

PRELIMINARY

UNEDITED

TRANSCRIPT

House of Assembly

For the period:

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

March 3, 1977

The House met at 3 p.m.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please! I am pleased to welcome to the Speaker's Gallery, Mr. Boyd Ferris, Q.C., who is president of the Canadian Bar Association, and the council of the association is now meeting in St. John's. He is accompanied by the treasurer of the Law Society of Newfoundland, a gentleman not unknown to members, being the hon. member for Kilbride, and also accompanied by Mr. Tom O' Rielly, vice president of the Newfoundland Branch of the Canadian Bar Association, and by Mr. David Hovort, vice president of the Nova Scotia branch. I know hon. members join me in welcoming the president and those accompanying him.

SOME HON. MEMBERS: Hear, hear!

STATEMENTS BY MINISTERS

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

MR. PECKFORD: Mr. Speaker, I would like to make a statement relating to the recent increases in petroleum products that had taken up some time of the House a few days ago. Following meetings between the provinces and the federal government during the first half of 1976, the domestic price of crude oil was set to rise in two stages, \$1.05 per barrel on July 1, 1976 and seventy cents on January 1, 1977. The total price rise of \$1.75 brings the domestic price of crude oil to \$9.75 per barrel. It should be noted that the average price of crude imported into Eastern Canada is approximately \$14.00, and the difference between this price and the domestic price of \$9.75 is made up by the federal government through the import compensation programme.

Prior to the latest price increases, an agreement was reached between the provinces and the federal government that a standard freeze period of sixty days would follow any crude oil increase to allow existing inventories to be drawn down before consumers would have to pay the increased prices for products. As a result of this freeze period therefore, the seventy cent per barrel crude

MR. PECKFORD:

oil increase of January 1, 1977 is being reflected in the basic product price increase to consumers which became effective yesterday, March 2, 1977. In addition to price increases arising from the cost of crude oil, the federal government has also authorized the oil companies to recover some of their non-crude related cost increases, such as higher operating and capital costs.

These non-crude cost increases have been authorized by the Anti-Inflation Board and vary in amount according to the specific costs of the various oil companies. A third component of the recent cost increase is related to additional federal sales tax, payable on increased value of the product sold. In general the size of the recent increase should be as follows: (1) Increase due to seventy cent per barrel crude cost increase should be around 2.3 cents per gallon on all products; (2) increase due to non-crude related costs increases, such as operating and capital costs, anywhere from zero or nothing to .5 cents per gallon, according to the company; (3) the increase in the federal sales tax should reflect itself to around .9 to .8 cents per gallon, according to the product.

Actual wholesale price increases for various products should be in the following ranges, approximately, because we have had some difficulty in getting exactly the right costs from the companies.

MR. ROBERTS: The companies are a help to us.

MR. PECKFORD: That is right. On the premium gasoline, the increase will be anywhere from 2.9 cents to 4.1 cent; regular gasoline 2.9 to 4.1; unleaded or no lead gasoline 3.1 to 4.3; diesel 2.8 to 4; stove and fuel oil 2.3 to 2.8 cents. Dealer

Mr. Peckford:

markup on wholesale prices are not controlled. It is anticipated that in areas where competition exists the companies with the lowest authorized increases will set the price for their competitors.

It should be noted that in isolated—

MR. NEARY: No price —

MR. HICKMAN: Order!

AN HON. MEMBER: Carry on.

MR. NEARY: The minister is awfully jumpy and jittery.

MR. HICKMAN: Order!

MR. SPEAKER: Order, please! The hon. Minister of Energy carry on.

MR. PECKFORD: Mr. Speaker, I am trying to make a statement, and I am having real difficulty because the hon. member from LaPoile (Mr. Neary) persists in harassing me.

SOME HON. MEMBERS: Oh, oh!

MR. PECKFORD: It should be noted that in isolated areas which were supplied in the Fall and which will not be resupplied until the Spring, prices should not be increased until new stock is delivered. These recent price increases serve to illustrate the more or less inevitable rise in the cost of energy which is taking place world-wide and over which this government has no control. The increases further emphasize the urgent need for energy conservation to decrease our demand for expensive and increasingly scarce energy.

In this regard it is regrettable that the Federal Government has not seen fit to include this Province in a conservation programme similar to that granted to the Provinces of P.E.I and Nova Scotia. Indeed, neither the Prime Minister nor the Federal Minister of Energy, Mines and Resources has yet replied to our request as tabled in this House on February 15, 1977. And I hereby table this statement, Mr. Speaker.

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

HON. E. M. ROBERTS: Mr. Speaker, the minister's statement is a penetrating insight into the obvious, and does not require a great deal of comment, but perhaps I could be allowed one or two observations without transgressing the rule which says we cannot debate his statement. I would love to debate the statement, particularly the government's lamentable failure to take proper steps to ensure that we do get our fair share of this federal subsidy that has been given to Nova Scotia and to Prince Edward Island. But there will be an opportunity for that, Sir.

Mr. Speaker, first of all with respect to the question of oil price rises, nobody likes them. There is no way in which anybody could be expected to like them, but as the minister said, that is not a matter of which this Province has any legislative control in this essence. There are however, Mr. Speaker, ways in which the Province can take legislative controls, as we have seen in the neighbouring Province of Nova Scotia. And I could again say to the government, particularly to the Minister of Justice, that they should bring before this House legislation to enable our Public Utilities Board to take control of price rises in this Province exactly as they have in Nova Scotia. I realize there may be some constitutional difficulties, I realize there are certainly arguments which can be made, but the fact remains that the legislation has been in force in Nova Scotia for a number of years, and it has worked, and I believe to the benefit of the people of that province.

We have been told in this House on occasion that the government are studying it. Indeed, I suspect if I look back through the Hansards, Sir, we would find perhaps a dozen different occasions in the last three or four years in which we have been told that the government are studying this, that they hope to be able to bring in some legislation or they are going to take some steps. Well, all I will say, it is about time, and the quicker the better.

And the other comment I would make, Sir, is to tell the minister something which he obviously does not know, but he should

Mr. Roberts:

have known, He says in this statement "That in remote areas the price should not be increased." I can assure him that I am told by the oil companies that the prices will not be increased in the remote areas other than in respect of the federal tax increase, and in the case of one oil company, Golden Eagle, the half cent a gallon increase that has been allowed to them for administration charges. Both the Imperial Oil Company and the Golden Eagle Company have assured me - and I made some effort to check into it, because my constituency is very much affected - that the two-point-three cent a gallon increase which represents a pass through of the cost of crude increase, that increase will not apply to the stocks now in storage at the tanks in the Northern parts of the Island of Newfoundland and throughout Labrador. In other words, the people who draw fuel from those sources, Sir, will be spared that particular two-point-three cent a gallon increase until well on in the Spring or early in the Summer

MR. ROBERTS: when new fuel products are supplied.

Mr. Speaker, I would simply say again that I would ask the government to bring before this House, Sir, as quickly as they can - and there can be no excuse now, no acceptable excuse for further delay - legislation to require our oil and gas prices to be brought under the same type of regulation as in Nova Scotia. It has worked there, it can work here. It cannot forestall inevitable increases. Canada does not control the worldwide price of oil and if we are going to have oil, and we must, then, of course, we will have to look to the world price. But we can control, Sir, the rate of price increase. We can control the profits which are being taken and that is what the Nova Scotia Legislation does, as I understand it. I would like to see it done here.

SOME HON. MEMBERS: Hear, hear!

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

Perhaps before the hon. minister makes his statement I would draw hon. members' attention to the presence in the galleries as well of the former member for Bonavista South who sat in this Legislature for quite a number of years. To the best of my knowledge it is his first time back as a visitor since he ceased to sit as a member. We are all pleased to see him here looking in such good health. Mr. Ross Barbour.

HON. MEMBERS: Hear, hear!

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

MR. HICKEY: Mr. Speaker, I should like to inform the House that the Department of Tourism is fully behind the proposal of the Visitor's Committee of the Canada Summer Games, of which we are a member, in their campaign to solicit temporary accommodations in private homes for visitors who may not be able to find accommodations in existing establishments.

I ask the people of St. John's to be co-operative and to show the type of hospitality this Province is renowned for. Besides my department's participation in various

MR. HICKEY: various committees, I plan to personally meet with the Summer Games officials to determine if there are any areas where my department can be of further assistance to ensure that all visitors will enjoy their stay with us.

MR. NEARY: Boy! That is powerful stuff.

MR. HICKEY: Settle down, maybe this is a little more powerful for you.

Mr. Speaker, I wish to make a further statement. I wish to make a statement in connection with the big game licencing system for the 1977 hunting season. Under the present system applications are mailed to the Wildlife Division of my department. This has presented a number of problems over the years and as a result we plan to change the system this year where all applicants for licences will be required to present their applications personally, by hand, accompanied by the prescribed fee to designated government personnel.

Last year we tried, on an experimental basis, drawing the name of the successful applicants by hand. This method proved to be very unsatisfactory. It required an additional thirteen staff members and the time taken to conduct the draw was seven weeks compared to a matter of hours to complete the draw by computer.

The computerized draw permitted effective screening of all applicants which prevented individuals from having more than one application entered in the draw. The manual system did not allow time for such screening and as a result it was quite possible for one individual to have submitted more than one application. The manual system also resulted in a late notification of applicants indicating their success or otherwise.

Based on the foregoing problems, a computerized draw system will be reintroduced this year. The priority pool system and the party licence system will be continued this year but with some changes. I will advise the House I will

MR. HICKEY: I will be making further statements which will outline in detail the changes and systems to be used during the coming season.

MR. NEARY: Was the Premier one of the ones who was late filing last year?

MR. HICKEY: Put it on the Order Paper.

MR. SPEAKER: Leave to revert to Notices of Motion?
The hon. the Minister of Health.

MR. COLLINS: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act To Amend The Hospital Insurance (Agreement) Act."

MR. SPEAKER: The hon. the Minister of Consumer Affairs and Environment.

MR. MURPHY: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act To Amend The Real Estate Trading Act."

MR. SPEAKER: The hon. the Minister of Justice.
Mr. Speaker, on behalf of my colleague, the hon. the Minister of Fisheries, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act To Amend The Fish Inspection Act."

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

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

MR. H. COLLINS: Mr. Speaker, I have the answers to some questions. Question No. 122 on the Order Paper of February 17 in the name of the hon. member for LaPoile (Mr. Neary), asking how many trips I made outside of Canada on public business in 1976 as Minister of Rehabilitation and Recreation. The answer is none. Question No. 20 in the name of the hon. member for Trinity - Bay de Verde (Mr. Rowe), it is on the Order Paper of February 8, dealing with the Newfoundland and Labrador Youth Commission. Question No. 111 on the Order Paper of February 15 in the name of the hon. member for LaPoile (Mr. Neary) dealing with escapes from the various boys and girls homes.

MR. NEARY: - called homes.

MR. H. COLLINS: They are not prisoners either.

Question No. 151 in the name of the hon. member for LaPoile (Mr. Neary) with regard to the Medical Care Commission. And Question No. 44 in the name of the same hon. member with regard to the swine vaccine programme.

ORAL QUESTIONS:

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

MR. ROBERTS: Mr. Speaker, my question is for the Minister of Justice, and it grows out of some questions which were asked in the House yesterday by my friend and colleague from Burgeo - Bay d'Espoir (Mr. Simmons) with respect to the Human Rights Act, which says in Section 3 thereof that the act applies specifically to the Crown. And, of course, as the minister is aware, and as hon. members may not be, no act applies to the Crown unless it specifically says so. In view of the fact the act applies specifically to the Crown, is the minister going to take steps to investigate the apparent breach of the subsequent section of the code which says, "There shall be no discrimination on the basis of marital status," given the admission of his colleague, the Minister of Social Services, that such discrimination is being practiced by the Minister of Social Services as a matter of policy?

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, the hon. Leader of the Opposition is quite correct when he says that yesterday there was a great deal of time properly spent on this issue, to the degree that his colleague, the hon. member for Burgeo - Bay d'Espoir (Mr. Simmons) indicated he wished to debate the issue this afternoon at 5:30 P.M, and gave notice thereof. I will try and answer the hon. leader of the Opposition's question bearing in mind Your Honour's ruling that I am not permitted to interpret the law in this House. The hon. Minister of Social Assistance has made it abundantly clear to this House that the criteria, as I understand it from what he has said in this House, is that the criteria for the hiring of people, persons in Hampden, is based not on sex, colour or creed or the marital status of anyone, but rather on need, to do the greatest good for the greatest number, and obviously this leads him to the conclusion that hiring married men, with dependents, will meet that criteria. And it would be very difficult indeed, Mr. Speaker, to see how that falls into the category of discrimination against anyone.

MR. ROBERTS: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. ROBERTS: I am not allowed to debate it so again I cannot. But has the minister received - by way of, I suggest, Sir, a permissable preamble, no prosecution may proceed under the act without the written approval of the Minister of Justice. And there have been some very interesting British cases on that recently to which I would refer the minister. Mr. Speaker, has the minister received any requests for authority to proceed with an action under the act to test the question, which the minister is not allowed to interpret nor am I, as to whether or not the minister's policy, the Minister of Social Services' policy is in fact a breach of the act or not?

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, I left my office at 9:30 this morning and up to that time I had not received any request either verbally or in writing from anyone nor even an indication that a request would be forthcoming. The hon. Leader of the Opposition also referred to that very interesting case that is presently before the Appellate Court in Great Britain -

MR. ROBERTS: It is before the House of Lords. It has gone through the Court of Appeal.

MR. HICKMAN: - which is an

MR. HICKMAN:

appellate court, as to the right -

MR. ROBERTS: The appellate court.

MR. HICKMAN: Right. The appellate court, except for the Commonwealth.

Then there is the judicial council, judicial committee of the Privy Council -

MR. ROBERTS: No, it is not. We are a part of the Commonwealth. It is not our -

MR. HICKMAN: - in countries that still have the wisdom to maintain that right of appeal, the whole issue, the entire issue of the right of the Attorney General to refuse to consent is very much before the courts now. I am sure that every Attorney General in the common law jurisdictions -

MR. ROBERTS: A very good point.

MR. HICKMAN: - is looking forward with a great deal of anticipation to the decision of the House of Lords in that case, which I think will be a very important case and a very fundamental case as far as future guidance of the Attorneys General in common law jurisdiction and throughout the Commonwealth is concerned.

MR. SPEAKER: The hon. member for Lewisporte followed by the hon. gentleman for LaPoile.

MR. WHITE: Mr. Speaker, my questions are directed at the Minister of Tourism, and they come about as a result of the statement he made today on big game licensing in Newfoundland. Now as the minister knows - and I do not want to get into debate on this because I am not allowed - but, you know, the last few years the big game licensing has been a can of worms and it looks like another one might be opened now. I wonder if the minister could tell me what the designated government personnel will be in terms of who applicants will have to take their applications for licenses to, who they will be?

MR. SPEAKER: The hon. Minister of Tourism.

MR. HICKEY: Mr. Speaker, I am unable to give my hon. friend a specific answer to that question and obviously for that reason I did not say anything in the statement in any definitive way, for the simple reason

MR. HICKEY:

that it is not confirmed what officials can participate - or at least
it is not confirmed that all officials that we want to can participate.
And until I have verification of that from my colleagues, of course,
I am unable to state who in fact will accept applications.

While I am on my feet, Mr. Speaker, I might point out that I
indicated, not necessarily as part of the statement, but after
finishing, that a number of changes would be forthcoming and that
it was my view that there were too many to put into one statement and
it would tend to just confuse people, so there will be a number of
statements which will very clearly illustrate who the people are,
what other charges are, and make it very, very clear as to how they will
work and how they will affect. Hopefully it will be

MR. WHITE: A supplementary.

MR. SPEAKER: A supplementary.

MR. WHITE: Mr. Speaker, you know, talking about confusion, there is
going to be a lot of confusion about this from a lot of people in
outlying districts. Has the minister made any plans at the moment
to give people in remote areas, where there are no government personnel,
a chance to make application for licenses? Or will they in the case of
places like Change Islands in my district have to get aboard a boat and
go to Lewisporte or Gander or somewhere like that and all kinds of
inconvenience? What about people in remote areas?

MR. SPEAKER: The hon. Minister of Tourism.

MR. HICKEY: No, Mr. Speaker, there will be no great inconvenience
caused anyone. I might say the purpose of attempting to experiment
with this particular system is to improve and to eliminate a number
of problems which we have encountered over the years. We looked at
this situation last year but we were not ready to go with it. And this
year we are convinced that we are. We are also convinced that it
will be a vast improvement over the present system. As I indicated
there is a whole host of reasons - there are just a couple contained
in my statement today - there is a whole host of reasons as to why

MR. HICKEY:

the mailing of applications should not continue if it is at all possible to do it by another method. And of course the other method is by personal contact with government officials. And there are but few places in the Province where there are not provincial government officials at the present time.

I can assure my hon. friend that whatever places where there are not provincial officials, then certainly officials will go there. There will be plenty of notice given. It will be at a time convenient to the people involved and there will be no inconvenience.

MR. WHITE: A supplementary.

MR. SPEAKER: A supplementary.

