

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
3:00 p.m. - 6:00 p.m.  
TUESDAY, DECEMBER 1, 1981

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

STATEMENTS BY MINISTERS

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I want to table a letter that I have today sent to the Minister of DREE in Ottawa reading as follows: "Dear Mr. de Bane: I was pleased to hear a Liberal M.P. from Newfoundland, Mr. Brian Tobin, indicated that there was an increase in the money available to your department as a result of your government's recent budget. It was further indicated that the increase was over \$100 million, bringing the total for your department to \$700 million. I was especially pleased to hear of this information in light of the fact that the Budget Speech itself gave little mention to your department, considering that the Minister of Finance is from a 'have not' province. I found this most disquieting.

"As you know, I have been attempting to meet with you during this past year so that some of the eight DREE proposals the Province has presented to your department could be signed. Unfortunately, each time a meeting has been arranged, you have had to postpone the meeting. For the record, the following dates had been arranged: November 17, 1980, December 15, 1980, January 6, 1981, March 13 and 14, 1981, May 25, 1981, May 28, 1981, July 6 and 7, 1981.

"It is critical that we get moving on these agreements. I am ready at any time to meet you to finalize and sign the proposed agreements that have been put forward by the Province.

PREMIER PECKFORD: "Surely, it is inconceivable that the DREE budget as a whole would be growing and, at the same time, the amount of funds from DREE to this Province, the Province most in need, would be falling.

"I look forward to a meeting at your earliest convenience to discuss your department's ongoing commitment to this Province and the signing of a number of agreements."

I table this letter now, Mr. Speaker, for the information of hon. members in the House.

SOME HON. MEMBERS: Hear, hear.

MR. HODDER: Mr. Speaker.

MR. SPEAKER (Simms): The hon. member for Port au Port has approximately one and a half minutes.

MR. HODDER: Mr. Speaker, I will ask the Premier first, since he did not have the courtesy of sending the letter over to this side of the House, did he say an increase of \$100 million in the Dree budget?

PREMIER PECKFORD: Yes.

MR. HODDER: Thank you.

Mr. Speaker, I would just like to say that this is typical of the way that this government accepts \$100 million from Ottawa.

PREMIER PECKFORD: Not for us, no. (Inaudible)

SOME HON. MEMBERS: Oh, oh!

MR. HODDER: Well, I mean again in listening to the Premier, I asked the question -

PREMIER PECKFORD: (Inaudible) I am happy for the \$100 million.

MR. FLIGHT: When will you learn to negotiate?

MR. HODDER: Yes, perhaps when the Premier learns to negotiate with Ottawa. You know, I should say to the Premier

MR. HODDER: that there has never been a statesman who has ever been a great statesman who was a confrontationalist unless he went to war, physical war. The great men of this world -

PREMIER PECKFORD: The constitution (inaudible)

SOME HON. MEMBERS: Oh, oh.

MR. HODDER: - were people who were diplomats and people who could negotiate, if you look back through history. Now I also say to the Premier that my information from Ottawa is this, that on everyone of the DREE agreements that are now under consideration by the federal government that the people who are negotiating these agreements are stalling from the provincial point of view on every one of them. As a matter of fact, Mr. Speaker -

SOME HON. MEMBERS: Shame, shame!

MR. SPEAKER (Simms): Order, please!

MR. HODDER: - I had word from Ottawa, they wondered what was going on down here in Newfoundland because they were,-

SOME HON. MEMBERS:

Sit down! Sit down!

MR. HODDER:

- the provincial government -

MR. SPEAKER (Simms):

Order, please! The hon.

member's time has more than expired.

SOME HON. MEMBERS:

By leave.

MR. SPEAKER:

Is there leave?

SOME HON. MEMBERS:

No.

MR. SPEAKER:

I am sorry. While I am standing may I, on behalf of hon. members, welcome the newly elected mayor from the Town of Botwood in the district of Exploits who is seated in our gallery today, Mayor Harry Bartlett.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Further statements?

The hon. Minister of Fisheries.

MR. MORGAN:

Mr. Speaker, I am indeed today very pleased to be able to inform the House of Assembly that the provincial government has reached a solution to the problem of the closure of the fish plants in Hermitage and Bellecram.

SOME HON. MEMBERS:

Hear, hear!

MR. MORGAN:

This solution, Mr. Speaker, comes in the form of a negotiated settlement between all ten parties involved in a dispute that will result in the two plants reopening under a new operator, Fishery Products Limited, at the beginning of the New Year and, Mr. Speaker, it will see all fishermen and all the plant workers in the area receive full payment for all the monies owed to them as a result of the plant closures back in June.

SOME HON. MEMBERS:

Hear, hear!

MR. MORGAN:

As well, Mr. Speaker, all the parties have now agreed to drop all legal actions that were before the courts.

The negotiations to settle the dispute were commenced by the provincial government in September as a result of the recommendations made by Mr. Graham Mercer

MR. MORGAN: in his report as a one man commission appointed by the Province to look into the whole fishery situation on that part of the Province, on the Connaigre Peninsula.

Financial assistance from the provincial government, plus an investment by Fishery Products, resulted in a settlement being reached by all parties concerned.

