I think it is well that we should pursue this matter a little bit, Mr. Speaker. What we are trying to do here is to figure out what the proper procedure, what the proper decorum of this House should be. Mr. Speaker, the hon. gentleman is right, that yesterday the Minister of Finance (Dr. J. Collins) gave a motion that appears on today's Order Paper. That was perfectly in order. Then when the day for Interim Supply arrives, the Minister of Finance informs the House that he has received a message from his hon. the Lieutenant-Governor. That is a fact. Your hon. just read the message. Now the next step, Mr. Speaker, is that the passing of the motion sets up the Committee of Supply, that is perfectly in order. The Committee of Supply appears on the next day's Order Paper under Orders of the Day. And that is the way it has been done in this hon. House, Mr. Speaker, up to the present time.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: And until the rules are changed-
and the hon. gentleman has

MR. NEARY: over two-thirds majority on that side of the House. They want to change the rules, the hon. gentleman knows how to do it, - until the rules are changed, Mr. Speaker, this is the procedure.

SOME HON. MEMBERS: Hear, hear.

MR. NEARY: And we intend to stick by the tradition and the procedure of this House, Mr. Speaker. And tomorrow, when we go into Committee of the Whole, then Your Honour can leave the Chair and we can debate the matter by the rules that are laid down for debating in Committee of Supply.

MR. SPEAKER (Russell): Order, please!

The hon. Minister of Finance (Dr. Collins) wishes to speak to that.

DR. COLLINS: Mr. Speaker, I suggest it is just a difference, or at least a misinterpretation here. As the hon. member states, it says, 'The passage of the motion sets up the Committee of Supply and the order, 'Committee of Supply' appears on the next day's Order Paper under 'Orders of the Day'. It does appear the next day under Orders of the Day. That does not say we do not go into Supply, it just appears on the Paper. And it will remain on the Paper until the Committee of Supply has completed its business. And the hon. member forgot to go on to Item 6 then, which says that the Speaker leaves the Chair and the Chairman of the Committees takes his seat in the Committee of Supply. So it just states that once this motion is passed it goes on the Order Paper the next day, but at the same time -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

DR. COLLINS: - His Honour leaves the Chair and the Chairman of the Committees takes over.

MR. NEARY: No, Sir, that is not right.

MR. SPEAKER: Order, please!

MR. SPEAKER (Russell): Having listened to both sides of this difference of opinion, I have to agree that Item No. 5 in the procedures does make clear what the Order Paper of tomorrow will look like. However, it is in the custom of this House that once the message is read the House move into Committee of Supply and the motion that the Speaker do now leave the Chair is in order.

MR. NEARY: What was that? The motion -

MR. MARSHALL: The Speaker leaves the Chair.

MR. NEARY: - the Speaker leaves the Chair is in order.

MR. SPEAKER: Yes.

MR. NEARY: But, Mr. Speaker, the matter has not appeared on the Order Paper.

MR. SPEAKER: Order, please!
The Chair has made a ruling on the matter.

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

MR. CHAIRMAN (Aylward): Order, please!

DR. J. COLLINS: Mr. Chairman.

MR. CHAIRMAN: The hon. Minister of Finance.

DR. COLLINS: Mr. Chairman, just to clarify our procedure again, I gave Notice of Motion yesterday that this motion would be brought in, and as the Order Paper says the motion is: That the House resolve itself into a Committee of the Whole on Supply to consider certain resolutions for the granting of interim supply to Her Majesty.

Your Honour put that question.

The House assented to it, and therefore the Committee of Supply was set up. Now in the Committee of Supply what we are doing is that we are debating the resolution. And perhaps, Mr. Chairman, I should read out the resolution. The resolution states:

BE IT RESOLVED by the House of Assembly in Legislative session convened as follows: That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain expenses of the Public Service for the financial year ending the 31st day of March, 1983, the sum of six hundred and seventy-four million nine hundred and one thousand seven hundred dollars (\$674,901,700).

Mr. Chairman, it has always been the practice in this House, and as far as I am aware the practice in all Houses that follow the British tradition, that at the same time as one debates the resolution, you also debate the bill which is circulated with the resolution. And that has been done and I believe all hon. members now have Bill No. 1 which is an Act to grant that amount of supply to Her Majesty for interim supply purposes.

And attached to the bill is a schedule which lays out the amounts of money to be voted if the Committee

DR, J. COLLINS: and subsequently the House agrees, the amounts to be voted under each head of expenditure: Consolidated Fund Services so much, Legislative so much, Executive Council so much; Finance so much, and so on and so forth.

Now, Mr. Chairman, in bringing in the resolution and the bill on interim supply there are certain restrictions to that, and the restrictions are that the interim supply bill should indicate that these expenditures are for ongoing purposes, what are usually called housekeeping purposes of government, with the exception that if they do include capital expenditures the Committee has to be informed in some detail of what those capital expenditures are.

DR. COLLINS: So on the first point, on the housekeeping expenditures, the ordinary ongoing expenditures of government, the Interim Supply Bill will cover a period of four months, from the beginning of the fiscal year, that is from the end of March of 1982 up to the end of July 1982. And that period of time was picked, four months, because one has to have enough interim supply to cover the period from the beginning of the fiscal year until such time as the main estimates, that is the budget itself, the main budget, is debated in this House and passed upon. So we had to make sure that we could cover that whole interim period. And we certainly expect that the main estimates will be brought down by the end of July.

It has been usually the practice in the House to cover a three month period. The hon. the Leader of the Opposition (Mr. Neary) is smiling, but he knows this, he knows that we usually bring in three months. But in this case, because, of course, the House did not meet until some time after the beginning of the fiscal year, we had to add on another month. If we just left it at three months, that would be interim supply to the end of June, and it may be that the main estimates would not have been voted by this House by then and, therefore, we would have to bring in another Interim Supply Bill. So that is why four months was chosen.

I might say -

MR. NEARY: He signed one of the signatures, the hon. gentleman did.

MR. CALLAN: Illegal.

MR. NEARY: Illegal, yes.

DR. COLLINS: The hon. member brings up the point whether the government acted properly and

DR. COLLINS: I am going to answer that briefly. Before going into that though, I now have to indicate to the House that there are some capital expenditures in the Supply Bill and I should therefore inform the House what those capital expenditures are.

The total of the capital account expenditures is \$89,591,300, and that represents the cash flow for these various capital projects during the interim period that I mentioned, during the four months to the end of July.

They include, and I can give further details if they are required later on, but they include for Newfoundland and Labrador Housing Corporation - firstly, for certain land assemblies in the Mount Pearl - New Town area, there is for the development of 85 single family lots which will have a total cost when finished of \$1.19 million, but in actual fact the expenditure for 1982-83 will be \$540,000, of which the provincial share is \$135,000.

Secondly, there is a

DR. COLLINS: trunk sewer extension; the cost of that is \$500,000, the provincial share being \$125,000.

MR. WARREN: Where is that?

DR. COLLINS: That is in the St. John's area, in the Mount Pearl - Newtown area, all these three.

And then the third one is a traffic interchange that is in the Ruth Avenue - Harbour Arterial Road intersection.

MR. WARREN: Is that Mount Pearl?

DR. COLLINS: It is in that area. The total cost of that will be \$2 million, with a cash flow in 1982-83 of just under \$2 million, and the provincial share is \$487,000.

MR. NEARY: How much is the capital altogether?

DR. COLLINS: The capital altogether is \$89 million.

MR. NEARY: Well you only just gave us about \$5 million there. What happened to the other \$84 million?

DR. COLLINS: Well I am going on to that now. I am giving you the details as I have to do when capital expenditures are included in the Interim Supply Bill.

The second part of the capital expenditures that go to Newfoundland and Labrador Housing are for subsidized rental housing. This is for 100 subsidized rental housing units. These are done with CMHC.

MR. NEARY: Are these new units?

DR. COLLINS: Yes, new units. And there is another fifty units elsewhere and the provincial share of all of that is \$427,000. So that is for the Department of Development through Newfoundland and Labrador Housing Corporation.

The second head of expenditure is for Forest Resources and Lands. These are for forest access roads where the expenditure will be \$3.5 million and

DR. COLLINS: for cottage land development.

MR. NEARY: Cottages. Where is that?

DR. COLLINS: That is for homes, you know,
cottages.

MR. NEARY: Summer homes for big shots. Where
is it located?

DR. COLLINS: These are located, if I recall
and the hon. Minister for Forest Resources and Lands (Mr.
Power) may either himself give further details on this if
required or I can get the details in short order -

MR. NEARY: Okay, we will ask the hon. Minister.

DR. COLLINS: This is on the Avalon Peninsula.

And I might point out -

MR. NEARY: No doubt down in Salmonier
somewhere.

DR. COLLINS: - that these expenditures are
fully recoverable, these are fully recoverable from the
ultimate purchasers.

MR. NEARY: Who are you trying to kid?

DR. COLLINS: The third head of expenditures is
for Rural, Agricultural and Northern Development, and it is
for the construction of depot buildings and oil storage
tanks in Labrador and the total expenditure there will be
\$689,300.

The next head of expenditure
is for Transportation and the total expenditure there for
these capital works is \$64,895,000.

MR. NEARY: Where is that?

DR. COLLINS: By and large these

DR. COLLINS: were the pre-tendered projects and the pre-tendering was done to give the construction industry an early opportunity to get their tender in so that these works can be undertaken as early as possible in the new fiscal year.

MR. NEARY: Where is the work being done?

DR. COLLINS: The \$64 million-odd dollars include Trans-Canada Highway work projects totalling \$16 million, DREE highway developments totalling \$11,297,000, improvements and construction - roads - this is all provincial - \$17,289,000.

MR. NEARY: Where?

DR. COLLINS: Various roads around the Province.