MR. WHITE: Mr. Speaker, last year, if the minister will recall, there was a system devised whereby those who had not received licences over a period of time were given priority with respect to licences, and I am wondering in view of the fact that a lot of people last year applied for licences so they would be in the priority pool, so called, this year I wonder if the system that is coming up this year is going to tie in with the system last year or was that in vain?

MR. SPEAKER: The hon. Minister of Tourism.

MR. HICKEY: No, Mr. Speaker, As I indicated in my statement the priority pool will be continued and enlarged upon, The priority pool system is a good one. Naturally there were some wrinkles last year that have to be ironed out. It was the first year. But it certainly would be very wrong to discontinue it now that we have started it because it did affect and it did sort out a number of problems for a fair number of people. As I said, there were a few areas where there might have been a problem but certainly this year we are in a position to deal with those things and the priority pool system will be enlarged upon, and I am sure that my staff agree that there should be no one effected this year in a way that is certainly not beneficial.

MR. WHITE: Mr. Speaker, I would like to give notice that I am dissatisfied with the response and wish to debate it on the Late Show.

MR. SPEAKER: I will recognize one further supplementary, The hon. member for Windsor-Buchans, then the hon. member for LaPoile.

MR. FLIGHT: Would the minister indicate to the House whether or not a deadline has been put on this new system of issuing licences? Would the minister indicate when, under the new system, the applications will be available?

MR. SPEAKER: The hon. Minister of Tourism.

MR. HICKEY: Mr. Speaker, that will be contained in a further statement. I indicated already that there are quite a number of changes we envisaged this year and there are too many to go into the kind of detail that we feel is necessary to go into to make it reasonably clear to our people of how the system will work and how it will affect them and how it will apply to them.

To attempt to go into those areas that my hon. friend now questions, and my hon. friend from Lewisporte, would in fact in our view be announcing too many things at one time and would tend to cause some confusion because we should be very, very clear and very specific because this issue is important to a great number of people. And the response last year, I might tell my hon. friends opposite, might indicate just how important and how popular this particular area is. The year before we had something like 26,000 applications. Last year that total had swollen to 52,000, so that, you know, we are talking about a great number of people and I am not going to attempt to cover this rather important area to all of those people in one ministerial statement. But it will be forthcoming and there will be no undue delay.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I would like to address a question to the Minister of Rehabilitation and Recreation, I would like to ask the minister if he gave the member for Mount Pearl (Neil Windsor) a letter earlier this week to deliver to the Mount Pearl Town Council committing the government to an expenditure of \$150,000 over a five year period?

MR. SPEAKER: The hon. Minister of Rehabilitation and Recreation.

MR. H. COLLINS: Mr. Speaker, I recall signing a letter, which is the appropriate manner in which grants are made available to

MR. COLLINS: help defray the cost of recreational facilities.

How the letter left my office I really cannot say. I presume it went in the mail. As I recall it was addressed to the Town Council in the Goulds.

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

MR. SPEAKER: A supplementary.

MR. NEARY: Is the minister aware that the member from Mount Pearl (Mr. Windsor) picked up the letter and delivered it that night at the town council meeting in Mount Pearl? Is the minister aware of that?

MR. H. COLLINS: No.

MR. NEARY: Well, Mr. Speaker, a supplementary question, could the minister tell us when that commitment of \$150,000 for the stadium in Mount Pearl was made? When was the commitment actually made? Why the delay in sending the letter?

MR. SPEAKER: The hon. Minister of Recreation and Rehabilitation.

MR. H. COLLINS: Mr. Speaker, I certainly could not say that, but I would undertake to get the information. But I would not want to give a date which might not be accurate. I really could not say.

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

MR. SPEAKER: A supplementary.

MR. NEARY: Could the minister tell the House if the town council, which is now being forced to finance this stadium in Mount Pearl, if the town council had any control or any say in how that \$150,000 is spent?

MR. SPEAKER: The hon. Minister of Recreation and Rehabilitation.

MR. HO. COLLINS: Mr. Speaker, these are technical questions which no minister would ever hope to have the answers to unless the minister was given notice of the question. I will certainly take the question under advisement, but I really cannot give that answer. I might give something which is not accurate, and I would not want to do that.

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

MR. SPEAKER: One further supplementary.

MR. NEARY: Would the minister tell the House who the commitment was made to? Was it made to the Minor Hockey Association in Mount Pearl or was the commitment made to the Town Council of Mount Pearl? Surely, the minister can tell the House that.

MR. SPEAKER: The hon. minister.

MR. H. COLLINS: Mr. Speaker, the Recreational Programme provides that we share in the cost of recreational facilities across the Province. It was always dealt with in co-operation with the Department of Municipal Affairs. And I do not know if my colleague would want to give some response here or not, but ours is a complementary, supplementary grants programme. I really do not know offhand if the letter went to the Town Council or the Recreational Commission. But I know I did sign a letter authorizing \$150,000 to a group in Mount Pearl, but I believe it was the Town Council that the letter went to. As I said, Mr. Speaker, how the letter left my office, if it was by dog team, by snowmobile or whatever else, I do not know.

MR. WHITE: Mr. Speaker -

MR. SPEAKER: The hon. member for Lewisporte.

MR. NEARY: A supplementary, Mr. Speaker.

MR. SPEAKER: I indicated further that that would be the last supplementary. It does not preclude the hon. gentleman from getting back to it later if the Question Period works out that way.

The hon. member for Lewisporte.

MR. WHITE: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing and again it is related to Mount Pearl, but

Mr. White.

in a different manner. Just as a preamble, a couple of weeks ago there was a meeting held in Mount Pearl when it was decided that a plebiscite would be held with respect to whether Mount Pearl would become a part of the so-called new big city of St. John's. I wonder if the minister could tell me if he has been notified by the Town Council in Mount Pearl or by this group who met in Mount Pearl concerning this plebiscite.

MR. NEARY: Have some supplementaries.

MR. WHITE: I will have some supplementaries.

First of all I would like to know if he has been notified about this plebiscite?

MR. SPEAKER: The hon. minister.

MR. DINN: No, Mr. Speaker. I know that there is a plebiscite being circulated, but I have not been notified officially.

MR. WHITE: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary by the original questioner.

MR. WHITE: Mr. Speaker, I would just like to ask the minister whether or not in view of the fact that he has not been notified about this, how he feels about plebiscites being taken on this very important urban region study, and if similar plebiscites will be encouraged in other centres that are supposed or designated to come within the big city, so-called?

MR. SPEAKER: The hon. minister.

MR. DINN: Mr. Speaker, the local government from Mount Pearl is the Mount Pearl Town Council, and if they want to, or if some citizens want to circulate a petition or a plebiscite or a questionnaire, I have no objection at all. As a matter of fact I would like all the input I could possibly get on the Henley Commission or any other thing. I want to get input from people in the St. John's urban region.

MR. WHITE: A supplementary.

MR. SPEAKER: A supplementary.

MR. WHITE: A supplementary to the minister. Is the minister saying then that he would encourage plebiscites to be held in other areas similar to Mount Pearl that are designated to come within the big city?

MR. SPEAKER: The hon. minister.

MR. DINN: Mr. Speaker, that is entirely up to the local governments in the area.

MR. NOLAN: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Conception Bay South.

MR. NOLAN: A question for the minister regarding the Henley Commission Report. It has often been done before that reports have been done for government, not just on municipal affairs, but on other matters, and people within government - I am not talking about ministers - but officials have taken a report and used as it as though it is the policy. Now my understanding is that this Henley Commission is not the position of the government at this moment. It has not been. It is not law. There is discussion going on. But what I want to ascertain is: Is the minister aware that any official, whether it is in Metro Board, or anyone in his department or any other department may be using this as though it is law, or they know it is going to be the law of this Province.

MR. SPEAKER: The hon. minister.

MR. DINN: Mr. Speaker, I am not aware of any official certainly in the Department of Municipal Affairs and Housing that is using the Henley Commission Report, the third and final one, as law.

MR. NEARY: Mr. Speaker -

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker a question for the Minister of Health, Sir, rising out of an answer that was given to me yesterday by his colleague, the Minister of Finance. Would the minister care to elaborate on the answer that was given to me that there was an injury, an incident at the Waterford Hospital involving serious injury to one of the patients?

Mr. Neary.

Would the minister give the House a little more information on that, and if the minister thinks the patients are properly and adequately carried for at the Waterford at the present time?

MR. SPEAKER: The hon. minister.

MR. COLLINS: Mr. Speaker, first of all let me say that the Minister of Finance, the President of Treasury Board and myself are - to use a common expression which used to be used in this House in the past - are toe to toe, and cheek to cheek, and heart to heart all the way on what is happening at the Waterford Hospital. I am satisfied on the basis of the advice

MR. COLLINS: that I am getting from the board, from the management from my own deputy minister who spends the majority of his time in and around the institution, that the care and supervision being provided in there is up to standard. One of the areas which needs some attention, or where the attention is not being given as it was before, is in terms of extra-curricular activities, such as bus rides and movies and that sort of thing, but from the point of view of care and supervision, it seems to be adequate.

MR. SPEAKER: A supplementary.

MR. NEARY: Mr. Speaker, is it a fact, would the minister tell the House, enlighten the House, as to whether or not the patients at the Waterford Hospital are at the present time being kept under heavy sedation and locked in rooms at the Waterford? Is there any foundation at all to this report?

MR. SPEAKER: The hon. minister.

MR. COLLINS: Mr. Speaker, I would suggest that question coming from the hon. member from LaPoile are mischievous, there is no question about that.

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

MR. SPEAKER: A point of order has been raised.

MR. ROBERTS: The Minister of Health may or may not like the question asked by the gentleman from LaPoile, Sir, but that is utterly beside the point for two reasons: First of all, Sir, the minister is not allowed to debate them. He may or may not answer them, that is up to him; And secondly, Sir, even if he were allowed to debate them, he is not allowed to question the hon. gentleman from LaPoile's motives in asking the questions. To make the allegation that in the Minister of Health's opinion the questions are mischievous is to make allegations as to motive, which are completely out of order. Now whether the minister chooses to answer the question or not is beside the point, but he must assume, as we all do, that the gentleman is asking these questions in good faith. And I may say to the minister that almost all of us over here, Sir, have similar

MR. COLLINS:

that it would be unwise for me, and unfair for me, to make any further comments.

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

MR. SPEAKER: One further supplementary.

MR. NEARY: Sir, that is what I am looking for, information,

I ask the minister now if he could reassure this House, and reassure the people of this province who have relatives and friends in the Waterford Hospital, that with the withdrawal of services of 400, or 500 workers in there, substituted with a handful of workers, can the minister reassure the people of this province, that the explosive situation in there, that the patients are being taken care of?

MR. SPEAKER: Order, order, please! In asking the question of course, the same rules apply with respect to answering it, and only such facts that are necessary for an understanding of the question should be included. So the allegation of an explosive situation would be an opinion and should not come into the question.

MR. COLLINS: Mr. Speaker, I repeat what I have already said; that all of the advice which I have received from the management, from the board, and from my own senior officials, is that the care and supervision of the patients at the Waterford Hospital is being adequately taken care of, with the exceptions which I noted in terms of extra-curricular activities. Now I want to reassure the people in Newfoundland that that is taking place. I mentioned that, Mr. Speaker, such as movies, bus rides and all of the other extra things which is done in there to try and keep those people happy and contented in the environment in which they find themselves.

Mr. H. Collins:

While I am on my feet I will re-emphasize again, as my colleague, the President of Treasury Board did a few days ago that all of us, and all of the people in Newfoundland, should be most grateful for the work which has been put in, for the assistance which has been given by the police, by the nurses, and by the many other volunteers who have gone in there and done a tremendous job.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member from Windsor-Buchans.

MR. G. FLIGHT: Mr. Speaker, would the Minister of Health advise the House as to what arrangements his department has made for patients who have been seeking admission to the Waterford Hospital, or have been referred to the Waterford Hospital since the strike started, serious cases of people who would normally have been admitted to the Waterford Hospital, what is the situation with those people?

MR. SPEAKER: The hon. Minister of Health.

MR. H. COLLINS: As I understand it, Mr. Speaker, - the hon. member did not ask this question - there were a number of patients, I am not sure of the number, but it is somewhere in the order of thirty or forty patients who were discharged when the services were withdrawn in there. I am also of the understanding that no further patients, there might be some exceptions, but no further patients will be admitted until the confrontation is over. I cannot be entirely sure, given the set of circumstances of a patient who, you know, the need was urgent, but I will certainly look into that. But I would suspect that there is no admission.

MR. NEARY: A supplementary question.

MR. SPEAKER: A supplementary.

MR. NEARY: Would the minister tell the House what is happening to the out-patients branch of the Waterford? Is it still functioning? Can people still go there for day care treatment and so forth? What is happening in connection with the out-patients?

MR. SPEAKER: The hon. Minister of Health.

MR. H. COLLINS: Mr. Speaker, there will be some difficulties with regard to out-patients, because people are reluctant, naturally, to cross picket lines etc. But those people are being taken care of one way or the other.

MR. NEARY: A supplementary question.

MR. SPEAKER: A supplementary, the hon. member from LaPoile. This will be the final supplementary, I will recognize the hon. member from Lewisporte after.

MR. NEARY: Would the minister tell the House where these people who were getting out-patient treatment at the Waterford, where are they being taken care of and how?

MR. SPEAKER: The hon. Minister of Health.

MR. H. COLLINS: No, Mr. Speaker, that is something I cannot say because patients are referred to different psychiatric units in the various hospitals across the city.

MR. SPEAKER: The hon. member from Lewisporte, followed by the hon. member from Bellevue.

MR. F. WHITE: Mr. Speaker, I have a question for the Minister of Tourism again, on a different matter. Would the minister - last year some plans were indicated for the construction of regional tourist chalets throughout the Province. As a matter of fact one was almost designated for Notre Dame Junction in my district. I wonder if the minister could indicate to us now what the situation is with respect to those tourist chalets, since I understood plans were being asked for from various companies with respect to the design of those chalets?

MR. SPEAKER: The hon. Minister of Tourism.

MR. T. HICKEY: Mr. Speaker, there was some problem with design, with regards to the Interpretative Centre for Port aux Basques which is the major facility for the Province. And we took the position that it would be senseless to attempt to establish the regional ones along the main highway of the Province, using a different design. Of course, that necessitated waiting until a final decision, and, in

Mr. T. Hickey:

fact, a design for the main Interpretative Centre for Port aux Basques was ready. That has been done and accepted. We ran into some problems with regards to the site for Port aux Basques, and because of road realignment or the prospects of a bypass road that further delayed it.

I do not want to give a particular date, but I think it is fair to say that the problem is just about sorted out, and there should be something very shortly on the particular issue. I do want to say, however, that we received from the Federal Government \$500,000 out of a total of \$700,000 committed for this project. \$400,000 of that \$500,000 was specifically designated Port aux Basques, leaving about \$100,000. We naturally want the other \$200,000 before we can proceed to finish the job. However, I suggest that will not stop us from calling a tender, I would hope, for the regional ones.

The other thing is that the delay for one reason or another has greatly inflated the cost, and this has prompted us, at least for the time being, to reduce the number of chalets along the Trans-Canada Highway. We envisaged

MR. HICKEY:

at one time six. I am not in a position to say now whether there will be four or five, but certainly we are not going to have six. Of course this is another problem, another reason why we will want some assurances in writing of the other \$200,000 and an approximate date as to when we will receive it before proceeding.

MR. WHITE: A supplementary.

MR. SPEAKER: One supplementary.

MR. WHITE: Mr. Speaker, I would like for the minister to tell me and the House if he could the location of the others, the locations that have been arrived at with respect to the regional chalets.

MR. HICKEY: Mr. Speaker, for fear of misleading the House, which I am sure I would be accused of if I said something which was not completely accurate, I am not going to attempt from memory to indicate the sites. I think it is sufficient for my friend for Lewisporte (Mr. White) to say to him that he looks in pretty good shape.

MR. SPEAKER: The time is up.

ORDERS OF THE DAY:

MR. SPEAKER: The adjourned debate on the amendment to the Address in Reply. The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, I rise to bring to a hasty conclusion my remarks of Tuesday, when I was asked by an hon. gentleman who is still away on public business if I would say a few words. In my unprepared and unprovoked few remarks of Tuesday, I made some reference to the commitment of the Government of Canada to our Province. I referred to certain percentages - I did not have the figures at the time - of involvement of the Government of Canada in the Department of Public Works. This aroused certain tut-tuts across the House. But I now have them.

The total expenditure for 1977-1978 of the Government of Canada through the Department of Public Works is as follows: Fortune Government of Canada Building, \$237,000; St. John's feasibility study for tax center, \$750,000; Long Pond harbour improvements, \$8,000 - I do not know but that is going to be to paint a gun.

MR. MURPHY: Where is that?

MR. HICKMAN: Long Pond. And then Ramea wharf, \$250,000 for a total of \$1,245,000.

Now, Mr. Speaker, the total vote for the Department of Public Works by the Government of Canada for 1977-1978 is \$300 million. The government and people of Newfoundland from that department - and that is the department that has the opportunity to create jobs, to react to emergency situations, to react to high unemployment in a particular area - the Government of Newfoundland is getting three one-hundredths of the total vote from that department in 1977. That is the answer that the government of this Province, acting on behalf of all the people, received to its request that there would be special expenditures, an additional thrust to meet some of the unemployment problems in Newfoundland.