MR. NEARY: Could we get a list of them?

DR. COLLINS: I have details. If you want details, you know, those are the details of all this.

MR. NEARY: May we have copies of them?

DR. COLLINS: The next one is bridges and causeways for a total of \$9,400,000; the next one is ferry terminals totalling \$4,370,000.

MR. NEARY: You are stalling now.

DR. COLLINS: That is an amount that will later be reclaimed or claimed from federal sources.

MR. NEARY: All federally funded projects.

DR. COLLINS: The next one is landing strips. The total expenditure on landing strips is \$5 million but in 1982 - 1983 the cash flow will be \$1 million.

MR. NEARY: Yes, but you are stalling on them now.

DR. COLLINS: The next one is vehicles and equipment purchases, \$4 million and, finally, urban transport, the amount there is \$1,548,000.

MR. NEARY: What is that for?

DR. COLLINS: That is for urban transport which will be partly reclaimed.

MR. NEARY: Sounds like urban cowboy.

DR. COLLINS: - from the federal government and from municipal governments.

The next head of expenditure is for Fisheries for the construction and acquisition of fishermen's facilities in various parts of the Province, and the total amount there is \$448,000.

MR. NEARY: Where?

DR. COLLINS: In various parts of the Province.

MR. NEARY: Where? Where? May we have the book?

DR. COLLINS: There are many, many areas of the Province.

MR. NEARY: Can we have the details?

MR. HODDER: May we have the book?

MR. WARREN: No.

DR. COLLINS: The next heading is Education.

This is for the building and equipping of schools, a total expenditure there of \$13 million.

MR. NEARY: Grade XII?

DR. COLLINS: Under the next heading is Health, community clinics. The total expenditure there is \$1.5 million.

MR. NEARY: Where?

MR. WARREN: How much federal money?

DR. COLLINS: That is done under DREE and there will be a later -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Oh, all federal money.

DR. COLLINS: We know there is a DREE programme going on. Is the hon. member just - have you just heard that there are DREE programmes? They have been going on for many years and we have supported DREE programmes.

DR. J. COLLINS: We have asked the federal government to make sure that they do not go back on the DREE program. We are much in favour of DREE programs. We find them very useful to build up the social infrastructure of the Province, and if the hon. member wishes further details about the whold DREE project, then we can get him a pamphlet on that.

MR. WARREN: Yes, why not? Why not?

DR. COLLINS: So that DREE program for community clinics there is \$1.5 million in 1982 and 1983, and, of course, DREE programs usually are 90/10, as this one is. Municipal Affairs is the next heading and this is for residential and industrial servicing, \$4,185,000.

MR. NEARY: Where?

DR. COLLINS: That is in Labrador.

MR. WARREN: Yes. Labrador, yes.

MR. NEARY: And that is federal funds?

MR. HISCOCK: Could we have a breakdown for Municipal Affairs?

MR. TULK: How about Fisheries?

DR. COLLINS: Yes. Under Municipal Affairs this is for water and sewer systems. So we have all the information on it just ask me we can get it.

MR. WARREN: Yes. Where?

DR. COLLINS: This is for Davis Inlet, Phase 1. It will be \$150,000 there.

MR. NEARY: Oh. Federal, federal.

DR. COLLINS: Forteau, Phase 1 -

MR. NEARY: Federal.

DR. COLLINS: - \$1,100,000. Hopedale, Phase 1, \$1,227,000. L'Anse au Clair, Phase 1, \$1,210,000. L'Anse au Loup, Phase 1, \$825,000. My God bless us we are doing an awful lot

May 11, 1982

Tape No. 65

MJ - 2

DR. J. COLLINS: for Labrador, you know.

MR. WARREN: Yes, Sir. You are doing an awful lot, thanks to Ottawa.

MR. S. NEARY: Thanks to Uncle Ottawa.

MR. HODDER: We are doing an awful lot for Labradorians.

DR. COLLINS: Mary's Harbour, Phase 1, \$800,000, another part of the Mary's Harbour project, \$450,000.

MR. NEARY: Thanks to Ottawa.

DR. COLLINS: Rigolet, Phase 1, \$100,000. West St. Modeste \$200,000. And Black Tickle \$125,000.

MR. NEARY: Thank you Uncle Ottawa.

DR. COLLINS: For a total amount -

MR. NEARY: And how about you, how much are you going to spend?

MR. TULK: Where is your money?

DR. COLLINS: For a total amount -

MR. WARREN: Yes.

DR. COLLINS: - of \$6,187,000, and in this year the cash flow from that will be \$4,185,000.

MR. G. WARREN: \$400 million coming from Ottawa is it?

DR. COLLINS: \$4,185,000.

MR. NEARY: How much federal? How much Provincial?

MR. WARREN: Four hundred and something million dollars.

DR. COLLINS: Those are DREE programs. Those are 90/10.

MR. NEARY: In other words, that \$400 million is all federal money. Is that what you are saying?

DR. COLLINS: \$4,185,000.

MR. NEARY: \$4,185,000.

May 11, 1982

Tape No. 65

MJ - 3

DR. J. COLLINS:

Under the DREE program.

MR. NEARY:

All federal money.

DR. COLLINS:

No, 90 per cent is federal,

10 per cent is provincial.

MR. G. WARREN:

Ottawa money, \$12 million.

SOME HON. MEMBERS:

Oh, oh!

DR. COLLINS:

Mr. Chairman, any further

details that are requested I will certainly attempt to get,
but those are the main points about that.

MR. NEARY:

Could we have a copy of these

details?

DR. COLLINS:

I can give you any details from

these that you wish.

MR. NEARY:

No, we would like to have a

copy of them.

DR. COLLINS: No, I am not tabling these. These are documents that I have so that I can get any details you wish from these.

MR. NEARY: So you are refusing to -

DR. COLLINS: I would like now, Mr. Chairman, just to refer to the whole question of these special warrants that His Honour the Lieutenant Governor signed at the end of March, On March 30th, actually. There was some question raised as to the legality of this. Of course the Premier and myself, we made statements when that question arose saying that this was perfectly in order. It had been done on prior occasions. There was a precedent for this, it having been done in 1960 and again in 1972. So there is nothing weird or wonderful about it.

The basic reason for it is that the hon. the Premier has a right at any time to call for dissolution of the House. That is the parliamentary tradition. If supply has not been voted, that does not prevent the hon. the Premier from going to the Lieutenant-Governor and requesting a dissolution of the House. That is his right. That overrides any other consideration.

MR. CHAIRMAN (AYLWARD): I would like to remind the hon. gentleman that his time is up.

DR. COLLINS: Well, I can give further details on another occasion.

MR. HODDER: Mr. Chairman -

MR. CHAIRMAN: Before I recognize the hon. member I wish to bring his attention to Standing Order 118 (5) which suggests that he has fifteen minutes and every other speaker from that time will have ten minutes to speak, in turn.

MR. NEARY: And as often as we want.

MR. CHAIRMAN: And as often.

MR. NEARY: As often as we want.

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

MR. NEARY: And as long as we want.

MR. HODDER: Mr. Chairman, I would like to refer the House to a comment which was made on March 27, 1981, when the Interim Supply Bill was being debated on this side of the House and the government side of the House wanted to get the bill through as quickly as possible. And the government House Leader, Tape No. 712, Page 2033 in Hansard, said that if April 1st. comes, Mr. Chairman, and this Interim Supply is not passed, then at that particular period of time the government has not the power to spend money.

MR. WARREN: Who said that?

MR. HODDER: That was the House Leader opposite.

MR. WARREN: Is that right?

MR. HODDER: That was said on March 27, 1981.

Mr. Speaker, I notice that the Minister of Finance (Dr. Collins), when he tabled special warrants earlier, did not read from them as he is wont to do if there is something that is worth reading, perhaps, for his side. But I think it should be read into the record of the House, the letter from the Comptroller General of Finance, Mr. B.G. Carew

MR. WARREN: What did he say?

MR. HODDER: - who said, "I have received a copy of the Lieutenant Governor's warrant, dated the 30th. of March, 1982, in the amount of \$290,672,300. In accordance with the requirements of the Financial Administration Act, 1973, I am writing to inform you that I must decline to issue money out of the Consolidated Revenue Fund pursuant to the above noted warrant

MR. HODDER: on the grounds that there is no legislative authority thereto.

MR. WARREN: Wow! They wanted him to spend it.

MR. HODDER: His signature is attached to that letter.

MR. WARREN: Do you mean the minister wanted to spend that money?

MR. HODDER: Now, Mr. Chairman, -

MR. WARREN: Well, well, well.

MR. HODDER: - there is no doubt that this bill will be passed by this House, because the government has the overwhelming majority to do that. But there is a principle here which has been ignored, and that is that the Legislature must approve government spending. Because, Mr. Chairman, that is why we have a Parliament. Otherwise, we may as well do away with the institution.

DR. COLLINS: Would you allow me -

MR. HODDER: You had your ten minutes, I understand it is back and forth.

DR. J. COLLINS: It might help if you allowed me to expand on a statement but, however, carry on if you wish.

MR. HODDER: Now, Mr. Chairman, it is a vital and fundamental rule of this House and these rules are not to be tampered with. And what we are doing here in this interim supply bill is asking for money already spent by special warrants.

Now the government knew, the Premier knew when he called the election, he knew when he was going to call the election, and he knew as well that this problem would arise and he deliberately broke a rule of the House. Now at least when it happened before, and it has happened twice since this government has taken power, in 1972, at least the Finance Minister then, the then Mr. Crosbie, had the honour to get up and say to

MR. HODDER: the House, and there is written comment here to that effect, that he apologized to the House, that they had broken the law, He at least admitted that in 1972, but not so this time, Mr. Chairman. But the special warrants were illegal in that there was no legislative authority to issue public money. Authority has to be given by the Legislature. If the Legislature is dissolved after April 1, and after April 1 there was no Legislature, it is a breach of the parliamentary process, and the Legislature is the guardian of the people of Newfoundland.