I said - and I say again - that one has to be awfully careful as Minister of Intergovernmental Affairs that one does not say anything which will offend the Government of Canada, but at the same time one has an obligation to put before the Government of Canada the just needs of the people of this Province. I had suggested that there was a lack of sensitivity on the part of the Government of Canada for the Government of Newfoundland. I was a bit apprehensive when I said that, that someone might say, "You are being politically partisan." But way in the back of my mind I said to myself that there is something which indicates to me that I am not being partisan at all, because I have heard that from someone else. And I thought and I thought and I thought. And suddenly it came upon me, that great statesmanlike letter of October 19, 1976 signed by Edward M. Roberts, the hon. the Leader of the Opposition in this House, to the hon. Keith Davey of the Senate in Ottawa.

MR. HICKMAN: And what does the hon. the Leader of the Opposition say?

MR. NOLAN: Are you talking about the Leader of the Opposition now?

MR. HICKMAN: "Let me simply say again that it is very hard to find anyone in Newfoundland and Labrador who believes that our interests or desires are given any weight at all by the Government of Canada." So was I being non-partisan?

AN HON. MEMBER: No.

MR. HICKMAN: I was simply joining with the hon. the Leader of the Opposition in bringing to the attention of my fellow Newfoundlanders that there is a lack of sympathy in the Government of Canada for the rather dire needs that we find particularly in the construction industry in Newfoundland at this time.

Now the Government of Canada is spending more money than in Public Works, let me say that. But unfortunately there has been a decrease dollar-wise each year in the amount of money that is being spent in this Province by Uncle Ottawa. And I had here somewhere an indication of the amount of money that is being spent by the Government of Canada and indeed in the construction industry in Newfoundland.

In The Daily News, I do not know where it came from, but The Daily News is a first class paper and I rely on what they say; it is a non-partisan publication and I know they would not publish anything that was not accurate.

In the calendar year 1975 there was in this Province and registered with Canada Manpower in the Province of Newfoundland, 17,089 workers in the construction trades. In 1976, just one year later, there were 22,259, now that is an increase of thirty per cent.

Mr. Speaker, the point that I am trying to make is

MR. HICKMAN: this -

AN HON. MEMBER: No quorum.

MR. HICKMAN: There is a quorum here, Mr. Speaker, the place is blocked with supporters on both sides. One, two, three, four, five, six, seven, eight, nine, ten - Is there a quorum called?

MR. SPEAKER: The Clerk will have to inform me that there is a quorum present.

I am informed by the Clerk that there is a quorum present.

MR. HICKMAN: Mr. Speaker, the point that I am trying to make is this, that in the Province of Newfoundland there is a much higher dependence, regrettably, on the construction industry than in other provinces to maintain stable employment in our Province.

There is an equally much higher reliance of the construction industry upon public funds, upon the expenditure by the two governments, than in other Canadian provinces. And what we have been imploring the Government of Canada to do is to recognize that at this period in our history that there should be an acceleration of the plans that are presently on the drawing board.

I know for instance that surveys were done in my district for harbour improvements in Grand Bank five years ago. I know that the member of Parliament for Burin-Burgeo has been trying to persuade his colleague, the Minister of Public Works, to get on with a major harbour development in that port that is being chocked right now, a viable port where a viable industry cannot expand unless and until we get these port facilities. And some day will come. And all we have asked of the Government of Canada is, "Press that button," and say, "Do not wait until 1978 or 1979 or 1980 or 1981, follow your old slogan, do it now." But as the hon. the Leader of the Opposition so aptly said in his letter, "There are very difficult times in finding any interest on the part of the Government of Canada for the plight of the people of this Province." And that,

MR. HICKMAN: Mr. Speaker, is what Confederation is all about.

The gracious Speech from the Throne, Mr. Speaker, referred to ongoing negotiations that I am having with my colleague, the hon. Ronald Basford, the Attorney General of Canada, as a result of the programme that was initiated by the provincial government.

MR. HICKMAN: within the past few months, indeed, it was only - so that there can be no doubt about it, Mr. Speaker, as to who initiated it, I have lost the date, but it was this year, to have a unified family court established in this Province as a pilot project.

The reception that I have received from the Attorney General of Canada has been one of a great deal of sympathy. I expect to meet with him on tomorrow, Friday, and I would expect that we will have made some progress by that time.

Because, Mr. Speaker, it is becoming increasingly obvious that what we need is a new approach, a brand new approach to family law in Canada and to family law in Newfoundland. What we need, Mr. Speaker, is a court that does away with the adversary system, a court whose philosophy -

MR. NEARY: Are you going to do away with the plea bargaining too?

MR. HICKMAN: Fortunately in Canada, except at the suggestion of Ottawa recently, no Attorney General that I am aware of subscribes to the philosophy of plea bargaining.

But fortunately, Mr. Speaker, I think the mood of Canada is that the adversary system in family law must disappear. The courts must have the philosophy of maintaining the family unit, of trying to keep the family together rather than have them square off in court under the rules of evidence and subject each other to vigorous cross-examination which has the tragic result of driving them further apart, in most cases, and most assuredly does not put the family compact and the children to the fore.

I had hoped, Mr. Speaker, and in fact I am bold enough to suggest, Mr. Speaker, that there will be in this Province before 1977 comes to a close, a pilot project cost-shared by both the Government of Canada and the Government of Newfoundland of a unified family court.

If it works then we have to find a judge who has that kind of understanding in philosophy with respect

MR. HICKMAN: to the family -

MR. NEARY: Mr. Speaker, please call a quorum.

MR. HICKMAN: Oh, Mr. Speaker.

MR. SPEAKER (Collins): I would ask the Clerk to determine whether there is a quorum or not.

A quorum is not present.

I would ask the Clerk of the House if he would again determine if a quorum is present.

I am informed a quorum is present.

The hon. the Minister of Justice.

MR. HICKMAN: Oh dear! I thank the hon. gentlemen opposite for providing me with the exercise of getting up and down. I think it is worthy of note that there is only one member of the Official Opposition in his place at this time. Let the record so note. I commend the hon. the member for Windsor-Buchans for giving us an indication that he will assiduously attend to his duties as the elected representative for his district.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: Mr. Speaker, may I say that I would hope that we will see, as the Speech from the Throne indicates, a very strong experiment in the unified family court concept in this calendar year.

Now, Mr. Speaker, in closing may I direct my attention for one minute or so to the text of the hon.

MR. HICKMAN:

the member for Burgeo-Bay d'Espoir (Mr. Simmons). He treated us to a dissertation on Tuesday and his text, as I recall, was that the Progressive Conservative Government and the Progressive Conservative Party is the party of tomorrow, the party of the future.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: Whereas the Liberal Party is the party of today. He likened, in his rather something less than kind comments towards the hon. the Premier, he likened the Premier to that great Canadian, Sir John A. MacDonald, the Father of Confederation, the man who is responsible for the British North America Act, the man who is responsible for founding this great nation, the man who wrought a constitution that has lasted for 110 years.

Now, Mr. Speaker, I am not sure - and I could not as I listened very carefully to the hon. gentleman for Burgeo-Bay d'Espoir (Mr. Simmons) - as to whether or not he was praising the Premier, whether he was envying the hon. the Premier, but whether he realized it or not he was most assuredly moving a vote of confidence in the leader of the government of this Province. Because everything he said indicated very clearly his confidence that what he wants to see, and what we are providing on this side of the House, is a government of tomorrow and not a government of yesteryear.

Mr. Speaker, Newfoundland is not peculiar in this attitude. There is nothing peculiar about Newfoundland in this. Only two Canadian provinces now embrace Liberalism, Prince Edward Island with a population of the City of St. John's, and the Province of Nova Scotia. And yesterday in Saskatchewan there was another great and glorious victory for Toryism, for Progressive Conservatism, when we saw the Progressive Conservative Party, which was not even in the House but two years ago, which I now understand has become the official Opposition by winning two more by-elections in Saskatchewan.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: This brings them up, I believe, Mr. Speaker, to twelve

MR. HICKMAN:

seats in the legislature, two seats that had previously been held by the Liberal Party.

I say, Mr. Speaker, that when the hon. gentleman for Burgeo-Bay d'Espoir says to this House, "What of that clarion call that went out from this House in the Speech from the Throne when it asked for a renewed commitment from all our people to the work ethics of our forefathers?" He asked the question and attempted to answer it but did not, but suggested that that call has not gone out, that people do not want in Newfoundland a party of tomorrow. May I say, Mr. Speaker, that whilst I cannot speak for all the people of Newfoundland as to how far it did go out, shortly thereafter, Mr. Speaker, I had the very encouraging experience of having someone of Holy Orders forward to me a copy of the Magnificat.

AN HON. MEMBER: Magnificat.

MR. HICKMAN: Magnificat - that is right, that is my non-conformist background - of the Church of St. Mary the Virgin which came out the following week endorsing the exhortation to all able-bodied men that came from the House of Assembly on Wednesday, February 2. May I say, Mr. Speaker, -

MR. ROBERTS: Does the minister feel the Magnificat is right on this issue?

MR. HICKMAN: Whether they are right or whether they are wrong, it is obviously very clear, Mr. Speaker, that Newfoundlanders are responding to the call, that Newfoundlanders are still regarding this Legislature, Mr. Speaker, as being relevant, that they are still prepared to support the party that is looking ahead and has tomorrow as its watchword and that they will not support that new theme song of the member for Burgeo-Bay d'Espoir (Mr. Simmons).

MR. ROBERTS: Hear, hear! Well said, well said!

MR. HICKMAN: His theme song, that I am sure must be upsetting the hon. the Leader of the Opposition, is that as far as his party is concerned there is no tomorrow. There is no tomorrow, and I have watched some of the more recently elected members sitting opposite as they looked

Mr. Hickman.

with concern and amazement as they saw their hopes being dashed to the ground, as they saw that all their efforts to get elected and fight manfully and mightily, to some day form the government over here, being dashed to the ground by the theme that has been exhorted and set forth by the elder statesman of the party, the chief whip, the whip of the party, when he says, "There is no tomorrow." There is a difference, Mr. Speaker. There is a real difference between the two parties. This, Mr. Speaker, is indeed the party of tomorrow and the party opposite is the party of the past. And I say, "Vive le difference, Merci beaucoup Monsieur le President."

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Windsor - Buchans.

MR. FLIGHT: Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: Mr. Speaker, in speaking in this debate to the amendment, the first thing I want to do is what some of my colleagues who have gone before have done, and that is welcome into the House and congratulate them on winning their seats into the House Assembly, the hon. member for Ferryland (Mr. O'Brien) who although is not in his seat now, based on his performance to date and based on what I know to be his commitment to his district, will be with us for a long time; the hon. member for Bonavista North (Mr. Cross) who, Mr. Speaker, I had the privilege to know long before he became a member, and now that he is in the House of Assembly I wish him well. I know that he is as dedicated to the betterment of his district as any other member elected, and I wish him well, and I congratulate him on his success; and, of course, the hon. member for Exploits (Dr. Twomey).

Now, Mr. Speaker, coming from Buchans, from Central Newfoundland, I want it to be known in this House that I have had a close association with the district of Exploits and particularly

Mr. Flight.

with the town of Botwood, and I am well aware as well as any man in this Assembly the contribution that that hon. gentleman has made in his field of endeavour in the area that he represents. And I suppose as good a tribute as I could pay is simply to say that would it be that I would have made such a contribution twenty-five, thirty years down the road and had added so much to the way of life, and improved the way of life for so many people. So regardless of how partisan the debates in this House get, Mr. Speaker, I want to assure the hon. member for Exploits (Dr. Twomey) that I hold that member in great respect as do most of the people, all of the people, not only in the district of Exploits but all of the people who surround the Bay of Exploits.

Having said that, Mr. Speaker, I want to revert to a theme that came up in this House last year, restraint and retrenchment. Mr. Speaker, I do not know what affect the theme of restraint and retrenchment has had on the rest of the members of this House, but I want to assure the hon. members opposite that I went back to my district - the community of Buchans Junction for twenty-five years have wanted a water supply. - I went back and I had meetings with those people after budget came down, and we accepted the fact that we would have to be responsible, and we were into a restraint situation, went back and explained, "That look, it would be irresponsible for you to expect a water system in Buchans Junction. We will just have to wait until things improve. We have to tighten our belts." I told the people of Buchans and Badger, who was requesting upgrading on the Buchans - Badger highroad, a road that is not fit to drive over, "That it is irresponsible to expect improvements on that road given the restraint situation." I met other groups. I did that, Mr. Speaker, I did it without fear of what it would mean to be politically that I was not delivering as a member. I did it because I believed in what was being said from the other side. And then, Mr. Speaker, by coincidence I ended up in the district of Exploits for ten days. And I will

Mr. Flight.

tell you, Mr. Speaker, that the lie was put to restraint in the district of Exploits. I am going to elaborate on what happened in Exploits for a minute, because I believe the member for Exploits should get his day in the sun, because most of the speakers who came before me have talked about Bonavista North. But, Mr. Speaker, it was unbelievable what happened in Exploits. From one day it was a restraint situation where all the members of the House were implored to go back to their districts and say it as it is, "The Province cannot stand - you know, no more Santa Clause type of thing. We will have to spend according to what we can afford. We have to sacrifice social services

MR. FLIGHT: to develop the resource industries. "Then suddenly, overnight -

CAPTAIN WINSOR: Bango.

MR. FLIGHT: Bango, the tap turned on in Exploits.

Now, Mr. Speaker, I am aware, I was there, and I am aware that the hon. member for Exploits (Dr. Twomey), the present hon. member, at one point in that election the hon. member that he is, threatened to quit and said, "Look, I am not to be party to this type of thing. I am not going to be party to the political prostitution that I see going on about me."

AN HON. MEMBER: He is too fine a man.

MR. FLIGHT: Too fine a man, Mr. Speaker, he could not stand it. But I am also aware that the Premier said, "No dissension in the ranks, we want that district. Pull out all the stops. \$750,000 for Point Leamington, pavement for Glovers Harbour, pavement for Northern Harbour, breakwater for Cottrell's Cove, recreation facilities for Bishop's Falls. Pull out all the stops. We want that district."

And, Mr. Speaker, what they did not realize they did not need that type of thing in Exploits because the member could have won the district without that type of - blackmail is unparliamentary, is it, Mr. Speaker? I would have to withdraw it, would I?

MR. SMALLWOOD: Political patronage.

MR. FLIGHT: Political patronage is a good word. So, Mr. Speaker, the Premier said, "Let us get this district." And they got the district but they got it at a great expense to the taxpayer and to the members opposite, because I guarantee you that when the Budget Speech comes down I better not, and the other members in this House - And let me suggest something else, Mr. Speaker, that is true, that members opposite got their backs up against the type of thing that went on in those by-elections.

I am told by good sources, Mr. Speaker, that the reason

MR. FLIGHT: the hon. member for Kilbride (Mr. Wells) is not a member of the Cabinet today is simply because he was the man who spoke most eloquently in this House with restraint. He was the man who impressed me, and that he would not take it. He could not tolerate it, he could not stomach it so he got out. And I understand, Mr. Speaker, that the hon. member for St. John's West (Mr. Crosbie) at the time who is now gone to greener fields as the -

CAPTAIN WINSOR: Greener pastures.

MR. FLIGHT: - greener pastures could not take it and that was one of the things that put him in a position to make up his mind, "I am not going to be part of this."

Nobody has impressed me in this House, Mr. Speaker, any more than the hon. member for St. John's East (Mr. Marshall), and it is no secret he is not in Cabinet today because of his questioning of the financial situation in this Province. And that financial situation was not enhanced by what happened in the by-elections, by what happened in Exploits. And, Mr. Speaker, come to the next general election or come the next budget I would hope that we will not hear restraint. I guarantee you that the people living -

And these by-elections were well placed, Mr. Speaker. There was one in Ferryland. There was one in almost Centra Newfoundland, Bonavista North, and one in Exploits. Those districts are situated geographically, Mr. Speaker, that almost every district in Newfoundland rub shoulders with the districts that were having it poured in and know the reason it was being poured in. Restraint will not work anymore, gentlemen, they will not believe you, and why should they.

Mr. Speaker, you know there is an old saying, man's injustice to man. I want to tell the Premier that if he will give me, or give the people of Millertown an ice plant for a

MR. FLIGHT: stadium—they have a stadium, they do not have an artificial ice plant—I guarantee him beyond the shadow of a doubt that he will have a stadium named after him, and there will be no -

CAPTAIN WINSOR: He has got one now sure.

MR. FLIGHT: - petitions or anything else against that type of thing. We will name the stadium after the Premier if he will give us an ice plant in Millertown.

MR. ROBERTS: They voted it down ninety-eight to two in Bishop's.

MR. FLIGHT: So, Mr. Speaker, what we witnessed in the by-elections, and what the hon. members have to live with, was blatant political patronage. And the next time around restraint will not mean anything, either to the members on this side of the House or I would suspect to a lot of members on that side of the House.

Some of the hon. members went back to their districts after the by-elections and had to answer why it was that they could not have their artesian wells and why could they not have their fire trucks and the social services that they saw just being thrown around in the districts.

I saw trucks, Mr. Speaker, with loads of pavement in the Exploits District that they did not know where to put it. They did not know where to put it. Myself and _____

MR. FLIGHT:

another hon. member of this caucus were in a community and the street in that community was paved, the main street was paved, and the guy was saying, "Well where are we going to go with it?" So go to the next community. It would be nice to know how many driveways got paved, not because it was deliberate or because it was ordered, but because the poor guy did not know what else to do with the black-top.

AN. HON. MEMBER: That is what they did in Hermitage.

MR. FLIGHT: So, Mr. Speaker, so much for the by-elections, so much for what we saw in Bonavista North and Exploits.

Some days ago one member opposite. I think it was the hon. member for St. John's North, on a point of order, indicated that the speech that the hon. member for LaPoile was giving was the same speech that he had given four or five years, and that he should be ruled out of order.

Well maybe so, Mr. Speaker, but why not the same speech, the same problems are all here. The speech that I made last year, the first speech that I made in this House, I think it was a Budget Speech, I can make the same speech today with some credibility because not one thing, not one iota was changed. We still have all the same problems that I talked to this House about.

MR. ROBERTS: It is the government that should be changed, not the speech.

MR. MURPHY: That was 1950 and 1951.

MR. FLIGHT: The problems are all there, Mr. Speaker, the high unemployment the worst labour relations problems this province has seen for the last twenty-five or thirty years, unheard of electrical energy costs still escalating, bankruptcy all over the place, Mr. Speaker, wherever you go bankruptcy, and the kind of bankruptcy, Mr. Speaker, that is costing this province jobs. So the problems are all there, so why not make the same speech? If the performance of the government is no better in the next twelve months than they were this past twelve months, then I will be making identically the same speech. I

MR. FLIGHT:

will have no choice, I was sent here to find out the problems of my district, Mr. Speaker. Mr. Speaker, I am going to use some examples to point out what must be, will have to prove the incompetency of this government, and the apathy and the indifference to rule Newfoundland.

The Buchans Task Force Report, Mr. Speaker. Mr. Speaker Buchans was there for fifty years; it was self sufficient up to four or five years ago, and then we got into labour situations, and one strike with violence, and suddenly the government became aware, and pretended they were sympathetic and serious to what happened to the Buchans problems. So they set up the Dyer enquiry and that enquiry was completed, it took almost a year, it was presented to government, and in as far as I know, and I am prepared to stand corrected, that the only recommendation that came, that was implemented, out of the Dyer Report was the establishment of a Buchans Task Force. And that took, as I said before in this House, at least a year and it took all kinds of pressure from pressure groups, unions in Buchans to get the task force set up.

The task force, Mr. Speaker, took a year to do the work that they had undertaken to do. The government had given the people of Buchans the impression that with this task force - I sat in on the meeting, as the present Minister of Forestry will know, when the Buchans Task Force was put together - and one of the questions that I asked the minister as a member of this meeting was, "Mr. Minister, what assurances can you give the people of Buchans that the government will take the recommendation of the task force seriously - that they will implement any of the recommendations?" And if I recall, basically, the minister's answer was that, "The very fact that we are here, I would not be here if I did not believe in the government's intentions with regards to the implementation of the task force report." Well I wonder what the minister has to say now, Mr.

MR. FLIGHT:

Speaker, a year and a half after the task force report was submitted, eight months since the cabinet received the report, and not one programme implemented except, one and I will come to that one - the minister looks up - I will come to that one. Now one recommendation, let me read some of the types of recommendations that could have been implemented.

"The Task Force recommends that the provincial government give the highest possible priority to the construction of the highway to the Trans-Canada Highway via Howley and that this road be completed before 1979. The absence of the Howley road reduces the opportunity of the Buchans residence to share in the expenditures of the travelling public and tourists. As previously indicated, the Task Force believes only the Howley road can be completed before major reductions in the mine occurs. The Howley road will provide access to forest timber stands in the Hinds Lake area. Parts of Hinds Lake offer- and they go on to justify the Howley road. Listen to this one, Mr. Speaker, I wish the Minister of Manpower and Industrial Relations were present "The Task Force recommends, therefore, the establishment of a Buchans Development Corporation to co-ordinate, advise and execute

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social and economic activities necessary for the survival and future prosperity of Buchans and its residents!

Now, Mr. Speaker, the setting up of that development corporation would not have cost the Province of Newfoundland a penny, but that development corporation is not in place, nor is one of the twenty recommendations made by the Buchans Task Force in place, not one.

Mr. Speaker, what is happening in Buchans - we have been given by this report until 1979, the mine will go in 1979, it is stated four or five times in this report, that is no more than a year and a half, Mr. Speaker. And the recommendations in that report indicates what can be done in the event the mine goes in order to guarantee the people of Buchans some viable, prosperous future. Not a Cabinet minister has had the decency to make a statement with regards to the implementation of the recommendations in this report.

This government, Mr. Speaker, is permitting a crisis situation to develop in Buchans. By 1979, if all of the expertise that was available to this Task Force was right, the mine will start to curtail, and then the government will rush in with make-shift, hodge-podge programmes that will not be in the better interest of Buchans, will not be in the better interest of the Province, will not work. There are 4,000 to 5,000 livelihoods involved here, Mr. Speaker. You know, there is a town twenty-one miles removed from Buchans, whose whole economy is based on Buchans. The town of Badger have got people, twenty or thirty employees, who work in Buchans in the mines. What will happen to those people? The town of Botwood have got people who works, and whose livelihoods depend on the successful operation of that mine. And this government have completely and categorically ignored, Mr. Speaker, the pleas from the people of Buchans, and more important they have ignored the advice of the people that they spent \$180,000 on to get, \$180,000 plus.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: Now, Mr. Speaker, the Premier indicated that the government had indeed done something that was recommended by the Buchans Task Force, that they had incorporated the Town of Buchans.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: Well let me assure this House and the hon. minister that the recommendations for the incorporation of Buchans did not necessarily have to come from the Task Force. It was recommended to the government of this Province twelve to fifteen years ago that Buchans would incorporate. But it did not happen, and the reason it did not happen, Mr. Speaker, because the company at that time in Buchans was not buying, they were not interested in incorporation, and they had their reasons not to. And since that time, and prior to the setting up of the Task Force, Mr. Speaker, the reason for incorporating Buchans changed. At one time when a man retired in Buchans he was given one month to move out of his house, Mr. Speaker, and there was no power that could stop that, But as a result of the changing attitudes and the result of strikes and what have you in Buchans, the attitude changed, and there is now - and long before incorporation was brought about there were people living in their homes in Buchans long after they retired and simply paying their rent. So the great crunch, the great reason for incorporation had gone. Incorporation cannot improve the level of services being provided in Buchans today, and nobody on the Task Force or nobody on the sub-committee indicated that that it could.

But, Mr. Speaker, the government decided that they would incorporate Buchans anyway. Now I sat on a sub-committee, Mr. Speaker, that recommended the incorporation of Buchans, but nobody in their right mind would recommend the incorporation of anything or would recommend anything without some terms of reference or without some agreements. And here is the situation, Mr. Speaker, Coming out of the sub-committees report on local government for Buchans, it says, Mr. Speaker, "Hence by 1980 - a year and a half by now, I am sorry,

Mr. Flight:

two and a half years from now - the new municipality of Buchans would require revenues in the order of \$420,000 per annum, and possibly greater."

Now, Mr. Speaker, all Summer, all last Spring I went to the various ministers concerned, the present Minister of Mines and Energy and the present Minister of Municipal Affairs and pointed out my concerns with the way the government was moving to incorporate Buchans. Up to this point there had been no input at all from the people of Buchans. None whatsoever. There was no plebiscite, no effort made to tell them what would happen, what the price of their homes would cost them, what financial contribution the mining company or the paper company would make towards the town, whether or not they would have a right to own their own homes, nothing!

MR. FLIGHT:

Just that go straight ahead and incorporate. I wrote, Mr. Speaker, a letter to the hon. Minister of Municipal Affairs. Now would any member in this House deny that these were reasonable conditions to be asked on behalf of the people of Buchans? I will read from the letter, Mr. Speaker, dated October 27.

"It is unthinkable to me, Mr. Minister, that incorporation will be forced upon the people of Buchans without the people knowing what their homes will cost. Will the people have a right or a choice to either purchase outright or continue to rent? What financial contribution will Asarco or Price (Nfld.) Limited make towards maintaining the present level of essential and recreational facilities in this incorporated Buchans?

"And it is unthinkable - and, Mr. Speaker, this is important - that incorporation be brought about in the town of Buchans, population approximately 3,000, with no input from the people concerned, with no effort by your department to enlighten them as to what effect financial or otherwise incorporation will have." Mr. Speaker, that was ignored. Buchans is now incorporated and there are, Mr. Speaker, 3,000 people, 500 families up there who are frustrated; they do not know what incorporation will mean to them. We have a Board of Trustees set up, Mr. Speaker, to negotiate with Asarco for what the properties, whether or not the houses will be sold, whether or not the company will contribute to the financial upkeep of the recreational facilities. This is being negotiated, but the town is incorporated.

We are looking at taking a company off the hook for \$200,000 or \$300,000, Mr. Speaker. When the minister stands up to speak, I would hope that he points out to this House that if it takes \$420,000 per year to administer the affairs of Buchans that where he visualizes that \$420,000 coming from? You know, we would expect there will be a grant in lieu of taxes from the companies operating. There pressure is put on. Mr. Speaker, furthermore there is not a member who had anything to do with this report, the sub-committee report or the main Task Force or anyone in the Municipal Affairs Department who can indicate to me that the company

MR. FLIGHT:

involved asked to have Buchans incorporated. They are sitting back there, Mr. Speaker, and they are saying, "Leave them alone. Let them come to us. They are going to take this off our hands." That is exactly what is happening.

In order for Buchans to carry on its basic services at the same level they are going now, I say to the minister, that his department will have to provide funds over and above anything that is provided for in any act in Newfoundland right now. There is no municipal act that will allow the kind of funds that Buchans will require to maintain its level of services. The taxation base is not there. It is just not there. So I would presume that the minister is saying that we have incorporated Buchans and if it takes \$420,000 to administer the affairs of the town if we have taken Asarco out under the hook, then we will provide the \$300,000 that is necessary.

MR. WHITE: The minister will confirm that.

MR. FLIGHT: I am expecting the minister to confirm that because that is exactly what the situation is going to be.

I also would expect, Mr. Speaker, that when this sub-committee, when this Board of Trustees have finished their work, and they have negotiated as good a deal as is possible with Asarco, then the people of Buchans will be given the right to decide whether or not they want to continue with incorporation and whether or not they indeed do want to be incorporated under the terms and conditions negotiated by that Board of Trustees.

AN HON. MEMBER: A committee should have been set up.

MR. FLIGHT: That is what I asked in the first place, Mr. Speaker, I asked that a committee be set up before we would go into incorporation, that a committee would be set up to negotiate the things that I have just asked. And the minister says to me, "I have set up a committee. I have appointed a Board of Trustees." The minister has effectively incorporated the town of Buchans with no input whatsoever from the people of Buchans.

MR. FLIGHT:

Now, Mr. Speaker, Windsor, as I said last year in my speech, one of the oldest incorporated towns in Newfoundland today, last year came to the Department of Municipal Affairs and asked that they would be given some consideration to enlarge their tax base. Windsor does not have a tax base. Windsor's problem, Mr. Speaker, is that they have something in the vicinity of 8,000 or 9,000 people and the only revenue that has been generated in that town is residential revenue, taxes, property taxes, water and sewerage services and that type of thing. They are probably not generating enough service to administer that facility. Year after year the town council of Windsor have come to the minister of the day and said, "Look, we have to have assistance to develop a tax base. We want to develop an

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industrial park and thereby create a tax base." Mr. Speaker, the performance of the town council in Windsor cannot be a reason why the minister is withholding that type of assistance. The present town council have tripled the tax rate in Windsor in their term of office, and there is a municipal election coming next Fall, and in the three years that they have served they have practically tripled the tax rate in Windsor. They are facing this year a reassessment of property values in Windsor which will have the affect of again increasing the amount of money that it will cost a person to live in Windsor. Year after year, Mr. Speaker - there is no other source, Mr. Speaker, for this kind - Windsor cannot generate. They have not got the ability to generate the kind of money it would take to develop an industrial park, and develop a tax base for the town that will enable them to improve their present level of services, or to expand on their town and expand on their various facilities. What has happened in Windsor, Mr. Speaker, is criminal. You have a situation where you have two sister towns, nothing separating them but a railroad track, and the standard of living goes up in one and down in the other. And that type of thing is being perpetrated, Mr. Speaker, and that type of thing has been guaranteed by the action of the Government of Newfoundland with regards to Windsor. Every year it gets harder, Mr. Speaker, There is no enticement today in Windsor for a person who is moving in or a business that is moving into Central Newfoundland to establish in Windsor. The attitude of the Newfoundland Government indeed encourages they are not going to Windsor.

I am aware, Mr. Speaker, of one of the biggest business firms in Central Newfoundland having waited for two years to establish a plant in Windsor. And having waited two years they said, "Enough is enough," and moved into Cromer Avenue in Grand Falls. And when that happened, Mr. Speaker, the revenue that Windsor so badly needed was lost to Grand Falls.

Mr. Flight.

So, Mr. Speaker, when you say you are making the same speech you made two years ago or a year ago or five years ago, how can you help it when this is the type of thing you are faced with? This is the type of approach we have seen by this administration.

Mr. Speaker, if this government is going to meet its responsibilities to the people of this Province, and to the people in communities such as Windsor, then they are going to have to change the tack that they have take up to now. They have got to stop ignoring Windsor. They have got to stop being a government who recognizes the haves. This is a government, Mr. Speaker, that recognizes - you know, you have the have and have-not provinces, and you have the have and have-not towns - and this government recognizes - you know, to those that have, shall receive, and those that have not, that not even that which they have shall be taken from them. And, Mr. Speaker, that is the type of approach we have seen in Windsor.

I would hope, Mr. Speaker, that with a new minister and with a new approach recognizing the efforts that the people of Windsor, the councils of Windsor and everybody else have put in, the patience they have shown, the efforts they have made, I would hope that when the budget comes down that after five years anyway, if not twenty-five, have been ignored, that Windsor will indeed will get the type of attention it needs to guarantee its place, to guarantee that it can grow the way it should be allowed to grow, the way it can grow, the way the potential is there for it to grow.

I would also hope, Mr. Speaker, that the minister, when he stands up now, will address himself to the Patterson report. His predecessor did not do it. It has been a year now since the last statement was made in this House with regards to the recommendations of the Patterson report. What now? What is the present minister's approach to the Patterson report?

Mr. Speaker, I could go on and on about Windsor. Mr. Speaker, the reason the situation exists in Windsor and Grand Falls today is the

Mr. Flight.

dismal and complete lack of attention to the problems by the previous government, all of them, going back to 1949, not just the past five years, up until 1949, the works, the whole shebang. But two wrongs do not make a right, Mr. Speaker. This government came into office with the intention of righting all the wrongs. Mr. Speaker, this government have gone further in six years

MR. FLIGHT: by way of increasing the provincial debt of this Province than the past administration went in twenty-three years, and they have gone further in political patronage in six years than the other party went in twenty-three.

Would someone on the other side care to show me an Auditor General's Report that was such an indictment of the other administration as this one is? Every page is an indictment.

Now let me get to that committee.

Very smart a few days ago, Mr. Speaker, I got up and asked the Minister of Municipal Affairs a question. I asked him something to this extent, "Was there any input? Did the people of Buchans ask to be incorporated?" His answer was very sharp and made me slink back in my seat. He said that the hon. member was on a committee that recommended the incorporation of Buchans. Let me tell the hon. minister in the House my involvement on that committee. I was indeed a member of that committee and I attended three meetings. In the first meeting I indicated to the minister's appointment for chairman that I was not prepared to serve in that committee unless we were prepared to talk about incorporation. But I said before, only a fool would say, Let us incorporate under any set of circumstances. There had to be terms and agreements. If the hon. minister is going out tomorrow and buying into something he just do not do it, he is going to have to have agreements and terms and conditions. So to say that I was on that committee that recommended incorporation, indeed I was.

I was also on the same committee, the third and last meeting, because when I became actively involved and realizing that I was going to run for this seat that I now hold I resigned from that committee. I thought that it was in my better interest and the better interest of the task force. I was also on the committee, Mr. Speaker, when five consulting firms were laid before that committee

MR. FLIGHT:

and we were asked to select consulting firms and the committee selected, I am not sure it was the lowest tender but it certainly was not lower than the one that the contract was given to. One of the minister's appointments to the main task force came in after our deliberations and he recommended, he said now, you know, I have no objections to the company you are asking for, however this company has more expertise - which was not true.