The time before, Mr. Chairman, when the government did this very same thing, the former Comptroller and Deputy Minister of Finance - I believe it was Mr. Dirk Peper.

MR. NEARY: Yes.

MR. HODDER: He protested, as did Mr. Carew at this time, and refused to issue the public money out of the Consolidated Revenue Fund

MR. HODDER: because there had been no legislative authority. And, of course, as happened this time, the Minister of Finance, overruled him in a letter. And the same thing is applied here. The Financial Administration Act states that the government can obtain special warrants to cover extraordinary spending in a fiscal year from March 1st. to April 31st. But when the fiscal year ends government cannot spend public money in the new financial year without Interim Supply or a provincial budget. Both must be approved by this Legislature.

And Section 32 of the Financial Administration Act is meant only to cover emergency situations for unforeseen spending within the financial year. Mr. Chairman, this has been a disregard and it has to be said by this side of the House, the democratic process has been disregarded and it is an abuse of public spending. And it is not, Mr. Chairman, done in other jurisdictions. And in this case the Comptroller, Mr. Carew, sought legal advice and prepared a statement and presented it to the House of Assembly.

Mr. Chairman, the practices in other jurisdictions across the country: In British Columbia - now, I do not have them all but I have some - in British Columbia, according to officials in that jurisdiction, there is nothing in place to cover spending between the date of an election and a new fiscal year. There is a buffer zone of ten days to permit some interim supply by Lieutenant Governor's warrants, for ten days only and that is all. But more important, Mr. Chairman, in that jurisdiction, is that the government monies have never been spent, ever, without approval in the new fiscal year. This has never been done.

In Quebec they operate under a different system whereby notice of funds the government would be spending, known as credits, during an election campaign, must be presented before March 31st., at least one-third of the expected spending, or the government, by law, cannot

MR. HODDER: spend any money. And in Nova Scotia, again where this has never happened, the Cabinet normally has the authority to spend up to half of what has been voted the previous year by the Legislature. So there is a safeguard there.

MR. HODDER: But, Mr. Chairman, this amount of \$674,901,700 has been spent illegally by this government. Now, Mr. Chairman this bill will have to pass. You know, this bill will be passed and government will get its supply but, Mr. Chairman, I wonder if hon. gentlemen opposite realize - I do not care if it was done in 1960 or 1965, I do not know the circumstances then. I do know the circumstances when it was done by this government in 1972.

MR. CALLAN: Two wrongs do not make a right.

MR. HODDER: And, Mr. Chairman, it has been done again. But what I see about it this time, Mr. Chairman, what shocks me this time is it was done deliberately, it was done with full knowledge, with absolute and total disregard of this House of Assembly, with absolute and total disregard of the people of the Province, and absolute and total disregard of the legislative process or, Mr. Chairman, of the safeguards which are entrusted into the hands of this government and entrusted into the hands of the elected members who serve in this House of Assembly.

Mr. Chairman, when the fiscal year ends - Mr. Carew has said it, Mr. Peper said it before - when the fiscal year ends the government cannot spend public money in the new financial year without the Interim Supply or a provincial budget, both of which must be approved by this Legislature. And, Mr. Chairman, I can see where there could perhaps be sometimes circumstances where the government would find themselves in a bind, but this time it was premeditated, Mr. Chairman, a total absolute disregard of one of the privileges of this House. I do not think, Mr. Chairman, that that should be allowed to be forgotten. I do not think it should happen again, Mr. Chairman, and it should not have happened now.

MR. HODDER: Mr. Chairman, I will be on my feet again to say a few words on this matter.

MR. CHAIRMAN (Aylward): The hon. the Minister of Finance.

DR. COLLINS: Mr. Chairman, there is usually a to and fro in the debate in Committee so that is why I rise to my feet at the present time.

I was getting into an explanation of what happens at the end of the year because it is quite legal, quite straightforward, quite according to precedent. I was getting into an explanation of that but my time ran out and the hon. member then elected to give his version of it which is incorrect.

DR. COLLINS: I suggested to him that if he wished me to complete my statement on the matter he might not wish to make his remarks. But he decided to make them anyway.

Now, I am going to come back to that in a minute , but just before doing that I would just like to say to the hon. members of the Committee something that I think most know. Possibly some of the newly elected members may not know this, but in debating interim supply the time for this debate comes out of the time allotted, according to our standing rules, the time allotted to debating the main estimates. There are seventy-five hours allotted for debating the main estimates. So the time that we spend on interim supply will diminish the time, to the extent that we spend on interim supply, from the debate on the main estimates. So the time that we spend on interim supply will diminish the time, to the extent that we spend on interim supply, from the debate on the main estimates.

And I think it might be an assistance to the hon. members of the Committee if I indicated now when we expect budget day to be. In other words, when the main estimates will be introduced into the Committee. Subsequently the budget will be voted on by hon. members of the House. We are anticipating now that budget day will be Thursday, May 27.

Now, getting back to the points that the hon. Opposition House Leader (Mr. Hodder) brought up. There were a certain number of inaccuracies in what he said.

Firstly he brought up the point that sometime last year in Hansard a remark

DR. COLLINS: was made by the Government House Leader that after midnight on March 31, if interim supply was not passed there would be no authority to spend money. And that is perfectly correct. But he forgot to mention that when the House is sitting, special warrants cannot be issued by His Honour the Lieutenant-Governor. Special warrants for that purpose can only be issued when the House is not sitting. So the two circumstances were different.

Secondly he said that Mr. Crosbie, in 1972 I think it was, broke the law. Well, I am not here to defend anything that Mr. Crosbie did. All I know is that that is incorrect. Mr. Crosbie did not break the law, he went according to the Statutes of this Province, that the matter was subsequently reported to the House as the Statutes require and the House unanimously agreed with the actions he took. So there was no question of breaking the law any more than there was a question that this administration broke the law on this occasion.

Just a small point, but I think that it is an important point. On this occasion the hon. Opposition House Leader said that I overruled the Comptroller General. I do not have the

DR. J. COLLINS: authority to overrule the Comptroller General, and I did not overrule him.

MR. NEARY: You and your colleagues.

DR. J. COLLINS: The Treasury Board, which is a Committee of Cabinet, considered the points brought up by the Comptroller General and, having considered those points, Treasury Board overruled the Comptroller General. It was not the Minister of Finance, because he does not have the authority so to do.'

The hon. Opposition House Leader (Mr. Hodder) then brought up the practices in other jurisdictions. These were quite interesting actually, but they are totally irrelevant. I mean, we go according to the Statutes in this Province. Quebec can have whatever Statutes it wants and go a certain way as can British Columbia, but we are governed by the Statutes in this Province. And it is interesting to note that even in British Columbia they do have an authority during that buffer time, that ten day buffer time, they do have authority to spend beyond the end of the fiscal year in like circumstances to the occasion that arose here.

Now as I was saying in giving my initial explanation, the hon. Opposition House Leader misses the fundamental point here. He said that the hon. Premier was wrong in calling the election because it would interfere with interim supply. That is the fundamental misunderstanding he has. The Premier has unfettered right, he has a totally unfettered right to ask for a dissolution of the House at any time, He can do it on Christmas Day, he can do it if interim supply is in or if it is out, he can do it on Friday afternoon, he can do it when he is on holiday. He can do it any time he wants, he has an unfettered right under the British Parliamentary system, so there is absolutely nothing incorrect or improper

DR. J. COLLINS: or out of order for the hon. Premier to go down to Government House and ask for dissolution of the House. He is totally in order, totally in the British tradition. And if the hon. member opposite wishes to question the British Parliamentary tradition, you know, that is not my problem. But I wish him not to, you know, perpetrate that misunderstanding on the people of this Province.

So going on with the explanation it was decided by Cabinet that special warrants should be issued and the various ministers who requested -

SOME HON. MEMBERS: Oh, oh!

DR. COLLINS: Recommended. Recommended I said, recommended by Cabinet.

MR. NEARY: Oh recommended is it?

DR. J. COLLINS: It was indicated by the various ministers who were requesting funds that these were essential, that unless these funds were given there would be serious harm done to the public good.

When that recommendation was made to His Honour, His Honour quite properly signed the special warrants.

DR. COLLINS: These special warrants then went to the Comptroller General so that the amounts of money could be given from the Consolidated Revenue Fund to the various departments. Now, I hope there is no misunderstanding on that point. There was money in the Consolidated Revenue Fund for that purpose. You know, we were not broke or anything like that. When the Comptroller General received the special warrant, as he had every right to do under Section 29 of the Financial Administration Act, he indicated that there was no legislative appropriation for this purpose and he had to report that to Treasury Board.

Now, I am going to read out just Section 32, not word for word, but just the essence of Section 32 of the Financial Administration Act. And it reads as follows, "If the Comptroller General declines to issue public money on grounds that there is no legislative authority, upon report to the board, the board may order payment to be made". In other words, it is laid out in our Statutes in the main Statute relating to this area, that if such and such a thing happens it is quite in order, quite legal, quite according to the requirements of our Statutes of our laws, that such and such a thing be done and that is exactly what happened.

Now, the Financial Administration Act then goes on to say that in circumstances like that the Comptroller General shall prepare a statement related to the issues made over his protest, deliver it to the minister for tabling in the House of Assembly within fifteen days of the next Assembly. And, of course, that is what he did. He gave me a report on it and, I, of course, tabled them within fifteen days but certainly not at the end of the fifteen days, I tabled them at really the first opportunity. I suppose I could have tabled them yesterday, but yesterday was a sort

DR. COLLINS: of formal event in the House.
So I elected to delay until today and they were tabled
today.