So the members of the committee had no reason not to, you know. What are you talking about? A thousand dollars one way or the other and here was a very responsible person sent down by the minister to tell us what was right or wrong. So, the consulting firm got that contract, Mr. Speaker, and within two months the price had gone from - I was not a member of the committee then. It was too bad as I wish I were - the price had gone from \$17,000 to \$37,000 and before the job was finished the Minister of Manpower and Industrial Relations had recommended that \$55,000 be paid. That was the last meeting I had with that committee, Mr. Speaker. So if you want to know my involvement with those committees, that was the extent of my involvement with the committee. That \$35,000 could have been a lot better spent in Buchans, Mr. Speaker, than lining the pockets of some consulting firm.

Mr. Speaker, what we got as a result of that consulting firm was a sheaf of paper of which the letterhead of the American Smelting and Refining Company was taken off and the letterhead of that consulting firm was put back on. So, Mr. Speaker, there may or may not have been vested interests. There may or may not have been people who had axes to grind - or who had ulterior motives, but certainly that was one instance where there was not too much imput from the people of Buchans or even the sub-committees. There were thirty-five people involved in sub-committees in that task force report, and that is one instance that the local people did not have too much imput. I wonder really how much imput they had totally.

MR. FLIGHT:

So, Mr. Speaker, I am going to suggest that they amend it and that is all I am going to say about Buchans and Windsor right now. I have another favourite subject of mine, tourism, and the minister is not in his seat again. The minister made a statement, Mr. Speaker, today, an earth-shattering, revolutionary statement. He said that he was not going to use computers.

MR. WHITE: He is going to use computers.

MR. FLIGHT: He is going to use computers. Thank you, my hon. friend from Lewisporte. Now, Mr. Speaker,

MR. FLIGHT: I remember sitting in this hon. House last year when that hon. minister got up and he said, "We are not going to use computers this year because the computers caused a shemozzle. It was a terrible thing what the computers had done." And now a year later he is going back to computers.

Mr. Speaker, I stood up in this House last year and I supported the new programme for the issuing of moose licences. I thought it was a good thing. It was a good thing. But, Mr. Speaker, within days after the minister had indicated this is the programme we are going to use, his officials in Wildlife and his officials in Tourism had made a complete shambles of what he said. Nothing happened the way he said it was going to happen.

Let me relate a little story to you. A lot of people coming in around sometime in early August had been calling me and asking me when the moose licences were going to be issued. And it got to a point that every day I was getting calls and I did not know, so I decided I would call a very high official of the Department of Wildlife. It may or may not have been the minister. But this gentleman said to me, I told him the problems I was having and I would like to have some clarification, he said, "Graham," he called me by my first name, he said, "I have never seen such a mess in my life. We have got thirteen people strung down here," he said, "and they are taking names out of one barrel and throwing them into another and taking them out of another and throwing them into another and," he said, "if it goes on, the job will not be finished until the end of November. The moose season will be closed." He said, "The next man who mentions computers to me will be shot." He said, "You know it is just one complete shemozzle." So I said, "When will," given all that, when will the draw be complete?" "Well," he said, "it will be two weeks from now before we complete

MR. FLIGHT: the draw." I said, "Would you do me one favour, and I think if you do you will be doing a lot of people a lot of favours, do not send any moose licences or approvals out until the draw is complete because the first time a moose licence arrives in Buchans or Windsor, guys who have applied are going to call me and say, well when is mine going to come type thing. But send them all out the one time, make a ministerial statement and say the licences are all in the mail and that will get us off the hook." The minister said, "Yes, that is exactly what will happen." Within five minutes after that conversation I walked into the post office in Buchans, I was walking in and this guy was walking out and he said, "Graham look, after three years I got a moose licence. I got my moose licence." And I said, "You have got to be joking." And he said, "No, I am not joking", and he showed it to me.

Ten minutes ago the Minister of Tourism has gone through the whole thing, what was about to happen, and here was a moose licence coming out of the mail.

Now, Mr. Speaker, hon. House, is that what you call having a handle on your department? Is that what you call knowing what is going on in your department?

Mr. Speaker, what happened in the moose draw last year was insulting, three, four or five licences per family, people who were entitled to licences for four years not receiving one. Women who had never seen a rifle, had never made application for a licence, were receiving licences on the first draw. People who had never seen a rifle getting a licence. It was unbelievable, Mr. Speaker.

AN HON. MEMBER: Pregnant women.

MR. FLIGHT: My hon. member says pregnant women. Maybe, worse things happened. I know people, Mr. Speaker -

MR. LUNDRIGAN: Does the hon. member suggest that pregnant women should not have a licence?

AN HON. MEMBER: Not in that condition, not in the advanced stage.

AN HON. MEMBER: You should not shoot pregnant women either.

MR. FLIGHT: Mr. Speaker, I know of people, I have their names and I have them put away for when the time comes, when we get a chance to debate the wildlife regulation for this year.

The system broke down completely. People were insulted. Mr. Speaker, if we get a reoccurrence this year of what happened last year, if the moose draw turns out to be such a shemozzle, if people's basic rights, their rights to the licences are not recognized, then there are honest to goodness hunters in this Province who will become poachers and they will become open poachers.

MR. ROBERTS: Members like the minister over there.

MR. FLIGHT: Mr. Speaker, for the benefit of my hon. friend from my neighbouring district -

MR. LUNDRIGAN: With respect to the Chair, I will not take on this.

MR. FLIGHT: - for whom I have great respect.

MR. ROBERTS: The hon. gentleman's respect for the truth, denying my statement.

MR. FLIGHT: - for whom I have great respect. Mr. Speaker, it did not turn on, I assure you, it did not turn on too many people in Windsor-Buchans or in Grand Falls or in Carbonear, people who had for three or four years been trying for a licence and had not gotten one, to have turned on the TV and heard, and I am not saying it is right or wrong, but to have heard that the Premier and an hon. Minister of the Crown were just

Mr. Flight:

apprehended at some pond out here, Paddy's Pond, with eight or nine quarters of moose, with no tags, with 500 partridge, and as the facts came out it became public that all terrain vehicles had been used, the very best of all terrain vehicles. We could not find out who the third party was, Mr. Speaker. We hear that the aircraft was "with the compliments". But, Mr. Speaker, that type of thing did not turn - I am not sure if they killed 500 partridge, Mr. Speaker.

MR. ROBERTS: Some of them may have died of natural causes.

MR. FLIGHT: Some of them may have died a natural death. I understand that the Premier did not shoot a moose. I understand that the thought of shooting a moose -

MR. ROBERTS: The minister shot the moose.

MR. FLIGHT: - is not born to the Premier. So I am sure the minister will speak for himself when he rises. But that did not turn on the people who did not get a licence last year, Mr. Speaker. It questioned the system of priorities. The fact that distinguished visitors, distinguished residents now get licences, did not turn on the people of -

MR. ROBERTS: They are those who say the Premier is only a distinguished visitor to the Province.

MR. FLIGHT: Right!

AN HON. MEMBER: The next thing we will be distinguished.

MR. FLIGHT: So, Mr. Speaker, I would say to the Minister of Tourism up to this point -

AN HON. MEMBER: The next Premier.

MR. FLIGHT: - he have insulted the people of Newfoundland with the way that the issuing of moose licences have been handled. I am sure hon. members opposite agree privately with what I am saying.

What do you do? Now, Mr. Speaker, there is another point comes up here. The hon. minister in answering a criticism last year said "That nobody had any input into - I did not volunteer any advice on how the draw should be accomplished, should be done."

Mr. Flight:

I am wondering if the minister is now going to give me the right and other hon. members of this House the right to have some input into the new regulations that he referred today? I wonder? If he does, we will improve the moose hunting regulations.

MR. J. LUNDRIGAN: Are you going to get back to writing that little book right now? Now 'Graham' go ahead and tell him what you will do.

MR. FLIGHT: I will in my next speech. I have only got five minutes, and I could not possibly do it in five minutes, there are too many improvements can be made to put down in five minutes.

MR. NOLAN: The first improvement is remove the minister.

MR. FLIGHT: The first improvement is - the first improvement is maybe not remove the minister, But very seriously, the first improvement is to have a minister who relates in some way to that type of thing, to have a minister that went in the woods, and knows what he is talking about, you know. Not a minister - if the hon. Minister of Tourism -

MR. LUNDRIGAN: If the hon. member from -

MR. FLIGHT: - left his backyard in St. John's by foot he would be lost, you would have to call in the RCMP to find him, you know. And this is the minister -

MR. ROBERTS: Move the amendment and you will get more time.

MR. MURPHY: Oh, oh!

MR. ROBERTS: Ah the Minister of Tourism thinks well when he took the Norma and Gladys.

AN HON. MEMBER: So it is.

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: The member from the Bay of Islands (Mr. Woodrow) he knows about wild life and the Norma and Gladys.

MR. FLIGHT: Mr. Speaker, I have other things to say, and I am running out of time. But, Mr. Speaker, I want to say, and this will certainly be a change of thought all together.

MR. FLIGHT:

Out of a great deal of concern -

MR. LUNDRIGAN: You have not told us about black bears and partridge.

MR. FLIGHT: I am going to.

AN HON. MEMBER: He only got five minutes left.

MR. FLIGHT: Out of a great deal of concern, Mr. Speaker, for the financial affairs of this Province, out of concern as to wondering whether or not \$50 million borrowed from Alberta recently was indeed in the better interest of this Province, out of concern that the government may have acted outside of existing legislation, Mr. Speaker, I now move this amendment, and I would add to the sub-amendment, "And this House further regrets the action of the Ministry in agreeing to borrow without prior approval of the House the sum of \$50 million in excess of the amount needed to defray the expenditures approved by the Legislature in respect of the financial year which ends 31st. March 1977."

MR. LUNDRIGAN: On a point of order. Before the hon. member finishes his amendment -

MR. ROBERTS: Seconded by the lady from St. George's.

MR. FLIGHT: Seconded by the lady from St. George's.

MR. SPEAKER (Dr. Collins): Point of order.

MR. LUNDRIGAN: - before he finishes, I would just like to - we have had the motion moved on the Speech from the Throne, and then we had an amendment - am I correct? - moved by the hon. Leader of the Opposition? Was that correct?

AN HON. MEMBER: Then we had the sub-amendment.

MR. LUNDRIGAN: Then we had the sub-amendment which was moved by the hon. member from -

AN HON. MEMBER: From LaPoile -

MR. LUNDRIGAN: - Lapoile (Mr. Neary), which was voted on I believe. And then we have had a debate occurring subsequently now on the amendment, since the vote on the sub-amendment, which has been going

Mr. Lundrigan:

on ever since. Now the hon. member is proposing to move or has started to move a sub-amendment to the amendment. That will be a second sub-amendment.

AN HON. MEMBER: That is right.

MR. LUNDRIGAN: I am looking at the nodding around that seems to be in order.

AN HON. MEMBER: If the hon. gentleman would permit I could probably -

MR. LUNDRIGAN: Well I am just raising the question on a point of order while my colleague gets his -

MR. ROBERTS: While he gets -

MR. LUNDRIGAN: I beg your pardon.

MR. ROBERTS: Mr. Speaker, the hon. gentleman -

MR. LUNDRIGAN: Mr. Speaker, no, I am just finishing off. This is apparently in order that this kind of a sub-amendment can be moved to an amendment that has already been sub-amended and voted on. Apparently that is in order, eh?

MR. ROBERTS: Mr. Speaker, the hon. gentleman from Grand Falls (Mr. Lundrigan) is known for his dilatory tactics and this is one of them. But even his colleague, the gentleman -

MR. LUNDRIGAN: Point of order.

MR. ROBERTS: Mr. Speaker, I am speaking to a point of order.

MR. LUNDRIGAN: Point of order!

MR. SPEAKER: Order, please!

The hon. gentleman is speaking on a point of order and I can only hear one at a time. I will hear the hon. gentleman after, but the rules are quite specific. There is a specific Beauchesne reference, that there can only be one point of order before the Chair at a time.

MR. ROBERTS: Mr. Speaker, as I was saying, the hon. gentleman from Grand Falls (Mr. Lundrigan) is known for his dilatory tactics. He raised a point of order which was not a point of order. He made no submission and I think that if Your Honour were to look at the Hansard or Your Honour was in the Chair and Your Honour, I realize, was looking at the Standing Orders but he just got up and he delayed the debate for two or three minutes, let me make it quite clear, there may be in fact I think there is a rule in the House of Commons that in respect of the debate on the Address in Reply there is only one amendment and one sub-amendment permitted. There is a similar rule in this House with respect to the budget debate, which is made on a motion that the Speaker do now leave the Chair.

MR. ROBERTS: There is, Mr. Speaker, in my submission no such rule with respect to the Address in Reply. There was an amendment which stands in my name, that amendment has not been disposed of, it is being debated. There was a sub-amendment which stood in the name of the gentleman from LaPoile (Mr. Neary). It was debated at some length, was subsequently voted on by the House, regrettably did not carry the day. The debate on the amendment continued. My colleague now proposes to move a sub-amendment which I submit is in order. And if Your Honour wishes I would be quite prepared to offer argument to that end, and if the sub-amendment is in order my colleague may continue. He has unlimited time, I submit, in line with the ruling Your Honour gave recently, as long as he deals with the subject of the sub-amendment, and then other hon. members who wish to speak to the sub-amendment may. That is my submission, Sir.

MR. LUNDRIGAN: Mr. Speaker, on that point of order.

MR. SPEAKER: The hon. the Minister of Rural and Industrial Development.

MR. LUNDRIGAN: The hon. the Leader of the Opposition seems to be correct. My move was not - what is the word he used? dilatarious I believe, or whatever such word it was, - to try to delay proceedings that were genuine. Maybe I am getting my jurisdictions mixed up. It is the first time I have seen a sub-amendment to an amended motion which already had a sub-amendment voted on. And I raised it quite legitimately and if the precedent is that we have more than one sub-amendment as my colleague, the House Leader indicates, that is quite in order. I hope it is not out of order to raise a point of order.

MR. SPEAKER: The hon. member for St. John's East.

MR. MARSHALL: I would just like to draw to Your Honour's attention, quotation page 172, section (207) of Beauchesne.

MR. SPEAKER: Beauchesne?

MR. MARSHALL: There are obviously sub-amendments allowed but it says, "A sub-amendment on the Address in Reply to the Speech from the Throne -

AN HON. MEMBER: On page 207?

MR. MARSHALL: Page 175, paragraph 207.

"A sub-amendment on the Address in Reply to the Speech from the Throne may be moved subject to the same rules as any other amendment. It must be relevant to the amendment and cannot raise a new issue."

Now, Mr. Speaker, I would suggest that the sub-amendment moved by the hon. member for Windsor-Buchans (Mr. Flight) would perhaps be more suitably moved as an amendment to the Address in Reply. We have now an amendment already proposed which deals with the policies of the government and the failure of the government to bring in programmes. This raises an entirely new and specific issue with respect to the financial dealings of the government, indeed since this Address in Reply has started and since the original amendment was put in.

So it would seem on the basis of the quotation from Beauchesne that while this particular amendment might be acceptable if it were proposed as an amendment to the Address in Reply, it is not as proposed as a sub-amendment to this particular amendment proposed by the Leader of the Opposition because it raises a new issue.

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

MR. ROBERTS: Mr. Speaker, to that point raised by the gentleman from St. John's East (Mr. Marshall); the amendment which stands in my name is "That this House condemns the failure of the ministry to prepare and to present to the House measures adequate to deal with the problems confronting Newfoundland and Labrador today and demands that the ministry forthwith take all measures possible within their constitutional authority to alleviate these problems."

MR. ROBERTS: The sub-amendment which my colleague from Windsor-Buchans (Mr. Flight) proposes to move, if it is in order, as I believe it is, wishes to add the words, "And this House further regrets the action of the ministry in agreeing to borrow without prior approval of the House - and so forth - the sum of \$50 million."

Mr. Roberts.

Mr. Speaker, I submit that that grows naturally out of the amendment. The amendment talks of constitutional measures. Obviously borrowing money on the credit of the Province with the appropriate legislative approval is a measure within the constitutional purview of the administration of the ministry. And my colleague proposes to talk about a specific act which the ministry have done. There is no question they have done it. The only question is whether it is proper, not whether it is lawful. I believe it is lawful. I submit, Sir, that the sub-amendment, the amendment proposed by my colleague from Windsor - Buchans (Mr. Flight) to the amendment which stands in my name, that that sub-amendment, Sir, grows naturally out of the second part of the amendment to the main motion, the amendment which stands in my name. I submit, therefore, it is in order, Sir. The citation which the hon. gentleman referred to goes on to say, and I believe he quoted these words, "It must be relevant to the amendment and cannot raise a new issue." Well that is the basic rule on any amendment, and it is a very good rule indeed. This does not raise a new issue, Sir. It talks specifically about a measure possible within the constitutional authority. Nothing could be more within constitutional authority, Sir, than raising money on the credit of the Province. And that is a measure. And the government have taken a measure, and we propose, Sir, if it is in order, to discuss that measure. I think it grows naturally. Like the tree grows from the earth, the sub-amendment, Sir, grows from the amendment. And I submit, therefore, it is in order.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I would like to stand on a point of privilege of the House, and I am trying to help Your Honour out. Your Honour has to give a certain information to the House before 5:00 P.M. If Your Honour will do it now, delay the decision on the points of order, Your Honour, will just get under the deadline.

MR. ROBERTS: Why not announce the Late Show then go on to the points of order?

MR. SPEAKER: I will announce the Late Show and then continue with the point of order.

The three motions which will be debated at 5:30 P.M. are, and in this order: First, notice was given me by the hon. member for LaPoile (Mr. Neary) arising from a question asked the hon. Minister of Mines and Energy dealing with the subject matter, the export of Churchill Falls power. The second, - I have had to be selective. I have had notice of four, and I have to select three. the second, notice was given me by the hon. member for Burgeo - Bay d'Espoir (Mr. Simmons) arising out of a question asked the hon. Minister of Social Services, the subject matter, the hiring of married persons only policy at a project at Hampden. And the third, notice of which was given me by the hon. member for Terra Nova (Mr. Lush), arising from a question asked the hon. Minister of Transportation on the subject matter of a regulatory agency to which ferry operators should be answerable. Those are the three matters to be debated.

Back on the point of order. I believe the hon. Minister of Justice was about to rise.

MR. HICKMAN: Mr. Speaker, the position put by the hon. Leader of the Opposition, I suspect, suggest, will not stand careful scrutiny. The hon. gentleman says that because we are talking about matters that come within the constitutional purview or framework or authority that is intra vires the Legislature of this Province, and as the question of the expenditure or borrowing of funds is intra vires this Legislature, therefore, it is relevant and does not constitute a new issue. Now, Mr. Speaker, I do submit that under that argument the Beauchesne edict would be totally meaningless, because it would mean that so long as it was intra vires this Legislature, then any hon. member could move any sub-amendment and simply get up and say, "We have the right to deal with it in this Legislature, therefore, Mr. Speaker, it is not a new issue." Obviously, that is precisely what Mr. Beauchesne did not intend,

Mr. Hickman.

did not interpret it as meaning. It is precisely what the rules do not intend, and it is very clear that the issue raised in the new sub-amendment - I will not say the unprecedented sub-amendment , but in eleven years I cannot recall that many in an Address in Reply, but be that as it may, that-is not relevant - _____

MR. HICKMAN:

is totally unrelated and constitutes a new issue, and therefore is out of order because it specifically mentions in particular an item of borrowing from this Province - by the government of the Province.

AN HON. MEMBER: Without approval, by the way.

MR. HICKMAN: And allegedly without approval.

MR. SPEAKER: In deciding on this matter I will reread the quotation alluded to by, I believe, the hon. member for St. John's East (Mr. Marshall) and also another one. And both taken in context hopefully will provide basis and guidance for the decision as well as argument submitted by hon. members.

Beauchesne, page 175, section 207, "A sub-amendment on the Address in Reply to the Speech from the Throne may be moved subject to the same rules as any other amendment. It must be relevant to the amendment and cannot raise a new issue." That is quite clear and of course that really is stating what the rule of amendment, any amendment, is. Just to clarify the matter certainly our Standing Orders do not preclude more than one amendment or one sub-amendment to the Address in Reply.

Now Beauchesne, page 169, section 202, sub-section (3) gives a somewhat more specific guidance, "Since the purpose of a sub-amendment is to alter the amendment, it should not enlarge upon the scope of the amendment but it should deal with matters that are not covered by the amendment; if it is intended to bring up matters foreign to the amendment, the member should wait until the amendment is disposed of and move a new amendment." Now the part of that which I believe I have to apply here is that the sub-amendment should not enlarge upon the scope of the amendment, but it should alter the amendment and should not deal with matters not covered by the amendment.

MR. ROBERTS: It should deal.

MR. SPEAKER: It should deal with matters not covered by the amendment.

That is right. This is Beauchesne, page 169, 202 (3). Its purpose obviously is to alter the amendment. "It should not enlarge upon the scope of the amendment but should deal with matters not covered by it." Now that I think, and since that section deals specifically with sub-

MR. SPEAKER:

amendments, that is the most helpful authority and general statement of the rules that I am aware of. "It should not enlarge upon the scope of the amendment but should deal with matters not covered by it."

Therefore I have to ask myself, what is the scope of the amendment? And as I see it the scope, the subject matter of the amendment is a condemnation of government for its lack of presenting certain measures. Essentially it is a condemnation of the ministry to present adequate measures to deal with the problems of the Province. That is the scope. So what the sub-amendment will have to do is to alter it, which it obviously would if it were in order, and deal with matters not covered by it - and it specifically must be understood in there - which it would do, and not enlarge upon the scope. What the sub-amendment does is takes this condemnation and in my opinion specifies it somewhat into a regret of the government's failure to get prior approval for certain borrowing.

In my opinion it is within the scope. It is condemnation of government action or inaction. It is within the scope. It is a matter not specifically covered by the amendment, and it brings up something not specifically in the amendment but not irrelevant to it. If one understands the scope of the amendment as condemnation of government action for their doing or failure to do certain things, then this sub-amendment would be a specific aspect of it and would not alter the scope. That is my opinion on it, and in relying on that I would rule it in order.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: Thank you, Mr. Speaker. I might say, Mr. Speaker, that it is an honour and a privilege to have gotten unlimited time in this hon. House. I never thought I would see the day in the near future.

SOME HON. MEMBERS: Oh, oh!

MR. FLIGHT: Order! Order, please!

MR. FLIGHT: Mr. Speaker, I was in the process of winding up my initial remarks, Sir. What is the situation now? I had five minutes when I moved the amendment, do I have that five minutes?

MR. SPEAKER: I will put the sub-amendment now. It has been moved by the hon. member for Windsor-Buchans and seconded by the hon. member for St. Georges that the following words be added, "And this House further regrets the action of the ministry in agreeing to borrow without prior approval of the House, the sum of fifty million dollars in excess of the amount needed to defray the expenditures approved by the legislature in respect of the financial year which ends on March 31, 1977." The hon. gentleman is now speaking on the sub-amendment.

MR. LUNDRIGAN: Mr. Speaker, that amendment has been moved and I presume my hon. colleague, the House leader, has a copy of it and has studied it.

MR. HICKMAN: There was no seconder.

MR. LUNDRIGAN: Yes, there was a seconder, the hon. member for St. Georges.

MR. SPEAKER: The hon. member for St. George's.

MR. LUNDRIGAN: I would hope, Mr. Speaker, that I just personally, as a member, would like a copy of the amendment because I am not sure that I will not raise another question of order, because there is "That this House further regrets the ministry agreeing to borrow without approval"

MR. SPEAKER: It is coming on a point of order.

MR. LUNDRIGAN: A point of order. Will the damnable leader just relax un momento, quite down, have a drink - "Without prior approval of the House the sum of \$50 million in excess of the amount needed to defray the expenditures approved by the legislature in respect to the fiscal year which ends March 31, 1977." Now I do not know, I am only just speaking right from my feeling at the moment, without having researched anything, but I do not know if that statement is a correct statement. And in that respect -

MR. ROBERTS: The hon. gentleman must raise a point of order. the hon. gentleman is not raising a point of order, he is musing

MR. LUNDRIGAN: I am not musing, I am just raising it. It says here - it is one thing to say that the House regrets or the sub-amendment is "that the House regrets the borrowing of \$50 million without prior approval", so that it can be debated, so that it can be voted on and so that the opposition can get the opportunity to express their grievance as has been expressed -

MR. ROBERTS: What is the point of order?

MR. LUNDRIGAN: Mr. Speaker, I wonder if I can have the attention of the hon. House here because I am getting on to my point of order. There is no rule that says I have got to have twenty seconds of a point of order.

MR. ROBERTS: No, but you have to have a point of order, you agree on that.

MR. LUNDRIGAN: Mr. Speaker, I wonder can you keep that member quite, please.

MR. SPEAKER: Order, please! The hon. gentleman is recognized on a point of order and the Chair is waiting for his point of order.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: Yes, Your Honour, I am getting on to it. Mr. Speaker, I trust that Your Honour will bear with me, Us fellows from Island Cove have a little trouble, we are not up to the sophistication of the member for Pringle Place. Just to go on, Your Honour, the amendment that has been indicated that "That the House regrets the borrowing of \$50 million without prior approval." And that to me is what I understood Your Honour to approve in saying that it was in order, it never elaborated on the main amendment, it was within the confines and all the rest of the language that Your Honour so ably presented.

I am now in possession of the amendment for the first time, and I have had a chance to look at it, and I am reading here, "\$50 million in excess of the amount needed to defray the expenditures approved by the legislature in respect to the fiscal year, March 1977." Now I am only just feeling this, but I understood, my hon. colleague, the Minister of Finance, to refer to the \$50 million being raised

MR. LUNDRIGAN:

with no respect to the exceeding of expenditures in 1977 ending in March and also, I believe I remember, if I am not mistaken, some reference to the fact that the expenditures to be used for with the \$50 million have to do with another fiscal year, am I not mistaken on that, is that just my impression or is it something that is a fact? I just want to raise it. If in fact this amendment is stating something which is not in accordance with the facts but a sub-amendment, then I raise the point of order that the sub-amendment must be out of order, not on the basis of the framework in which it was presented but in terms of the factual aspect of the amendment.

MR. ROBERTS: I am not sure it was a point of order because the hon. gentleman from Grand Falls said he was feeling his way, and I would submit that is the blind attempting to lead the sighted, Mr. Speaker..The amendment makes some factual statements which I submit are quite correct."The House further regrets," that is a matter of opinion,"the action of the ministry in agreeing to borrow," that, Sir, is a factual statement."The ministry have agreed to borrow, without prior approval of the House," that, Sir, is a matter of record,"The sum of \$50 million," that is agreed,"in access of the amount needed to defray the expenditures approved by the legislature in respect to the fiscal year - financial year which ends on March 31, 1977,"

MR. ROBERTS:

or, I am sorry, two or three weeks from now. Mr. Speaker, that statement is quite correct. The monies which have been authorized by the House were approved by the Supply Bills adopted during the 1976 session, the session now prorogued, the session which preceded this. There may be supplementary supply. There may very well be supplementary supply but the ministry have made no request for that, Sir. The amount of money, and the authority for that statement is nothing less than the Minister of Finance who told - I was not in the House, so I know not what he told the House - but he told the province at large that this \$50 million that the ministry borrowed the other day -

MR. LUNDRIGAN: On a question of -

MR. ROBERTS: On a question of nothing, Mr. Speaker.

MR. LUNDRIGAN: On a question of privilege -

MR. ROBERTS: Mr. Speaker, the hon. -

MR. SPEAKER: The hon. member raised on a question of privilege. I must hear him.

MR. LUNDRIGAN: Mr. Speaker, I find here there is something which offends my privileges and I hope the privileges of the House. Every time the Leader of the Opposition stands in his place to get involved in debating a point of order he has the subtle skills, which maybe a very sophisticated skill, to be able to enter into debate. He is now there and he is continuously doing this. He is talking about the debate which has taken place in the public, all kinds of comment about the \$50 million which is totally irrelevant to the point of order and this is a continuous approach by the Leader of the Opposition.

MR. SPEAKER: Order, please! I do not see that there is a point of privilege.

MR. ROBERTS: Thank you, Mr. Speaker. Mr. Speaker, if I might continue, the point I was making is that the expenditures which have been approved by the House for the current financial year, the year which ends on March 31, 1977, total so many hundred million dollars. In fact, they

MR. ROBERTS:

total approximately \$1 billion but the figure is irrelevant because they total \$50 million less than the amount of money which the ministry have raised either by taxes, by means of payments which we have received from the Government at Ottawa under one head or another, or by the amount which they have raised on loans. The authority for that statement, Sir, is nobody less, and nobody of lesser stature, than the Minister of Finance.

Mr. Speaker, the hon. gentleman for Grand Falls has made no point of order. This is twice now he has stood in the House and one time he was musing and the other time he was feeling his way. Sir, that is an abuse of the privileges of this House in every sense of the word. If the hon. gentleman has a point of order he should stand and make it, state his case, and other hon. gentlemen, if they are permitted by Your Honour, will state their views and Your Honour would make a ruling. Your Honour has ruled the amendment in order. The hon. gentleman for Grand Falls has not made a challenge to the accuracy of the statements in the amendment, and I submit he cannot make a valid challenge because the statements are correct. But the fact remains he has not even made a challenge, Sir. He has just stood up, and again, if Your Honour were to read the transcript of the hon. gentleman's intervention in the debate, it is not a point of order, Sir, it is simply telling us, the House, that he is confused. Well, Sir, that is not the point of a point of order. He tells us that all the time, Mr. Speaker, but we do not need a point of order for that. The place for him to say that is in the debate.

MR. LUNDRIGAN: Mr. Speaker, on that point of order. Mr. Speaker, this is something which is getting somewhat aggravating. You cannot stand in your place on a question of order when the hon. Leader of the Opposition is doing so and challenge his remarks. Now I find myself in a position - I have not been too vocal this particular session, trying

MR. LUNDRIGAN:

to play the rules of the game a little bit in this House of Assembly. The hon. Leader gets up and makes reference to a number of broad spurious kinds of comments which have nothing to do with the point I have raised. I raised a question in this House about whether in fact the amendment is based on fact. That is the question I have raised as a point of order. He gets up and talks about the blind leading the blind, and then his final comments were somewhat derogatory and if Your Honour permits that kind of comment from the Leader of the Opposition then you cannot really use any other mechanism, Your Honour, but to rise on questions of privilege, which I did in the middle of his remarks to try to defend myself as a member. This kind of stuff is a wee bit aggravating. My point of order, to put it more precisely, is that I challenge that the statement is a factual statement. If the member rises from Windsor-Buchans and makes an amendment saying that he regrets or further regrets that the government has violated some law, therefore doing such and such, which is in fact not true, then maybe the intention might be a correct intention to be an amendment, but the fact that it is based on would make the amendment or the sub-amendment unacceptable.

I am suggesting, Your Honour, and I suggested it was a gut feeling on my part, it was something that I perceived from reading the amendment that the comment at the end of the amendment or the sub-amendment about the use of and the borrowing practises of the government through the recent Alberta issue is not in accordance with the facts

MR. LUNDRIGAN:

as I understand it, and I would like comment and I invited comment from the Leader of the Opposition, to make his point and deflect from what I am saying.

MR. SPEAKER: Order, please!

I think that I have heard the main gist of the hon. minister's remarks. I did not interrupt him because I hesitated. I may well should have. But I certainly could not allow it to go without comment after, and that would be the kind of remark, you know, "If, Mr. Speaker, you are going to allow this then I naturally have the right to do this or to do that." I draw it to the hon. gentleman's attention that I regard this improper.

MR. SPEAKER: The hon. the member for Burgeo-Bay d'Espoir.

MR. SIMMONS: To the point of order.

MR. SPEAKER: This is the point of order?

MR. SIMMONS: This is on the point of order that the minister has raised. I would call it at best, a pretended point of order, in a veiled way, to question Mr. Speaker's ruling. I believe, Mr. Speaker, if the minister has seriously and sincerely raised it as a point of order I would speak to it in this fashion. The test of whether the minister agrees with the statement advanced by my colleague from Windsor-Buchans (Mr. Flight) in his sub-amendment, the test of his agreement will come when he gets an opportunity to vote on it. The fact, Mr. Speaker, that the minister may disagree with an allegation in a sub-amendment, or in any motion for that matter, does not make it untrue. All it does is submit to the public record his disagreement with it, and we already anticipate that he may well disagree with it. But that of itself does not make it wrong.

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Mr. Speaker, to the same point of order. I am not debating at all the fact that Your Honour said that the motion is in order. But what I will say is this, that the phraseology of the motion is in fact very incorrect. It says here "that the expenditures approved by the legislature in respect to the financial year which ends

PREMIER MOORES:

December 31, 1977. The fact is, Sir, that the fiscal -

MR. HICKMAN: March.

PREMIER MOORES: March rather. The Fiscal Loan Bill that was approved last year of \$197 million had \$60 million to run of which this \$50 million was part of it. So factually, Sir, it is very incorrect and very misleading.

MR. ROBERTS: Mr. Speaker, according to that, Sir, the Premier is trespassing in a debate because one of the subjects of debate is going to be the 1976 Loan Act and whether it permitted this borrowing or not. Furthermore, with reference to the statements about whether the money is to be spent this year or next year, which is a germane part of the sub-amendment, the Premier himself, who took advantage of my absence from the House to make an attack upon me on Monday, said that the money is to be spent - and I quote page 1720 of Hansard, quoting the Premier, the sentence in its entirety is "that \$50 million fits within that \$197 million." Well that is the advice the Premier has. But in fact the money will be used for next year. But under the authority of the House we have every right to borrow it this year.

The sub-amendment, Sir, speaks of borrowing. It also speaks of money in excess of the expenditure authorized this year. I think the Premier would have to agree with me that as it now stands the government have no authority to spend any of that \$50 million during the current fiscal year. They may or may not get authority to spend it in respect of the current year when they are sup-supplied. They may or may not get authority to spend it for next year. As it now stands that \$50 million will come into the till on March 9 or March 10 when somebody goes out to Edmonton to sign the bill, to sign the loan agreement, and it will stay in the till unless and until the House authorizes its expenditure. That is the point. There are no factual inaccuracies in the sub-amendment, Mr. Speaker, in my view.