So it is quite in order what happened. And it might be interesting to point out that in exactly similiar circumstances in 1972, when the same sort of report was made to the House, the following comment was made by the Leader of the Opposition at that time, who was then the Leader of the Liberal Party and who was the Leader of the Opposition in this House, and it is the hon. member for the Strait of Belle Isle (Mr. Roberts). And this is a direct quote from Hansard at that time in exactly similiar circumstances. He says, "In this case, as the minister has said, it would be quite unreasonable not to proceed to overrule the Comptroller's objections. And, of course, there

DR. COLLINS: was unanimous agreement at that time, that the procedures were followed, that that section was put in the Financial Administration Act to deal with circumstances exactly like this. That was what it was put there for and, of course, he fully agreed with it and the House passed the report unanimously. I am sure that that is the case here too.

MR. NEARY: Mr. Chairman, let me say at the outset that this administration is taking on all the airs of a fascist regime. It is not a benevolent dictatorship, it is a fascist regime. Mr. Chairman, the hon. the Minister of Finance (Dr. Collins) gets up and lectures to the House and tries to lead us to believe that everything was sweetness and light and that everything was done above-board, when in actual fact the hon. gentleman knows what the government did, what the administration did was illegal. And the hon. gentleman is now asking this House to approve an illegal act on the part of the administration.

Mr. Chairman, the Comptroller of the Treasury refused to give the administration supply and the Comptroller of the Treasury was overruled by Treasury Board. And Treasury Board is a sub committee of Cabinet. I hope members have that fixed in their minds. Treasury Board is ministers.

MR. WARREN: Oh! Oh!

MR. NEARY: It is a sub committee of Cabinet.

MR. WARREN: Is the House Leader on it?

MR. NEARY: It is an elite clique down on the 8th Floor of this building.

MR. WARREN: Who are they?

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: And, Mr. Chairman, the hon. gentleman says it was in order, it was according to the

MR. NEARY:

Statutes.

Mr. Chairman, I am seeking to get a constitutional opinion and some expert legal advice on Section 32 of the Financial Administration Act which is the section that the hon. gentlemen used to carry out this devious thing that they did, this devious plot. Section 32, Mr. Chairman, of the Financial Administration Act merely means this, that Lieutenant-Governor's warrants for extraordinary spending, for unforeseen spending, spending that was unforeseen when the estimates were passed in the House, special warrants can only be approved in that fiscal year. Once you go past the 31st of March, 1982,

MR. S. NEARY: there is no parliamentary authority for spending public funds. And that is where the wrong interpretation is put on Section 32 of the Financial Administration Act. They have twisted the Act to suit themselves, Mr. Chairman, and so I hope nobody is under any illusion of what we are being asked to do here. We are being asked to approve an illegal act on the part of the administration. And, Mr. Chairman, they have the majority to do it, they have forty-four, we only have eight. It flies in the face of parliamentary tradition, it is unconstitutional according to the people that I have spoken to so far. And the Comptroller of the Treasury said, 'No, do not do it. You are not allowed to do it without the approval of the Legislature.' Now, Mr. Chairman, I am going to elaborate on that before we finish with the Interim Supply Bill. But we only have ten minute slots in order to speak. I am going to allow my colleague our spokesman on Finance, to elaborate on this. But I also want to say this, that the hon. gentleman in his innocent way gets up and pretends that everything is hunky-dory. He makes no reference to three very important facts, Mr. Chairman. Number one, that first of all this is a record amount, this is record Interim supply. It is a record Interim Supply Bill fact number one. Fact number two is that it is the first time to my knowledge, that capital expenditure is included in an Interim Supply Bill. Mr. Chairman, when you ask for Interim supply in this House you merely ask for sufficient supply onto Her Majesty to pay your bills and to provide essential services. This is the first time to my knowledge, Mr. Chairman, that a government has asked for money for capital expenditures. The minister made no mention of that. And the third point is that we are asked to approve an Interim Supply Bill when we do not have the

May 11, 1982

Tape No. 74

MJ - 2

MR. S. NEARY:

Auditor General's Report tabled in this House. The Auditor General, I would assume, had his report ready for Tabling in this House before the election was called, and if the House had carried on for three days, Mr. Chairman, under the Financial Administration Act, the Auditor General's Report

MR. NEARY:

would have had to be tabled in this House. So I can only assume that the Auditor General's Report has been in the hands of the Minister of Finance (Dr. Collins) since back before the election was called, back in March. And the hon. gentleman is withholding that valuable piece of information, that very important document from this House while we are debating interim supply. We should have the Auditor General's Report, Mr. Chairman, laid on the table of this House before we allow this Supply Bill to pass. That is our right. It is the right of members of this House to have that report. What are they trying to hide, Mr. Chairman?

DR. COLLINS:

What report?

MR. NEARY:

The Auditor General's Report. The hon. gentleman should stay in his seat while I am speaking. The hon. gentleman, I am assuming - I can only assume from my knowledge and experience in this House that the hon. gentleman had the Auditor General's Report prior to the election. Is that correct?

Mr. Chairman, does the hon. gentleman have the Auditor General's Report now?

DR. COLLINS:

Yes.

MR. NEARY:

He does. Well why does the hon. gentleman not put it on the table so we can have it while we are debating interim supply?

MR. WARREN:

He is chicken. He is chicken.

MR. NEARY:

Well bring it in because, Mr. Chairman, we have no intention of letting this Interim Supply Bill pass before we have the Auditor General's Report. That has always been the tradition and the custom of this House.

MR. NEARY: If the House had carried on for three days before the election, the hon. gentleman would have had to lay the Auditor General's Report on the table within a week.

AN HON. MEMBER: No.

MR. NEARY: Within three days, Mr. Chairman.

DR. COLLINS: No, that is not true.

MR. NEARY: Well read the Financial Administration Act. The hon. gentleman would have had to put the Auditor General's Report on the table. And here we are two months later, Mr. Chairman. The hon. gentleman is sitting on the Auditor General's Report I would say, for the last six or seven or eight weeks. And here we are, Mr. Chairman, asked to give the government record interim supply and the hon. gentleman does not have the decency or the honour to lay on the table of this House the Auditor General's Report so that we can take a look at it to see what is inside the covers.

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

MR. CHAIRMAN (AYLWARD): A point of order.

MR. NEARY: A point of order! Whatever I said that is unparliamentary I take it back.

MR. MARSHALL: I would like to draw your attention to what the hon. Leader of the Opposition (Mr. Neary) said.

MR. NEARY: I take it back, Mr. Chairman.

MR. MARSHALL: I am on a point of order, Mr. Chairman.

MR. CHAIRMAN: Order, please!

MR. MARSHALL: The hon. gentleman is impugning the honour of the Minister of Finance (Dr. Collins) and it is contrary to the rules of the House. He knows it. He has been here long enough. And he should withdraw these accusations.

MR. NEARY: Yes, Mr. Chairman, if it makes the hon. gentleman feel better, I withdraw.

May 11, 1982

Tape No. 75

IB-3

MR. MARSHALL:

Not because it makes me feel better.

MR. ROBERTS:

No, because of the rules.

MR. NEARY:

I want to carry on with my few
remarks.

MR. CHAIRMAN (AYLWARD):

The hon. member has withdrawn
his remarks?

MR. NEARY: Yes, Mr. Chairman, of course.

Mr. Chairman, what I am saying is that the hon. the Minister of Finance (Dr. Collins) had the Auditor General's Report in his possession for several weeks and has withheld it from this Committee, is withholding it from this Committee -

MR. WARREN: Yes, right on!

MR. NEARY: - while we are debating interim supply.

MR. WARREN: Hear, hear! Now get up on a point of order.

MR. NEARY: Mr. Chairman, that is not fair and we have no intention, Mr. Chairman, if we can help it - there are only a handful of us over here - of surrendering to a dictatorship, to a fascist regime. We intend to see that the parliamentary rights are maintained in this Province, the rights and privileges of Parliament, and the only protection that the people of this Province have is the control of the purse. Once the control of the purse is moved from the floor of the House of Assembly down with a clique on the 8th Floor then the people have lost the only protection they have against misuse and abuse of public funds.

MR. CHAIRMAN (Fylward): Order, please!

MR. NEARY: I will have more to say later on, Mr. Chairman.

MR. MARSHALL: Mr. Chairman, I would like to make a few comments on what I consider to be some of the inane observations made by the Leader of the Opposition and the Opposition with respect to this matter.

This side of the House is equally - in my opinion, much more so concerned with

MR. MARSHALL: protecting the parliamentary practices and procedures under which we operate. What was done in this case, despite impressions given to the contrary by the Leader of the Opposition, was entirely and completely within the law. The Financial Administration Act, which is the successor of the Revenue and Audit Act that the hon. gentleman was a supporter of in his time when the hon. gentleman was content to be in a government which could borrow money with impunity without ever even coming to the House of Assembly. The hon. gentleman was a member of the government where in the Revenue and Audit Act it was provided that the Cabinet of the day, the Cabinet of which he was a member, had unlimited powers to borrow and did not have to come to this House of Assembly, Mr. Speaker.

PREMIER PECKFORD: Shame! Shame!

MR. MARSHALL: That is what the hon. gentleman supported, so I would like to point out his concern has lately come to him. This party moved to change that Revenue and Audit Act in many aspects, and replaced it with the Financial Administration Act.

One of the provisions in the Financial Administration Act is that money cannot be borrowed without the consent of this House, you know, so that when you are talking about

MR. MARSHALL: protecting the rights of this House and Parliamentary privilege, let us go back, for the luxury of going back a little bit in history with respect to it. With respect to this particular issue right here it is clearly provided in the Act that special warrants can be issued. Special warrants were issued. It was provided in the Act, too, that the Comptroller of the Treasury could make objections. The hon. gentleman of that day would never have any public official being allowed, dare to make any objections to any action of the government. And the Comptroller made the objection as he did in times past, because of technicalities.