One can certainly debate the fact of the borrowing of the \$50 million without prior approval of the House because, Mr. Speaker, that -

MR. ROBERTS:

and the debate will hinge on this - whether the Loan Act as adopted by this House last year - and Bill No. 45 I think it was - in effect constitutes prior approval or not. But that, Sir, as my friend from Burgeo-Bay d'Espoir said, is the matter on which the House must record its opinion. And I would suggest, Sir, that can be done only after we have debate. The Premier would certainly be expected, and I would very much hope would make a statement, perhaps give us an indication of the advice on which he and his colleagues have acted. We on this side would raise our arguments, Sir. The House could decide.

But there are no factual inaccuracies, Sir, in the sub-amendment as it stands, Mr. Speaker.

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Mr. Speaker, on the point of the fact of what we are talking about, our Financial Loan Bill gave authority to

PREMIER MOORES: this House— or this government to borrow up to \$197 million, of which there was some in excess of \$60 million left, with the authority for this Province to borrow up to \$197 million. Now the expenditures of that money, Mr. Speaker, must be done within the expenditures approved by this House or interim supply or whatever the case may be. But the ability to borrow was the Fiscal Loan Bill which was for \$197 million of which we have still not reached the maximum. And to try to make pretend that we are not allowed to borrow that, Mr. Speaker, is wrong.

AN HON. MEMBER: The motion is out of order.

MR. SPEAKER: Order, please! Order, please! Just to clarify the matter so that there is no confusion between the first point of order and the second one; the first point of order was a ruling to the effect that the sub-amendment was in order on the grounds that were put forward and that was on its relevance and on the specific sections of Beauchesne quoted. The question now, one of order, is from quite a different perspective and deals with allegations of fact in the sub-amendment.

I have heard different views from both sides as to the accuracy of the allegations or the meaning of the allegations and I have to satisfy myself on certain factual data. I would therefore propose, and would find it necessary, to have the time to do that and would give a ruling at the earliest opportunity which I would certainly presume would be when we meet tomorrow.

Shall we call it five-thirty?

MR. ROBERTS: Because Your Honour has not ruled whether the amendment is in order or not.

MR. SPEAKER: No, not under this contention. Is it agreed we call it five-thirty?

The first matter for debate is the question of the

MR. SPEAKER: export of Churchill Falls power. The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, we in this Province have a perfectly good precedent for either taxing or exacting a royalty on the power developed by the Upper Churchill and exported to the Province of Quebec.

The Government of Canada itself, Mr. Speaker, instituted a tax on oil and gas exported to the United States and the Government of Alberta, a fellow province, has built up huge cash reserves by imposing a royalty on its oil at the well head.

Common sense, Mr. Speaker, therefore indicates a very close parallel. Churchill Falls power to us, Sir, is the same as oil to the Province of Alberta, with the difference that Alberta's resource is depletable, non-renewable, whereas electricity from the Churchill Falls we have in perpetuity.

Mr. Speaker, let our government vigorously pursue this matter of imposing a provincial tax on every kilowatt of power leaving the Province from one of our principle present day resources, and there will be no need for borrowing the \$50 million or any other amount from Edmonton or from any other capital of North America, Mr. Speaker.

So let us drop our timid attitude. Let us go ahead and impose our tax or our royalty, and if the customer, Sir, which in this case happens to be Quebec Hydro, if the customers for the electricity for the power that is being produced at the Upper Churchill, if they object to this tax then, Mr. Speaker, they have two alternatives. They can either

MR. NEARY: refuse to accept the power or they could take their case to the courts for a decision.

Mr. Speaker, I submit to this House that if the shoe was on the other foot, Quebec I am sure, Sir, would not hesitate for one moment to impose a tax on us or any other province of Canada to which they were exporting a very valuable natural resource such as the power generated at the Upper Churchill.

Mr. Speaker, these are no times for indecisiveness and timidity, for cautious debate amongst the lawyers. What we need right away, Sir, is vigorous, instant action by the Government of this Province. We must take the initiative Sir, for a change, and go on the offensive, and

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Mr. Neary:

this is what our people expect of us, Mr. Speaker, and that is why we are here as elected representatives of this hon. House to make decisions in the best interest of the people of this Province.

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

MR. PECKFORD: Mr. Speaker, the hon. member obviously does not understand some very basic little facts about the Upper Churchill power or the Upper Churchill contract and all the rest of it. When the hon. gentleman says that there is no difference between hydro power in Labrador and oil or gas in Alberta, this present government has argued that point as it relates to transmission of that in the same way as Alberta transmits oil to Eastern Canada.

However there is one big difference between what the Government of Alberta has done as it relates to royalties on its natural resources, namely, oil and gas, versus the kind of situation that we are in as it relates to the sale of hydro power on the Upper Churchill. And the main difference is this; is that right now as far as the Upper Churchill contract is concerned there is an established agreement, legal agreement that was signed some time ago before this administration took office, which is statutory. In the Alberta case - so therefore the comparison is not valid - in the Alberta case they established royalties on oil and gas that they were going to sell, into agreements that they were going to make, they did not break any established statutory agreements in order to implement the royalty situation on their oil and gas.

So the comparison between the two provinces as it relates to oil in Alberta, power in Newfoundland, is invalid, totally incorrect, erroneous. There is no such comparison that can be made. We have a statutory agreement between -

MR. NEARY: You do not know what you are saying. The hon. minister does not know what he is talking about.

MR. PECKFORD: - a corporate entity that operates the Upper Churchill facility, and with Hydro-Quebec that is statutory, that details the rates that are to be paid, which is entirely different

Mr. Peckford:

than is the case in the royalties that are being charged by the Province of Alberta. Now there is where - and there is a big, big legal question as it relates to that. And this government, as I have indicated a couple of days ago, has investigated, and is continuing to investigate all means at its disposal to try to bring to this Province the best deal that we can get legally. And that is where the position stands.

Now we -

MR. NEARY: -That is what I am saying.

MR. PECKFORD: Mr. Speaker, as it relates to the business of their being a commonalty or a comparison as it relates to transmission, we have indicated to the Federal Government, the Premier has on a number of occasions, I have, and many other ministers have, that we do not see difference in the transmission of hydro power and the transmission of oil, and that the Federal Government has a real responsibility in this sphere to provide the kind of transmission facilities for power, hydro power, as they do for oil and gas. That comparison is valid.

MR. NEARY: Is the minister saying we cannot put in the agreement now?

PREMIER MOORES: No we cannot.

MR. PECKFORD: But we cannot -

PREMIER MOORES: Not as a Province, no.

MR. PECKFORD: - we cannot as it now stands because of the statutory agreement it is in. Because of the many repercussions in the bond market and so on relating to that statutory agreement, that it cannot be done. And there is no comparison, a valid comparison between the two.

SOME HON. MEMBERS: Oh, oh!

MR. PECKFORD: Mr. Speaker, the hon. member from LaPoile's comments as they relates to indecisiveness and timidity, that is completely unfoounded, untrue. We are now, for example, Mr. Speaker, as I have indicated before in this House, wrapped into other

Mr. Peckford:

agreements related to our resources. For example, on the Kitts-Makkovik uranium deposit, on other agreements that were signed years ago, which are not in the best interest of this Province in 1976, that we have got to try to negotiate in a sensible manner with the corporations to, on the one hand, indicate to them that we are eager to see development of this Province, and on the other hand, to indicate to them that we do not want the resources of this Province and their value to go out of this Province. Now that is almost a diametrically opposed situation that I, as one minister, find myself into day because of policies implemented by the former Liberal Administration which are not in the best interest of this Province. And we will continue to be decisive on these kinds of agreements, these Liberal agreements to try to make them P.C. agreements, so that we will do the kind of development that all the people in this Province want.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The second subject _____

Mr. Speaker.

for debate deals with the hiring of married persons for a project at Hampden.

The hon. member for Burgeo - Bay d'Espoir.

MR. SIMMONS: Thank you, Mr. Speaker.

Mr. Speaker, the provisions of the Human Rights Code, which was passed by this House in 1970, and then amended by the House in 1974, are fairly clear on the point that I have raised in my question, the point I wish to pursue this evening. Section 9 of that Human Rights Code, as amended in 1974, now reads: "No employer or person acting on behalf of an employer shall refuse to employ or continue to employ or otherwise discriminate against any person in regard to employment or any term or condition of employment because of that person's race, religion, religious creed, sex, marital status, political opinion, colour or ethnic, national or social origin."

Mr. Speaker, that particular section is pretty clear, and it says, for our purpose this afternoon, that you cannot refuse to hire a person simply because he happens to be married or single, black or white, Anglican or Roman Catholic. You cannot do it for any of these reasons. You cannot refuse to hire him. The act, Mr. Speaker, goes on to point out just to - perhaps I should read the rest of that section. It says, "But this sub-section does not apply to the expression of a limitation, specification or preference based on occupational qualification." Now were the hon. Minister of Social Services saying that the job we want done married men can do better, and here are the job requirements and married men have these requirements where single men do not, then he would fit within the ambit of the act, because he would have demonstrated that for a reason of occupational qualification the married person was to be selected over the single person. Of course, Mr. Speaker, as we know that is not at all the case unless they are into some particular field of endeavour that he has not told us about out there, some particular pursuit where the married

Mr. Simmons.

man is allowed to do it, but the single man is not allowed to do it. Otherwise it is clear, Mr. Speaker, that that section of the act is being violated by an employer. And the only possible saving clause, Mr. Speaker, for the minister is this, that if the act specifically excludes - or let me put it another way. If the act fails to make provision for the government, as an employer, to be included in that section, and we know, of course, that if there is not a specific inclusion on these matters then the government is exempt from that kind of legislation. But as it happens, Mr. Speaker; a check of the original act, 1970, which has not been amended on this point will demonstrate the following, and I quote Section (3): "The prohibitions contained in this act apply to and bind Her Majesty in right of the Province and every agency of Her Majesty in right of the Province." Mr. Speaker, as we can all see that section, Section (3) of the Human Rights Code, 1970 clearly says that the government of this Province, as an employer, is not exempt from the provisions of the act as I referred to them a moment ago. The government, the Province and, therefore, the minister's department and the minister and any of his agents, any of his subordinates are clearly bound by the provision of this code as it makes reference to any possible discrimination against a person because of his marital status.

Mr. Speaker, in view of the case which I have laid out and supported by the Human Rights Code and its amendments of 1974, I submit, Mr. Speaker, that the action of the minister and his agents in Hampden in refusing to hire single men is a serious and it is a very flagrant abuse of the law by the minister.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: It is an abuse of the law, Mr. Speaker, in which he is being aided and abetted by the Minister of Justice, the Attorney General for this Province.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: On a point of order.

MR. SPEAKER: A point of order has come up.

MR. MARSHALL: I think, Mr. Speaker, it is entirely out of order to insinuate that any member of this House is abusing the law and aiding and abetting the abusing of the law, and I think

MR. MARSHALL: it is not only out of order, Mr. Speaker, but I think it calls for an immediate withdrawal of the person who is uttering it.

SOME HON. MEMBERS: Hear! Hear!

MR. SIMMONS: To the point of order, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: Mr. Speaker, if I might. Mr. Speaker, the hon. gentleman from St. John's East (Mr. Marshall) is perhaps correct in his rule but wrong in his application in this case. My colleague is not accusing hon. gentlemen opposite of any criminal act or any infamous act, he is giving his opinion, which I submit is entirely in order and I submit further it is correct in this case on the facts, that the refusal of the Minister of Social Services to hire single men as opposed to married men is an abuse of the law in that certain sections of the act, which the gentleman from Burgeo-Bay d'Espoir (Mr. Simmons) has quoted, require that people not be discriminated against on the basis of marital status which in the view of my colleague is what is being done.

It is one thing to say you have to withdraw a statement if you are accusing an hon. member of some criminal or infamous act, but the hon. gentleman has not done that. He has simply said that it is an abuse of the law. I think that is in order, Sir, I do not think he should be required to withdraw it and I do not think he said anything that is out of order.

MR. SPEAKER: The hon. member for Burgeo - Bay d'Espoir.

MR. SIMMONS: Mr. Speaker, to the point of order of course what I did say in case the member for St. John's East (Mr. Marshall) did not hear too clearly, is that he is being aided and abetted in his action in Hampton. Had I wanted to approve that he is in abuse of the law I need only quote his own words from yesterday's Hansard when he admitted he was

MR. SIMMONS: indeed violating the law.

MR. SPEAKER: Order, please! The rephrase or the allegation that an hon. member is abusing the law or aiding and abetting another in abusing the law, one does not to my knowledge find that phrase in any list of unparliamentary terms. As hon. members, and as May will authenticate, there is no list per se and it depends on context and other factors, basically context.

I personally would regard the allegation that a member of the House is abusing the law or aiding and abetting a person in abusing the law, as at least a very derisive reference to another member and could well be insulting language and therefore would rule that it should not be applied. Those terms should not be applied to hon. members.

MR. SIMMONS: Mr. Speaker.

AN HON. MEMBER: Withdraw!

MR. SIMMONS: I will take my instructions from Mr. Speaker.

Mr. Speaker, I had no intention -

MR. HICKMAN: On that point of order.

MR. SPEAKER: Order, please!

MR. SIMMONS: Mr. Speaker, the point of order has been disposed of.

MR. SPEAKER: There is another point of order.

MR. HICKMAN: Another point of order.

The Chair has ruled the hon. gentleman out of order. I now ask that as part of his unparliamentary action was directed and derisive and insulting action was directed toward me, that the Chair direct the hon. gentlemen to withdraw their remarks unconditionally.

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

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

MR. ROBERTS: Your Honour made a ruling to which we listened, and Your Honour said that the statements were in Your Honour's opinion, I think Your Honour used the word "derisive" to describe them. Your Honour did not request the gentleman from Burgeo-Bay d'Espoir (Mr. Simmons) to withdraw. Your Honour's ruling is surely an indication to the hon. gentleman from Burgeo-Bay d'Espoir, and to all of us that henceforth in this House this language is not to be used again. Well that is straightforward. There are any number of cases, Mr. Speaker, where the Chair has ruled a particular phrase out of order without requiring the hon. member who used the phrase to withdraw it.

The hon. gentleman gave his opinion. It was an honest opinion. I think it was a valid opinion, but Your Honour has ruled that the particular words are not to be used. So obviously they will not be used again.

Your Honour did not ask the hon. gentleman to withdraw it. If Your Honour does ask him to withdraw it then either he does or takes the consequences. But the fact remains Your Honour did not ask him to withdraw it and so he did not withdraw it. He is proceeding with what is left of the five minutes which I guess are probably nearly up, but he should be allowed to finish his remarks.

MR. FLIGHT: Trying to kill his five minutes. Hear! Hear!

MR. SPEAKER: I regard this as a separate point of order, and that is that the hon. gentleman has stated his opinion that a term, allegation like that, should be withdrawn by the hon. member, and obviously everything that is out of order one is not called upon necessarily to withdraw. There are matters or allegations or terms which when ruled out of order an hon. member certainly has a right to request that they be withdrawn and then depending upon the nature of it, either the hon. member who said it will withdraw it or be directed by the Chair to withdraw it, and I now call upon the hon. gentleman to withdraw the remarks.

MR. SIMMONS: Thank you, Mr. Speaker.

Mr. Simmons.

Mr. Speaker. I withdraw without qualification. And in so doing I make it clear that I shall always take my instructions from Mr. Speaker, and not from other members of this House.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: Mr. Speaker, I have said, Mr. Speaker, that I believe in view of the act which is clear on this point that what is happening in Hampden is outside the law. It is my strong personal feeling, Mr. Speaker, that it is very much outside the law. I believe the onus is on the Minister of Justice and the Minister of Social Services to do one of two things, to either see that the law is obeyed in Hampden in respect to the matter I am discussing or, Mr. Speaker, in the proper parliamentary sense, to see that the law is changed. The operative argument here is not one of need. There is no question that the men that the minister is employing are men in need of employment. That is not the issue. But the issue is, does the need justify a breach of the law? I submit it does not. Either we do it within the law or we change the law which will then enable us to do it within the new law.

I believe, Mr. Speaker, this situation is a very serious matter, particularly in view of the minister's admission of yesterday, and I quote, "If that is a violation of the Human Rights Code, then I intend to carry on." Now, Mr. Speaker, I believe that that is a flagrant attitude, and one that should not be permitted of a minister.

MR. SPEAKER: I have to remind the hon. gentleman that his time is up.

MR. SIMMONS: Are not the points of order taken out of my five minutes?

MR. SPEAKER: According to our Standing Orders and precedents they -

MR. SIMMONS: Well they obviously, Mr. Speaker, did not want to hear it. I know it is not something they particularly want to hear, but there will be another time.

MR. SPEAKER: The hon. minister.

SOME HON. MEMBERS: Hear, hear!

MR. BRETT: Mr. Speaker, it is with a certain amount of pleasure that I have the opportunity to debate this particular subject this afternoon. The only regret I have is that I only have five minutes. But I do thank the hon. gentleman over there for giving me this opportunity. Because ever since the day that I introduced this programme into this House, the hon. members from the other side have been playing partisan politics. And on that particular day when I did introduce it, we saw the Leader of the Opposition -

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

MR. SPEAKER: A point of order.