But it was also clearly provided in the law, in the Act, as the Minister of Finance (Dr. Collins) has indicated, that Treasury Board can overrule it and this is what Treasury Board did. So the government was acting entirely and absolutely within the purview of law and there should be absolutely no doubt whatsoever about it.

Now why did we do it? If you follow the hon. gentleman's reasoning there could never be an election held unless supply was granted. So consequently, just say this government had been defeated, or any government had been defeated and the House had to be dissolved in the period of March 31, when supply ran out, is it Parliamentary practice that the people of the Province or the people of the country, whatever is to be concerned, are not to be able to voice their opinion and that that government would go back into the House and have to get supply before they would have an election? It is obvious, arrant nonsense, Mr. Chairman, that what they are talking about, because the paramount concern in any democratic society is the will of the people. And it was necessary for the will of the people to be expressed at that particular time -

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: - an election was called which was in, and did the people -

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: They expressed very well.

MR. MARSHALL: I think this is what they are smarting under, Mr. Chairman.

MR. DINN: I think they are smarting on the other side.

MR. MARSHALL: They are smarting under the fact that the will of the people was expressed. And this is really what goes against their grain. In actual fact if the will of the people - if we had had another couple of days, I can count them over there now, there would be five less of them even over there.

SOME HON. MEMBERS: Hear, hear!

AN HON. MEMBER: Oh, oh!

PREMIER PECKFORD: Count your lucky stars there were only twenty-one days.

MR. MARSHALL: Talk about time. Time was very, very merciful to them, Mr. Chairman.

So it is not a case that this was done against the law. And it is stupid and silly to turn around and say that an election could not be called unless supply was given. Otherwise, you would get in a chaotic situation where governments could be defeated and there could be no spending because there could be no agreement in the House as to spending.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: So it is for this purpose and this purpose only, in other words, to give the people of this Province an opportunity to express their will, that special warrants were issued, that the Comptroller then,

MR. MARSHALL: in accordance with the act, the powers that were conferred on him by this government, objected. And in accordance with the law, and again in accordance with the act, Treasury Board overruled him to give the people of this Province an opportunity to express their will. So that is what it is all about.

Now, all we hear from the Opposition - we have smaller numbers, Mr. Chairman, but it is not possible to get smaller quality, not one for one, I can tell you that. The fact of the matter is, all we have heard since the government has been elected, from the Opposition benches as they are presently constituted, are negativisms.

The hon. the member for Eagle River (Mr. Hiscock) was not going to sit in the House because of secretaries. They do not agree with space, and they do not agree with secretaries, despite the fact that they have more space than the government members and they have -

PREMIER PECKFORD: He came in to get sworn in so that he would get paid though.

MR. MARSHALL: - more secretarial service than the government members.

The hon. the Leader of the Opposition (Mr. Neary), his first great measure of what he is going to do is what? Again, 'not'. He is going to take us to court. He is going to take us to court to try to prevent the spending. Perhaps he thinks because if he takes it to court then we will be precluded from debating interim supply because it is before the court. I do not know what his aim is, but again that is negative.

MR. MARSHALL: They say no to the broadcasting on opening day for the first time. It is a notty Opposition, Mr.Chairman. That is what we have on the other side, and that is all they are concerned with. They would do far better to address themselves to the concerns of this Province. When you are talking about interim supply that we are granting, how about joining us in trying to increase this supply through a stand on the offshore -

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: - through a stand with respect to the Reversion Act, rather than standing up and getting on with all these silly non sequiturs and inane little types of criticisms that have reduced them to eight and,if they keep on going for the next four years, will send them to oblivion completely.

PREMIER PECKFORD: No. No. No.

MR. MARSHALL: Now, Mr.Chairman, the other thing that I want to say, this supply has been asked. As the Throne Speech indicated, when supply was given the government was very careful and very, very carefully used the supply for the purpose of paying regular expenses that accrued to the government from day to day; for the purpose of providing for the salaries, for the purposes of keeping the hospitals going and the schools going, the regular daily day to day business of government. But it has not used this money, Mr. Chairman, for the purposes of any extra expenses such as tendering for - well, we have early tendered for roads and the five items that are noted there in the Throne Speech.

MR. W. MARSHALL: We need this money, Mr. Chairman, we need this money, as I say. The five early tendering projects on transportation, housing, land, school construction programs, that is what we want it for. We want it for building lot subsidies.

PREMIER PECKFORD: Creating jobs.

MR. MARSHALL: We want it to support the fish plants that the hon. the Minister of Fisheries (Mr. J. Morgan) was speaking about today. For early tendering on municipal water projects and sewer projects and for early tendering on local roads programs. That is what the interim supply is for. This government is not going to spend money of that nature on the basis of special warrants that were put in there to give the people of this Province the opportunity to express their will, but we need interim supply for these purposes. And every moment of every day that the hon. gentleman there opposite, as I say, get on with their inanities and their attempts to delay the granting of Interim supply - they know when the Budget is going to come in. The Budget is going to come in as quickly as possible. The Minister of Finance (Dr. J. Collins), if he has not announced it today, will be announcing it.

PREMIER PECKFORD: He has announced it.

MR. MARSHALL: He already has announced it today. What a Minister of Finance, see. They know when the Budget is going to come in, they know we need this money for the purpose of these early tenderings and this capital works, and they would better serve, I suggest, Mr. Chairman, the people of this Province by getting on with the voting and getting on with the business of this House and the business of the Province, rather than getting on with the silly little inanities that the hon. Leader of the Opposition (Mr. Neary) gets in. He is

May 11, 1982

Tape No. 79

MJ - 2

MR. W. MARSHALL: going to take us to court. Well, if he takes us to court, Mr. Chairman, he takes the people of Newfoundland to court. And what in effect he is going to be doing, as every word he indicates in this House—and he can talk about fascists and all the rest of it, and all of his other old crocodile tears that he is shedding over his election and his reduced majority, but the fact of the matter is if he takes us to court he takes the people of Newfoundland to court and he precludes the capital works that this government envisages in order to try to rectify some of the mess that his federal counterparts have got the economy of Newfoundland in.

SOME HON. MEMBERS: Hear, hear!

MR. S. NEARY: You would never say, you would never say to listen to that hon. gentleman, you would never say that that was the same hon. gentleman who sat on this side of the House the first time he got elected. I happened to be in this House and I happen to have a pretty good memory, and I happened to hear the hon. gentleman on numerous occasions stand in his place on this side of the House to condemn a previous, previous, previous administration for the way they were handling the finances of this Province. That very same hon. gentleman. I can hardly believe. I can hardly believe the changes that have taken place in this hon. gentleman. Mr. Chairman, I am not going to bother to answer his ancient history that he keeps dragging up. The people of this Province are getting kind of tired of that.

MR. NEARY: But I will say this to the hon. gentleman, that what he is probably concerned about is the same thing that the hon. Premier is concerned about and that is strong leadership on this side of the House. That is what they are concerned about, Mr. Chairman, strong leadership and an experienced and strong Opposition. Mr. Chairman, we are not like the hon. gentleman, we are not whining or bawling or sulking or crying. Mr. Chairman, we are merely asking this administration to accommodate us so that we can do the job that we have to do on behalf of the people of this Province. That is all we are asking. And we are asking the Minister of Finance (Dr. Collins) to table the Auditor General's Report, which he has been sitting on now for five or six or seven weeks, that we have a right to have in this House. He has no right to withhold that information from this House.

Mr. Chairman, the hon. government House leader (Mr. Marshall) very innocently says, 'Well, all we are asking for is money to carry on the day to day business. We are not asking for money for anything out of the ordinary'. But that is precisely the point, Mr. Chairman. They are asking, for the first time in the history of this Province, in record interim supply, for money for capital expenditure.

MR. WINDSOR: We have to get on with the job.

MR. NEARY: Oh, they have to get on with the job. Why did they not bring down a budget if they wanted to get on with the job? Mr. Chairman, this is not interim supply, this is a mini budget camouflaged under the heading of interim supply. That is what this is.

MR. HODDER: That is right.

MR. NEARY: And the hon. gentleman can scold us all he wants about 'we only have seventy-five hours and this is going to be deducted from our time'. And he can tell us all

MR. NEARY: he wants about the budget being brought down a couple of weeks from now. Mr. Chairman, we would be remiss in our responsibility to the people of this Province if we let record interim supply go through this House without getting some details from the minister.

DR. COLLINS: I already gave them.

MR. NEARY: Oh, the hon. gentleman believes in a dictatorship?

MR. BARRETT: You supported one for a long time.

MR. NEARY: Is that so? I supported an administration, Mr. Chairman, and I say this and I dare anybody on the opposite side of the House to contradict me, that believed in the Parliamentary traditions, that believed -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Chairman -

MR. WARREN: Not like the last four years. Not like the last four years.

MR. NEARY: Mr. Chairman, let me remind hon. members of this House that on one occasion, on one occasion back a long time, long before my time, a previous, previous, previous administration had to invoke closure to get interim supply by midnight on the 31st. of March whatever year they were asking for interim supply. Because that particular gentleman happened to believe in the Parliamentary tradition and the Parliamentary right to control the purse strings

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Ah, Mr. Chairman, how arrogant have they gotten? The House is only opened two days, and the arrogance is starting to come through already. They are starting to pounce on us already, There are only eight of us, but I guarantee you, Mr. Chairman, if they think they are going to grind us into the ground they better get up again. We have an experienced Opposition, we have an Opposition of eight members who are prepared to take off their coats, roll up their sleeves and work hard -

MR. BARRETT: You are watching too much television.

MR. NEARY: - work hard, Mr. Chairman, to see that the rights of the people of this Province are protected.