MR. SIMMONS: Mr. Speaker, the minister's statement about what we have been doing since we have been in the House, whether partisan politics or whatever, is completely irrelevant to the matter under debate. And as I understand it, Mr. Speaker, the rules of normal debate apply here, and I would think the rules of the Question Period where he ought to respond to the question which has been raised. And I would submit, Mr. Speaker, that a general rambling and not particularly intelligent discussion about what we have been doing here since we came, is completely irrelevant to the subject under discussion, not, Mr. Speaker, to even comment on what it says for the minister's understanding of what we have been doing here, but that is another issue. The fact of the matter is, he is now, Mr. Speaker, engaged in another flagrant abuse of the rules when he ought to be speaking to the item under debate and confining his remarks to an answer to the point I have raised.

MR. NOLAN : To that point of order.

MR. SPEAKER: On that point of order.

MR. NOLAN: I merely rise to point out to my hon. friend opposite, which I have never done I do not think to the best of my knowledge before, that he would appear to be suggesting motives.

Mr. Nolan.

which he should not have according to the rules of this House in his remarks. I am not sure that he meant it as such, but maybe it is in the passion of the moment. He probably feels very strongly about this situation. But I am sure he would not want to attempt to impugn motives on behalf of hon. members opposite, particularly those who, perhaps, were not involved in the debate at all.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: On that point of order. Certainly as far as I know the hon. minister was relevant in his remarks. His remark to the extent that something was politically influenced - I believe that was it - certainly I do not regard that as an imputation of false motives. Frequently gentlemen to my right have accused the government of being politically biased and gentlemen to my left have risen to the challenge and called hon. gentlemen opposite them, politically influenced. I do not think that that is regarded in itself as an imputation of an unworthy motive.

The hon. minister.

SOME HON. MEMBERS: Hear, hear!

MR. BRETT: Mr. Speaker, we are debating the particular programme that my department is administering at this particular time, and I was about to say that the day that I introduced this programme into this House

Mr. Brett.

I witnessed - I think all of us did - the Leader of the Opposition put on a, what I would class, pitiful display of the ignorance of the basic philosophy of social welfare.

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

MR. SPEAKER: A point of order.

MR. SIMMONS: Mr. Speaker, the minister, of course, is within his rights to respond to the matter that I have raised, and he should take his full five minutes to do so. He has got about one and one-half minutes left, Mr. Speaker. He should take his full five minutes to do so. But, Mr. Speaker, he should use none of this five minutes to make a vicious, personal, low, unbecoming attack on the Leader of the Opposition.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: It is unbecoming even of that member, Mr. Speaker. He should retract or be named here before the House.

MR. BRETT: Sit down! Sit down, boy!

MR. SIMMONS: It is shocking! It is disgraceful, absolutely disgraceful!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, that most assuredly is not a point of order. I leave it up to Your Honour to decide what it is. But it most assuredly is not a point of order.

MR. LUNDRIGAN: What is wrong? Are you sick?

MR. SPEAKER: The hon. member.

MR. SIMMONS: Mr. Speaker, for the Minister of Justice particularly. I heard the Minister of Social Services - I got all the time in the world, Mr. Speaker - Mr. Speaker, I heard the Minister of Social Services make some derogatory, degrading remarks about the Leader of the Opposition, and the rules of this House do not permit him to do that, Mr. Speaker, and he should be asked to withdraw without qualification.

MR. SIMMONS: No, I am not a rhetoric from the Minister of Justice, Mr. Speaker.

MR. SPEAKER: Order, please!

I certainly have to draw to hon. members' attention what developed today into using points of order in order to accomplish what one would hope that they would do in substantive debate. Certainly the use of points of order on all sides has not been something which to be recommended. As I understood the hon. gentleman's remarks, it was an allegation that the hon. Leader of the Opposition was ignorant of social welfare programmes or philosophies or some such matter, not an allegation that he was, in fact, personally anything. It was with respect to that. And while obviously one might agree or disagree with it, it was not a personal allegation. However, the hon. gentleman's time is now consumed.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The next subject -

AN HON. MEMBER: Not letting it get you are you 'Charlie'?

MR. SPEAKER: Order please! Order! Order!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. member for Terra Nova on ferry operations.

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: Mr. Speaker, in view of the high passion that is apparent, it is probably quite appropriate that such a meek and mild, conciliatory person as I should be speaking now.

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: Mr. Speaker, the question relates to the necessity of some regulatory body to which ferry operators must be answerable. In asking the minister the question _____ he suggested to me that the CTC was the regulatory body. Before I get into that, Mr. Speaker, I want to say that I have got no intentions to dwell on the abominable and deplorable conditions of the two ferry terminals that the St. Brendan's ferry service uses or to talk of the inadequacy of the system. Because I am living in hopes, and I trust that I am not being overly or unnecessarily optimistic, but I am living in hopes that these matters will be taken care of in the near future. But, Sir, my concern is that the ferry service be regulated by some body, by some provincial body. Now I mentioned that the minister said that the CTC was the regulatory body, and my information tells me that the CTC have no legal authority with which to control the operation of ferries in this Province. And, of course, for the benefit of all members I am talking about the ferry services such as St. Brendan's, and the one to Fogo Island as opposed to the Port aux Basques - Argentina and the Bell Island ferry system. So my information tells me that the CTC, they do not have any authority, or any legal authority to control the operation of the ferry services in this Province.

Mr. T. Lush:

Indeed, Sir, there seems to be no regulatory body to look after (1) to see that the residents served by these services have good quality service. And secondly, there is no regulatory body to control the increase in fares. Right now it seems to be at the whim and the will of the operator. And if he so decides to up the fares then the people have nobody to go to. They just have to take these increases. And, Mr. Speaker, I do not think it should be this way. I think that the people served by these ferry services should be allowed to express their viewpoints as to whether or not the fares are justified, and to be able to express their viewpoints with respect to the service.

And, Mr. Speaker, if there is some other body in Ottawa that is looking after this matter, I would suggest that it is too far removed to have somebody, some regulatory agency in Ottawa to regulate the operation of the ferries in this Province. I think, it is too far removed.

Mr. Speaker, I have gotten the impression that the government have tried to abdicate their responsibility or to get rid of their responsibility with the respect of operation of these inter-provincial ferries, financially or otherwise.

Now I will give the hon. Minister of Transportation and Communications full marks and full credit for trying to get all the money he can from Ottawa to upgrade and improve these services. But that in itself - or to improve the terminals and to improve the boats used in the ferry service - but that in itself will not guarantee (1) good quality service, and the people who are using these ferries have no one to go to with respect to objecting to increases in fares.

And, Mr. Speaker, I submit that the least the Province can do, if they are going to rid themselves of financial responsibility, financial involvement with respect to the operation of ferries, then the least they can do is to see that there is some regulatory body in this Province to ensure that the residents using these services are provided with a good service and that they have some body, some agency

Mr. T. Lush:

to go to with respect to fare increases.

Mr. Speaker, just in closing I want to say it can be done, we have got a Ferries Act - and the Bell Island ferry system comes under that one - and we do have the mechanism to regulate ferries in this Province if the government will take action.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister of Tourism.

MR. T. HICKEY: Mr. Speaker, I will attempt to shed some light on the subject, in the absence -

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

MR. SPEAKER: A point of order.

MR. ROBERTS: To my knowledge, Sir, it has not been dealt with in the House, and I raise it for a ruling. The question which my friend from Terra Nova (Mr. Lush) was addressed to the Minister of Transportation and Communications. And we are now under the provisions of Standing Order 31 (g) and particularly (h). My colleague from Terra Nova gave notice under Standing Order 31 (g), and Your Honour has carried on with the procedure from there. Standing Order 31 (h), Mr. Speaker, which is found on page 19 reads, and I think I am reading the relevant portions, but of course they are portions: "The member raising the matter may speak for not more than five minutes. The minister, if he wishes to reply, may speak in reply for not more than five minutes."

Now my question, Sir, the point of order is this, the hon. Minister of Tourism is not the Minister to whom the question was addressed. The minister is not in the House. I assume he is away on public business, but that is beside the point. He is not in the Chamber at this time. The question is whether a minister may substitute for his colleague? I think, Sir, there are arguments on either side, and I am not objecting to the Minister of Tourism speaking, but I do want the matter settled if we can, Sir. The Standing Order, we must look to the word says "The minister".

Mr. Roberts:

There may be precedents, Sir, but the precedent cannot overrule the words of the Standing Orders, Sir. We had that at some length earlier in this session. And the Standing Orders says "The minister". And the only minister to whom the word "The" can refer must obviously be "the" minister to whom "the" question was addressed.

Now that is substantively the point I wish to make, Sir. If Your Honour were to rule that my point is valid, then I for one would be quite content to give the hon. gentleman from St. John's East Extern (Mr. Hickey) leave to speak in behalf of his colleague. I do not wish to deny a member of the ministry the right

MR. ROBERTS: [redacted] to speak, but I do feel, Sir, that the point should be settled. As I said there are precedence I am aware, but the precedent, Sir, in my view and Your Honour's ruling recently, the reference I make here, the authority for it, a precedent cannot in itself overrule Standing Orders, Sir. The Standing Orders must be supreme. The Standing Orders says, "The minister if he wishes to reply," not a minister, but "the" minister and it must refer to "the" question and thus obviously the minister to whom the question was addressed.

SOME HON. MEMBERS: Hear! Hear!

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

MR. LUNDRIKAN: On that point of order. The hon. minister has a death in his family, his wife's father. Also based on that it would be hoped that the Leader would follow the precedence that has been set here when ministers for various reasons have spoken on behalf of their colleagues and I hope that will be the ruling in this particular case.

MR. ROBERTS: Mr. Speaker, first of all my colleague from Lewisporte if at all possible will be back here this evening and [redacted] I do not know why the Minister of Transportation is away, [redacted] I certainly accept what the hon. gentleman says, and I [redacted] for one will give leave and I am sure my colleagues will, but I think the point should be resolved so we have it settled for once and for all. Do ministers speak for their colleagues by right or do they speak by leave? The question is asked of a specific minister.

MR. MURPHY: That is an earth shattering statement.

MR. ROBERTS: It is a good point.

MR. HICKMAN: It is approaching six, I therefore move that the remaining order of the day do stand deferred and

MR. HICKMAN: that this House on its rising -

MR. ROBERTS: You cannot when we are on a point of order.

MR. HICKMAN: -- do adjourn until tomorrow at ten of the clock.

MR. ROBERTS: The adjournment motion is not in order if a point of order has arisen.

MR. SPEAKER: A point of order is still before the Chair and I would, if it had any effect, I would you know rule on it now but obviously it is not going to affect anything because nobody will be able to continue speaking, that will give me the opportunity to give it more thought and I will do so between now and tomorrow.

There was a motion before the Chair to adjourn and I understand that the hon. -

MR. HICKMAN: Until ten tomorrow.

MR. SPEAKER: Is it agreed that it will be until ten tomorrow. Those in favour "Aye" -

MR. ROBERTS: Before Your Honour puts the question, is it the intention of the government to ask the House to sit tomorrow afternoon or just tomorrow morning from ten till one? And is the first item on the Order Paper tomorrow to be Rulings by the Speaker to replace Statements by Ministers?

MR. MURPHY: No, seventy-eight points of order.

MR. ROBERTS: Seventy-eight points of order.

MR. SPEAKER: Those in favour "Aye," contrary "Nay", carried.
The House stands adjourned until tomorrow, Friday, 10:00 A.M.

I N D E X

ANSWERS TO QUESTIONS

TABLED

MARCH 3, 1977

MAR 3 1977

REPLY BY THE HONOURABLE MINISTER OF REHABILITATION AND
RECREATION TO QUESTION # 20 (F. ROWE TRINITY-BAY DE
VERDE) ORDER PAPER FEBRUARY 8, 1977

There is only one Youth Advisory Council in
the Province established under the Nfld. & Labrador Youth Commission
Act. This Act was passed during the 1976 Sessions of
the Legislature and proclaimed in October of 1976.

MAR 3 1977

#151

MR. NEARY (LaPoile) - To ask the Honourable the Minister of Health to lay upon the Table of the House the following information:-

- (1) Who are the members of the Medical Care Commission at the present time?
- (2) What office does each member hold on the Commission?
- (3) State remuneration or salary paid to each individual member of the Commission in 1976.

ANSWER:

The present members of the Medical Care Commission are as follows:

Mr. Neville Ralph
24 Slattery Road
St. John's

Chairman

Dr. I. R. Woolfrey
17 Birch Avenue
Grand Falls

Member

Mr. Roger Crosbie
6 Taffes Lane
St. John's

Member

Mrs. Kathleen Neal
80 West Valley Road
Corner Brook

Member

Dr. C. U. Henderson
188 Waterford Bridge Road
St. John's

Vice-Chairman

Mr. John Lloyd
P. O. Box 363
Gander

Member

Dr. H. J. Blackwood
8 Falkland Street
St. John's

Member

Mr. Edward Noonan
Pine Line
Torbay

Member

Mr. Ambrose Hearn
Department of Health
Ex-officio member

Mr. R. C. Moores
Medical Care Commission
Ex-officio member

The Chairman of the Commission is paid \$150.00 per month plus \$75.00 per meeting attended, while the other members (excluding ex-officio members) are paid \$50.00 per month plus \$50.00 per meeting attended.

During the year 1976 the following payments were made:

Mr. Verne Somers, Chairman	\$2,700
Dr. N. J. Lush, Vice-Chairman	1,000
Dr. C. U. Henderson	1,150
Mrs. Kathleen Neal	1,100
Mr. Neville Ralph	1,100
Mr. Edward Noonan	1,000
Dr. I. R. Woolfrey	950
Mr. John Lloyd	850

MAR 3 1977

REPLY BY THE HONOURABLE MINISTER OF REHABILITATION AND
RECREATION TO QUESTION # 111 - ORDER PAPER FEBRUARY 15, 1977
FROM MR. NEARY (LaPoile)

Escapes from the St. John's School for Boys for the period
January 1, 1976 to January 31, 1977, a total of 6 escapes involving
3 boys. The dates are as follows:

<u>Month</u>	<u>No. of Escapes</u>	<u>Returned</u>
May 20	2	May 21
June 5	3	June 7
July 17	1	(returned after six hours)

Escapes from the Whitbourne School for Boys for the period January 1, 1976 to January 31, 1977, a total of 24 escapes involving 15 boys. The dates are as follows::

<u>Month</u>	<u>No of Escapes</u>	<u>Returned</u>
March 23	2	April 1
March 23	1	September 18
March 25	1	April 3
May 18	1	May 21
June 9	1	June 16
June 16	1	June 25
June 21	2	June 25
July 27	1	September 10
July 28	1	August 27
August 26	2	August 27
September 10	1	(still out)
September 26	1	September 28
October 21	1	January 21 (Released)
October 22	2	October 23
December 6	1	December 7
December 2	1	(still out)
December 30	1	January 10
January 5	3	January 14 (1)
		January 16 (2)

Escapes from the Pleasantville School for Girls for the period January 1, 1976 to January 31, 1977, a total of 31 involving 16 girls. The dates are as follows:

<u>Month</u>	<u>No. of Escapes</u>	<u>Returned</u>
January 26/76	2	February 6
February 11	2	(returned in less than twelve hours)
April 6	2	April 9 (1) April 27 (1)
May 27	2	May 28
September 12	1	September 21
September 14	1	September 16
September 17	2	September 18
October 22	2	October 28
November 5	1	November 7
November 7	2	November 11
November 20	2	November 24
November 25	1	November 28
December 25	3	January 4 (1) January 5 (1) January 27 (1)
December 23	2	January 16
December 27	1	January 15
December 28	1	January 14
January 6/77	2	January 10
January 8	1	January 15
January 15	2	January 24 (1) January 27 (1)

MAR 3 1977

REPLY BY THE HONOURABLE MINISTER OF REHABILITATION
AND RECREATION TO QUESTION #122 - ORDER PAPER FEBRUARY
17, 1977 FROM MR. NEARY (LaPoile).

I would indicate that I have made no visits outside
of Canada on public business since January 1, 1976.

MAR 3 1977

#4

MR. NEARY (LaPoile) - To ask the Honourable the Minister of Health to lay upon the Table of the House the following information:-

- (a) What is the total cost of the swine vaccine program in Newfoundland and Labrador?
- (b) Number of persons vaccinated.
- (c) (i) Amount of serum purchased and not used.
(ii) Value of serum presently on hand.

ANSWER:

- (a) The cost of the Influenza Vaccination Program is estimated to be approximately \$243,800. However, until the Province is billed by Health and Welfare Canada, the exact figure will not be known.
- (b) The number of persons vaccinated was 11,124.
- (c) (i) The amount of monovalent vaccine ordered was 194,000 doses. None of this material was

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used due to reports of complications associated with its use. Forty-two thousand (42,000) doses of bivalent vaccine were ordered. Of this, 30,000 doses (approximately) were not used.

- (ii) Value of vaccine ordered but not utilized to date is estimated to be approximately \$226,600. An exact figure cannot be provided until the Province is billed by Health and Welfare Canada.