Maybe, Mr. Chairman, a couple of years from now if the hon. gentleman wants to call an election-as I told yesterday in this House, there is only one seat in this House that I have not occupied yet.

MR. WARREN: That is right.

AN HON. MEMBER: (Inaudible).

MR. NEARY: And if the hon. gentleman continues his arrogance, Mr. Chairman -

AN HON. MEMBER: There is a seat in the gallery.

MR. WARREN: Twenty-one days you will be over there, Steve.

MR. NEARY: - if he continues, I might just set my sights on that little seat over there.

SOME HON. MEMBERS: Oh, oh!

MR. WARREN: Twenty-one days.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: I doubt if the hon. gentleman -

MR. BARRETT: You will not go back to LaPoile, that is for sure.

MR. WARREN: I am going to support him.

MR. BARRETT: You have worn out your welcome in LaPoile.

MR. WARREN: I am supporting 'Steve'.

MR. CHAIRMAN (Aylward): Order, please!

MR. NEARY: Mr. Chairman, I am not launching any leadership campaign, I am merely issuing a warning to the hon. gentleman.

MR. WARREN: Yes. He could be next,

PREMIER PECKFORD: I have heard those warnings before.

MR. NEARY: Well, the hon. gentleman did not hear warnings from this hon. gentleman before.

PREMIER PECKFORD: Tired, tired worn out words.

MR. NEARY: Mr. Chairman, a couple or three years from now.

MR. WARREN: Yes.

MR. NEARY: There is only one way the hon. gentleman can go -

MR. MARSHALL: You all laughed when he called the election.

MR. NEARY: There is only one way the hon. gentleman can go, Mr. Chairman, -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: - straight down.

MR. WARREN: He cannot go any higher.

MR. BARRETT: Do you want an election again?

MR. WARREN: He cannot go any higher, anyhow.

MR. NEARY: Mr. Chairman, I really got them worked up now. They are all worked- look, you would not know - Mr. Chairman, they are all worked up over there now, you would not know but we were going to have an election next week.

MR. WARREN: That is right.

PREMIER PECKFORD: You will never know.

MR. NEARY: They are taking it all so serious. They are completely paranoid.

PREMIER PECKFORD: We are concerned about Newfoundland.

MR. WARREN: Yes.

MR. NEARY: They are paranoid, Mr. Chairman.

MR. HODDER: I wish you would have one next week.

MR. NEARY: They are absolutely paranoid.

MR. WARREN: That would be all right we would get paid three times a year.

MR. NEARY: Mr. Chairman, I have the right to state my case, to say what I have on my mind in this hon. House and I intend to do it. And I do not mind being interrupted by hon. gentlemen. But if I were the hon. gentlemen I would not take myself so seriously. They have forty-four seats. We are completely irrelevant over here. What we say or do - but some how or other -

PREMIER PECKFORD: On a point of order.

MR. CHAIRMAN (AYLWARD): A point of order, the hon. the Premier.

PREMIER PECKFORD: On a point of order. I take exception to that statement by the Leader of the Opposition (Mr. Neary). He is trying to tell us that they are irrelevant. I do not think that they are irrelevant, Mr. Chairman. I want to see an Opposition in this House.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: I rule that there is no point of order.

MR. NEARY: Mr. Chairman -

MR. HODDER: Good ruling.

MR. NEARY: - the hon. gentleman is awfully cocky now over there with his forty-four seats. We are completely irrelevant, Mr. Chairman, to anything that that government wants to do. They have their forty-four seats and they can do as they please. But somehow or other Mr. Chairman, they seem to be paranoid about what we do or say. They are paranoid about it. They worry more about what we say and our position on things than they worry about what they are going to do themselves. They have a mandate, Mr. Chairman. And as I said yesterday, they can abuse it or they can misuse it. In this particular instance, on interim supply, they are completely misusing and abusing their privilege. And they are abusing Parliament. And they have been chipping away and taking the authority away from this House

MR. NEARY: for the last ten years. And this is the ultimate now, Mr. Chairman. And somebody referred to Mr. Crosbie there a few moments ago when they said- somebody said, 'Mr. Crosbie did not break the law, he did not do anything illegal'. Well listen to this. Mr. Crosbie was quoted in The Windsor Star in Ontario on April 21st.

PREMIER PECKFORD: What has that got to do with interim supply?

MR. NEARY: It has to do with interim supply because that is what the item is about. April 21, 1972, Mr. Crosbie says, "The illegal warrant was issued last week because it was necessary to have money available for salaries even though the fiscal year had ended the thirty-first." "Only \$8 million of the total had been spent", he said. And listen to this, Mr. Chairman - and I will end up on this note - says, "We will trust the House to forgive us", Mr. Crosbie said. And that is what the hon. Minister of Finance (Dr. Collins) should be doing now, asking the House to forgive him for doing something illegally.

MR. WARREN: And then we will pass it.

MR. CHAIRMAN: The hon. Minister of Finance.

DR. COLLINS: Mr. Chairman, the hon. the Leader of the Opposition asked me to apologize and I abjectly apologize. I understand he said we are being too hard on him, you know, there are only eight of them so we should show sympathy for them. If I am too hard on the hon. the Leader of the Opposition, I apologize, I am terribly sorry. I will be very much softer on him from now on.

Now, the hon. the Leader of the Opposition says that we will not give him any details. I have been listening very, very closely and am trying to, you know, see if some questions were asked. The only question I heard asked was, What were these cottage land developments? And I have the answer for him. The cottage land developments refer to Hawco's Pond on the Salmonier Line, sixty-one lots there, Peat Pond, which is West of Whitbourne, twenty-seven lots there, and Goulds Pond, which is near Ocean Pond, forty-one lots there. Now that is the only detail that I know has been asked so far and if anyone wants to ask me other details I will certainly get them for them.

Now with regard to the Auditor General's Report, the hon. the Leader of the Opposition, of course, again says something that really cannot be backed up. He says that I am illegally withholding the report or some phrase like that. In actual fact, I had the Clerk at the table, the Law Clerk, look up what is the requirement. I was pretty certain what it was, but I had him look it up, and I have to put in the report at a minimum of a week after the House sits.

MR. NEARY: Nazi regime.

DR. COLLINS: Now, do not - the Leader of the Opposition is again trying to say things that cannot be backed up. It is in writing, I have within a week to

DR. COLLINS: bring it in and I can assure the hon. members that I will bring it in within the week because I am going to read the thing in some detail first.

Now, the hon. the Leader of the Opposition also says there has been a misinterpretation, and this is the last remark I intend to make on this issue about the Financial Administration Act but, of course, if anyone asks me I certainly will go back on that, but at this point in time this is the last thing I intend to say on it. He says that there is a misinterpretation as to whether this refers to the current fiscal year or any fiscal year. Well, I suggest there was a misinterpretation, but the misinterpretation was not by this side of the House, it was by the other side of the House. We have had legal advice on that issue and the advice given to us is that we are quite within our rights in doing what we did.

SOME HON. MEMBERS: Hear, hear!

DR. COLLINS: Now the other thing the Leader of the Opposition said was this is the first time that the Interim Supply Bill contained funds for capital projects. That is totally and absolutely and utterly wrong. For years and years and years and years the Interim Supply Bill has had funds for capital works. There is nothing strange, weird or wonderful about that. For many, many years, ongoing capital works or ongoing capital projects -

MR. NEARY: New programmes?

DR. J. COLLINS: You said capital projects. Now, for many, many years ongoing projects were funded in interim supply.

MR. S. NEARY: Well, new capital works, this is the first time.

DR. COLLINS: The hon. Leader of the Opposition just said, "Well, new capital works, this is the first time." Again, incorrect. There were new capital works in the interim supply last year and the Financial Administration Act states that new capital works could be in interim supply, you know, ever since the Financial Administration Act was brought in in 1972, 'could be in it as long as they were laid out in the House, as long as they were detailed in the House. And last year there were new capital works and they were detailed in the House. This year there were new capital works and they are being detailed in the House. So, again, it is perfectly -

MR. NEARY: Give us all the details.

DR. COLLINS: I have given you all the details that I feel are called for at this point, but I have said if you want more details just ask me and I will give you more.

Now the final thing the hon. Leader of the Opposition said - he mentioned that this is a record Interim Supply Bill and that is true. That is true. That is absolutely true. Now, one of the reasons - I gave one reason why it is large, because we are going four months this year instead of three months, which is quite logical, but another reason is because there are new capital expenditures in it. And we did this deliberately. We did this so that the construction industry, through the pre-tendering mechanism, could look forward to starting work in this Province on the construction works earlier than would ordinarily be the case. In other words, this was an employment approach to things, an employment project, an employment strategy. Now

DR. J. COLLINS: if the Leader of the Opposition (Mr. S. Neary) is against that, I would like for, you know, that to get out widely, that the Leader of the Opposition did not feel that government was taking the right tack when it decided to pre-tender capital works, and that is one of the reasons why this Interim Supply Bill is so large, did not take the right tack in pre-tendering capital works to help employment in this Province. We on this side, we feel that that was a very good move and, I might say, it has been very, very acceptable. There has been any number of comments by those in the construction industry, and also by certain parts of the media saying this was a very excellent move on the part of this government. People are employed now who would ordinarily not be employed at this time of the year if we had not gone this way. And by going this way, of course, interim supply had to accommodate those extra expenditures.

Now, that is as far as I could answer, I think, the points brought up. I do not have any other notes, I do not believe, on other points that were brought up.

MR. CHAIRMAN (Aylward): The hon. the member for Eagle River.

MR. E. HISCOCK: My question to the Minister of Finance (Dr. Collins), with regard to interim supply in the Department of Public Works, could I have a list of projects that will be

MR. HISCOCK: taking place out of this \$25 million, and also a list of projects? He does not have to name them out, I would like for him to send them over today or tomorrow or the next day. And also in Municipal Affairs, the \$28 million.

I, for one, feel very strongly that if we are going to be a Parliament, going to be a House of Assembly, and the voters of this Province have elected us to do this, that we have to respect the laws of the land. And when the government through the Department of Finance and the Cabinet decides, because they are in an election that they have to disrespect the law, then I feel it is not a very good example to the people of the Province, to ask them to obey the laws.

With regard to other parts- I was looking at this and I am glad it was brought up by the member from the West Coast - Legislative, \$3,750,000 and Executive Council, \$2,250,000. I would also like to know is it wise to have so much money being allocated, particularly for the Executive Council, in interim supply, almost \$2,500,000. And in Legislative, also, \$3,500,000. Why do we need so much of that?

With regard to one thing, and I will be talking about it in greater detail later - and I would like to direct my remarks in some ways to the President of the Council (Mr. Marshall), the Deputy Premier - that if you want to call it boycotting the House or not coming into the House yesterday, it was not for myself. I do have an office. And it is quite true, as the Premier has said, the Opposition has more space per member than any of the government backbenchers. That is not the point. We are elected here to serve this Province, fifty-two members. And because of that we have a budget of almost \$1.5 billion. We have some of the most severe economic problems facing us with regard to

MR. HISCOCK: the fisheries, as the minister said today, the worst in our history. The construction industry, education, the school boards are almost bankrupt. We have trouble with our health industry. We have trouble in our agricultural industry. We have trouble also now, in the forthcoming year or next year, with regard to our forest industry.

And if we are coming into this building and into this room, fifty-two of us, we are supposed to put our heads together. And I smiled somewhat yesterday when

MR. HISCOCK: I was listening to the member for Twillingate (Mrs. I. Reid) with her words with regard to Crown land and the member for St. Mary's - The Capes (Mr. Hearn) also, where they ended up saying that we should co-operate and work together. I could not help thinking that when I got up here almost three years ago I said the same thing and you will find, particularly the backbenchers, twenty-four members on the government side, how irrelevant the backbenchers are in particular to the government and to the Cabinet, and how frustrating it will be. In this election, moreso than in any other election, there was a feeling that the government would be re-elected and therefore get a man on the government side or a woman on the government side. And I think that the people in St. Mary's - The Capes and in Fogo and other areas -

MR. CALLAN: In Twillingate.

MR. HISCOCK: - Twillingate - expect in particular to have their members treated with a little bit more dignity and a little bit more respect, that they be able to read their own reports and not be bogged down by answering day to day problems with welfare, unemployment insurance. This is an important part of being a member, but if we are going to go and approve three quarters of a billion dollars here on Interim Supply, I think that the backbenchers on the government side and the Opposition here should have their own secretaries to keep them free so that they can keep an eye on this and see if it is being done right. So with regard to being childish, as the President of the Privy Council (Mr. Marshall) may say, I think he is doing an injustice. And I think, also, that it is remiss for the people from Twillingate and other areas who have been elected to give promise, to give

MR. HISCOCK:

hope to these districts.

The member for Bay of Islands (Mr. Woodrow) got up and presented a petition with regard to the roads and the problems in his district. Well, I am sure that the member for St. Mary's - The Capes (Mr. Hearn) would assume now, and the people in the district of St. Mary's - The Capes would assume because he is elected and on the government side, he will get the road paved to Trepassey, that because you are on the government side you are going to get everything. You cannot even get a secretary and you cannot even get an office.

So with regard to interim supply, I find it rather interesting that we are asking for almost \$6 million for the Executive Council and this House and not one cent of that \$6.5 million is being geared towards our offices or our salaries - not our salaries- with regard to secretarial staff. And I hope that the twenty-four backbenchers on the government side will not rise up but will very discreetly and very calmly, in the next two or three weeks, say to the Premier that they are a little bit surprised to see how they are being treated, being elected on the government side.

MR. HISCOCK: It is not hard to wonder why, because the President of the Council (Mr. Marshall) does not even have an office in Confederation Building, he operates from his law office in downtown St. John's. He also remains the lawyer to the Bank of Montreal, which is the government bank. But he knows a reason for this.

AN HON. MEMBER: I did not know either.

MR. HISCOCK: So, therefore, with regard to this, Mr. Chairman, there is no need to have these things. But probably the people from outlying areas in rural Newfoundland will find that they will get a lot more calls than the person from St. John's who probably may get one hundred calls a year, find out that they will need them. But again, as I said, we will do our job and it will be no problem. But the pressure is going to be on the twenty-four members on the government side. And as for my boycotting the House, it was done on principle, that with the position, the MHA should have his own office and his own secretary. And they should be independent of the Premier, they should be under the rights of the Speaker. But we do not have a Premier - the Premier may have forty-four seats, but we still got a Premier who operates with a very small and narrow mind and that is to keep his own backbenchers in line and give them a few crumbs now and then; change the Parliamentary Speaker, change the Deputy Speaker, change the Chairman of Committees, offer three positions of Parliamentary Secretaries and keep them in line that way and let them fight amongst themselves in order to get these crumbs. I find it rather degrading to this House.

So I am not surprised that the Minister of Finance (Dr. J. Collins) and the Cabinet and the Deputy Premier ends up overruling the rules of this House. They see no need for this House. And the President of the Council (Mr. Marshall) ends up saying that he would

MR. HISCOCK: like to send us off into oblivion. If he had his way, Mr. Chairman, he would not wait for four years from now to try to do it, he would try to do it now. And, basically, he would even close down the Premier, send him up to Mount Scio house, or send him back to Green Bay to go snaring his rabbits so he can cut his thumb again, and he would operate this Province down in his office in downtown St. John's. Because that is where many of the strings are being pulled, by the true Tories of St. John's who are being manipulated and are manipulating this government by way of the Premier through the President of the Council (Mr. Marshall).

But all of this money that is being asked for, three-quarters of a billion dollars - I also want to question why we need to bring in a Budget with almost three-quarters of a billion dollars? Why do we not bring it all in now? Why do we have to go through that process, Mr. Chairman? But with regard to many of the things that are put there, I would ask the Minister of Finance (Dr. Collins) to provide me with a

MR. HISCOCK: detailed breakdown of the Department of Public Works as well as the Department of Municipal Affairs. And in closing, Mr. Chairman, for now, I would hope that I would have those in writing or copies of it xeroxed and sent to me within the next day or two. Thank you, Mr. Chairman.

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

MR. HODDER: Mr. Chairman, Section 29 of the Financial Administration Act, to get back to the discussion, because I am - you know, I suppose this is a waste of time because, I mean, the government has done what they have done and now they have brazenly decided that they will try to pretend that what they have done is legal. And, I suppose, that until an impartial arbitrator would bring down a decision on it, that it will not make much difference. But Section 29 of the Financial Administration Act says, "The Comptroller shall see that no payment or commitment for the payment of any public money is made for which there is no legislative appropriation". And it goes on with what happens if such a payment is made.

Section 32 says that if the Comptroller declines to cause an issue of public money out of the Consolidated Revenue Fund on the ground that the money is not justly due, or that it is in excess of the authority granted by the legislative Governor-in-Council, or that there is no legislative authority, or if he is in disagreement with the deputy head of a department charged with the administration of a particular service, etc., etc., and upon a report of the case being submitted to the board the board shall be the judge of the sufficiency of the objections and may sustain them or order payment to be made.

But, Mr. Chairman, this has nothing to do with emergency situations. This particular section

MR. HODDER: deals with emergency situations which occur within the financial year. What I would like to ask the minister is where did he get the authority. Under what statute, under what act did he get the authority to overrule the Comptroller, Mr. Carew?

MR. CHAIRMAN (AYLWARD): The hon. Minister of Finance.

DR. COLLINS: Mr. Chairman, the hon. member for Eagle River (Mr. Hiscock) asked for certain information and I have no difficulty about giving him that. I would suggest though that if he just took out last year's estimates, the main estimates last year and looked under Executive Council or looked under Public Works and Services or looked under

DR. COLLINS: Municipal Affairs, he would see what the headings were. He would not see the amounts this year but he certainly would see what the headings were and I think that is what he asked, you know, what was this money spent on? All he has to do is just read down there. Because in interim supply, except for Capital Works which, as I say, are given in detail already, but I am going to give in more detail if so desired, other than Capital Works, the interim supply contains the ongoing housekeeping expenses and they are laid out in the main estimates. For instance, in Executive Council, we give this year, in Interim Supply we are giving - and I do not have this added up now, but it comes out to be approximately \$120,000 for that four month period for the Lieutenant-Governor's establishment. Now, you know, I suppose we could ban the Lieutenant-Governor and not give it, but, you know, that is what it costs for four months to fund the Lieutenant-Governor's establishment. The Premier's Office, there is a total there of roughly \$150,000, which is for a four month period, and again, you know, we could not have any salaries in the executive support division of the Premier's Office, we could have no employee benefits, we could have no transportation and communication, we could have no professional services, we could have no purchases of supplies and so on and so forth, but, I mean, we do have those and that is what it costs for a four month period. Another item is economic and resource policy analysis. You know, we could abandon that, but, I mean, we use that for such purposes as making up our budget. In social policy we have the Social Policy Committee which is a committee of Cabinet, and there is a secretariat

DR. COLLINS: for that; there are employee benefits for those people and so on and so forth, so we could abandon that. The total amount for that section, for instance, works out at \$15,000 for the four months. And in Treasury Board we have the executive support there, that is the salaries of the Secretariat of Treasury Board. We have employee benefits again, we have purchase of supplies, we have the Collective Bargaining section, there are people there. We have Classification and Pay section, we have the Insurance section. The government has a large number of assets and we carry insurance on a good proportion of them, so we need personnel there to make sure that our insurance services are adequately taken care of. So these are the things that interim supply is used for, and, as I say, I would be glad to give this. But the hon. member, all he has to do is look into last year's budget, see the headings there. I have given him the totals and if he wants the details, if he wants to know, for instance, how much we are giving in that four month period for employee benefits, for the insurance service sections of Treasury Board, it is \$200 for employee benefits for that period, and so on and so forth.

DR. COLLINS: Now with regard to the hon. Opposition House Leader, (Mr. Hodder) he asked where one got the authority from the Financial Administration Act. Incidentally, when he read out Section 29 - and I am sure he did not mean this in any deliberate way - he said, 'The Comptroller shall see that no payments or commitments for payments of any public money is made for which there is no legislative appropriation.' But then the next item says, 'or for which no other appropriation has been provided pursuant to this act.' Well, as I say, pursuant to this act there is appropriation under Section 32.

Now, the hon. the Leader of the Opposition (Mr. Neary) said the Section 32 only refers to within this fiscal year. Now that is his interpretation and he has every right to put any interpretation he wants on it. All I can say is that we did get an interpretation from Justice which says that is not the interpretation. There is nowhere in that section that says 'confined to this year' and the interpretation given to us, which was the same interpretation given from the Department of Justice, I presume, in 1972 and in 1979 - because exactly the same things happened - they were given, presumably, the same interpretation from Justice.

So as long as we follow this act as interpreted by our legal advisors, it is not illegal to do what we have done. And, of course, the safeguard for giving expenditures in this way is that it has to be reported to the House, the House then may or may not accept the report and the explanation and if it does not accept it, presumably it is illegal. But if this House accepts it, it is legal.

MR. DINN: There is a good chance the House will accept it.

DR. COLLINS: So with those remarks, I move passage of the Resolution.

MR. NEARY: (Inaudible).

MR. MARSHALL: You blew your chance, you should have brought it up (inaudible).

MR. NEARY: I beg your pardon?

MR. MARSHALL: You blew your chance, you should have brought it up to the judges when they came in.

MR. NEARY: Listen to Mr. Nastiness, himself, Mr. Chairman. Mr. Nastiness. No wonder they cannot get anywhere with the negotiations with the Government of Canada. The hon. gentleman got up a few minutes ago and talked about -

MR. HODDER: Go ride your bike.

MR. NEARY: - talked about taking the administration to court. Is there any member of this House who has talked more about taking governments to court than I have heard from the hon. gentleman in the last several weeks about taking Quebec to court, taking Ottawa to court, taking Nova Scotia to court? All the hon. gentleman can think about is court, all he has on his mind is court.

MR. TULK: When they get in court they will want to get out.

MR. NEARY: Yes, that is right. The hon. gentleman knows that in the end compromise will be the only way out. There has to be a compromise. Everything in life is a compromise, is it not? I am glad to see my hon.

MR. NEARY: old buddy down there, the hon. member for Trinity-Bay De Verde (Mr. Reid), back in his seat again. Things have not changed, by the way, things have not changed here.

AN HON. MEMBER: Oh yes they have.

MR. NEARY: No they have not. The faces over there may have changed but the attitude and the arrogance and the dictatorial attitude on that side of the House is still the same, Mr. Chairman.

Mr. Chairman, I want to ask the Minister of Finance (Dr. Collins) if he would be decent enough, if he would be man enough to table in this House - the hon. Minister of Finance is asking the House to approve an unlawful act.

MR. MARSHALL: Oh forget this nonsense.

AN HON. MEMBER: Illegal.

MR. NEARY: No, unlawful, It is an unlawful act. Even Mr. Crosbie said that, back in 1972. At least Mr. Crosbie had the courage to admit that it was an unlawful act, to spend taxpayer money without the approval of Parliament, of the legislature.

MR. HODDER: He said, "We trust the House to forgive us". He asked the House to forgive them.

MR. NEARY: That is right. He said, to quote Mr. Crosbie, he said, "We trust that House will forgive us".

MR. HODDER: Now that is the difference between that and this administration.

MR. NEARY: Now the hon. gentleman is so arrogant and brazen about this he will not even admit that the administration and he, himself, the minister, broke the law, they did something unlawful. But, Mr. Chairman, the hon. gentleman gets up and tells us, "But we had," he said -

MR. NEARY: just listen to this - he says, "We had a legal opinion. We had legal advice". Well, who did they have the legal advice from? Did they get legal advice from a constitutional expert? Did they get legal advice from an independent law firm? Did they? Did they get independent advice from lawyers outside of the employee of the government? Did they, Mr. Chairman? No, they did not. Mr. Chairman, they did not ask for independent legal opinion. They asked their own lawyers in the Justice Department. And what would you expect an employee of the Justice Department to tell his master, to tell his boss? What would you expect him, Mr. Chairman, to tell him?

DR. COLLINS: They do not look upon me as their master.

MR. NEARY: I beg your pardon?

DR. COLLINS: The lawyers in the Justice Department do not look upon me as their master.

MR. NEARY: Mr. Chairman, the hon. gentleman's colleague, the Attorney General,

MR. NEARY: who is the gentleman that gives the advice to the Crown, the Attorney General - in case hon. members do not know this, it might be a good exercise for me to tell them why we have a Minister of Justice and an Attorney General. The Minister of Justice is responsible for carrying out the administration of justice in the Province, whereas the Attorney General gives advice to the Crown. And the advice to the Crown came from the Attorney General who happens, also, to be the Minister of Justice who is the boss of all these lawyers in the Justice Department.

So, Mr. Chairman, would that be a fair and unbiased opinion that would be getting? Would it?

SOME HON. MEMBERS: I hope so.

MR. NEARY: Well, all right, I hope so too. But could we see it? Would the hon. gentleman let us have a copy of it? That is all I am asking. Before I hand down judgement, before I express my opinion -

AN HON. MEMBER: Your judgement?

MR. NEARY: Mr. Chairman, if I could get the minister's attention for a moment,

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: This House, Mr. Chairman, has a right to that information. We have a right to it. There is not a member on that side of the House, young or old, new or old, male or female who would not agree that this legal opinion referred to the hon. gentleman should be tabled in this House. That is a fair and reasonable and just request. Now will the hon. gentleman cough it up?

SOME HON. MEMBERS: No, we will take his word for it.

MR. NEARY: Oh, the hon. gentlemen take the minister's word for it. Well, that is what I would call blind faith.

MR. HODDER: Oh, there is lots of that over there.

MR. NEARY: Blind faith.

MR. HODDER: Shades of sixty-six.

MR. NEARY: Mr. Chairman,

SOME HON. MEMBERS: Oh, oh!

MR. HODDER : All hacks surrounding the boss.

MR. NEARY: Mr. Chairman, I will put the minister and the administration to the test. They have indicated through the public media that they want to co-operate with the Opposition. They want to accommodate the Opposition. They want to see that we have the wherewithal, the machinery to do our job. That is what the Government House Leader (Mr. Marshall) has said publically and the hon. the Premier has said publically. Now let me put the administration to the test. There is a legal opinion in the Justice Department -

AN HON. MEMBER: A biased one.

MR. NEARY: A biased one.

MR. HODDER: Where is it? Let us see it.

AN HON. MEMBER: (Inaudible).

MR. NEARY: No, the hon. gentleman said that, I did not say it was biased.

I would like to see that opinion, have a copy of it. Is the hon. gentleman prepared to table that legal opinion in this House? And if not, why not?

MR. NEARY: And also, Mr. Chairman, I am coming back again to the Auditor General's Report. Would the hon. Minister of Finance (Dr. Collins) tell this House how long he has had the Auditor General's Report in his possession and when he intends to table the Auditor General's report.

MR. HODDER: What are those two reports he had there on spending? He did not table those.

MR. NEARY: Well, if the hon. gentleman would set a date for when he is going to table that report, that may be the day that it will get interim supply.

Mr. Chairman, these requests of mine, are they legitimate, are they just, are they reasonable? Are they? I am looking across at a gentleman who I heard on this side of the House years ago, when he was Lily white and Simon pure felt that that was just. I do not know but the hon. gentleman voted for the Upper Churchill Bill. I am not sure if he was in the House then or not. The hon. member has been bellyaching about that ever since. Both sides of the House voted for that bill. I believe the hon. gentleman was a member of the Opposition that voted for it. Certainly his party did. In case some of the new members think that that was done by one administration, it was done by this House, unanimous. It was done with the unanimous approval of this House.

So, Mr. Chairman, I am going to appeal to hon. members' conscience, do we have a right to examine that legal opinion that was given to the Minister of Finance (Dr. Collins)? Do we have a right to have it?

AN HON. MEMBER: No.

MR. NEARY: We do not have a right to have it?

AN HON. MEMBER: Not unless he wants to give it to you.

MR. NEARY: Not unless he wants - oh I see.

MR. NEARY: Now that is what you would call British fair play and British justice. Two requests we are asking for. One, give us the Auditor General's Report. Two, give us a copy, lay it on the table of this House, of the legal opinion that was given the administration when they committed this unlawful act.

MR. MARSHALL: I move that the Committee rise and report progress.
On motion that the Committee

rise, report progress and ask leave to sit again, Mr.

Speaker returned to the Chair.

MR. SPEAKER (MR. RUSSELL): The hon. member for Kilbride.

MR. AYLWARD: Mr. Speaker, the Committee of Supply has considered the matters to them referred and has directed me to report some progress and has asked leave to sit again.

SOME HON. MEMBERS: Hear, hear!

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

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

MR. MARSHALL: Mr. Speaker, I move the House at its rising do adjourn until tomorrow, Wednesday at 3:00 p.m. and that this House do now adjourn.

On motion, the House at its rising adjourned until tomorrow, Wednesday, at three of the clock.