I can safely say, Mr. Speaker, that this settlement is welcome news to me and I am sure welcomed news to my colleague, the member for the area, Mr. Don Stewart, and the provincial government as a whole. I also believe, Mr. Speaker, that it is welcome news for not only the fishermen and plant workers effected, but for all the people on the Connaigre Peninsula. Not only does it pave the way for the fishery in that area to return to normal, but it also lifts the cloud of uncertainty that has been hanging over the economic future of these people for some time.

As most members of the House are aware there have been major disruptions in the fishery on the Connaigre Peninsula for the past four years that have resulted in adverse economic and social impacts on the whole area. The most recent disruption was the closure of these two plants in the month of June

MR.MORGAN: at Hermitage and Belleoram affecting some 500 fishermen and, at the peak of employment, approximately 175 plant workers. When one considers the fact that these fishermen and plant workers are spread out over eleven different communities with a total population of approximately 4,500, then the economic and social impact created by disruptions in their only major industry is indeed considerable. In response to this overall situation, the provincial government appointed a one-man commissioner, and before I go any further, Mr. Speaker, I would like to say that one-man commissioner, Mr. Mercer, is in our gallery today and we all welcome him here.

SOME HON.MEMBERS: Hear, hear!

MR.MORGAN: Mr. Mercer was appointed to look into the whole situation on that part of the Province with his terms of reference "to enquire into all matters related to these social and economic conditions pertaining among the people and the communities of that peninsula with particular reference to the fish catching and processing industry in that area."

Mr. Mercer made his report to government in September, early in September, and he made the principal recommendation, and I quote the recommendation: "That government take all actions available to it to obtain the full, complete, and unrestricted possession of the facilities at Hermitage and Belleoram, and that they do it "immediately." "That two such actions be in the form of a negotiated settlement, or the enactment of special legislation to expropriate these properties. And further that government sell or lease the facilities to a person or company at the earliest date for the maximum benefit of the people in these communities."

Mr. Speaker, the government accepted that recommendation and felt it would be in the

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MR. MORGAN: best interests of all concerned to pursue a negotiated settlement rather than opt for expropriation. To do this we immediately appointed a team, led again by Mr. Mercer, Mr. Graham Mercer, and consisting of top officials from the Department of Fisheries and from the Department of Justice. And since then they have been constantly holding meetings with all parties involved attempting to reach a settlement. Besides the Newfoundland government the other parties involved were Touche Ross Limited, the receivers for Seawater Products (Nfld) Ltd., the company, Seawater Products, Mr. Wallace Roberts and Mrs Catherine Roberts, principals of the Seawater Products Company, Dr. Clifford Dobb, an Ontario investor in Seawater Products, the Royal Bank of Canada, Fishery Products Limited, and also a Mr. Jack Grant, an Ontario businessman and again an investor in Seawater Products. These efforts and all these meetings reached a successful conclusion at a final meeting which took place last Friday morning .

Because some of the minor



MR. MORGAN: details remain to be cleared up before all the legal documentation is finalized, I am not at liberty at this time to reveal the full details of the agreement because of the legal documents being drawn. However I can say that to enable the negotiation to reach this settlement, the Provincial government agreed to provide the sum of \$765,000, and in return for that the Province received full and clear title to all the land, the buildings, the equipment, and building expansions connected with these two fish plant operations.

In all, these assets now include the land, the buildings, equipment and major extension to the plant at Hermitage; also the land, the buildings, and the equipment and a cold storage facility at Belloram.

The remainder of the money, Mr. Speaker, will be used to pay in full the monies owed to the fishermen and the plant workers and also to satisfy the debts of the other parties involved in the dispute.

In addition to the Province's contribution, the new operators of these two fish plants, Fishery Products Limited, have invested the amount of \$300,000 for the right to use these two fish plants and to also enter into a lease agreement with the Province for the use of these two facilities.

Mr. Speaker, I say in conclusion that I feel confident that this solution will have the much needed positive economic impact on the Connaigre Peninsula that the Province had hoped it would. Our main concern in this situation was to find a means of not only getting these two fish plants re-opened but keeping them open on a regular and uninterrupted basis. Through the successful pursuit of Mr. Graham Mercer's recommendation of settling the dispute

MR. MORGAN: by negotiation, I firmly believe that we have achieved this goal. Both the fishermen and plant workers can now look forward to the return to normal of their fishing industry. And also, as I mentioned, they receive full payment for all monies that were owed to them when the plants were closed in June.

Some might feel the solution was a long time coming, Mr. Speaker. However, it must be recognized that any negotiations that involve 10 different parties is a time consuming process. As well, I feel that in view of the economic and social circumstances, the route we followed was not only the best one for all concerned but the one that will produce the most long-term benefits.

So, Mr. Speaker, on behalf of the Provincial Government, the Premier and this government, and myself as his minister, I want to extend our sincere thanks and appreciation to Mr. Graham Mercer and the members of his negotiating committee for a job very well done.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): The hon. member for LaPoile has approximately four minutes.

MR. S. NEARY: Mr. Speaker, the people of Belloram and Hermitage will indeed be pleased to hear that Fishery Products are returning to their communities to operate the fish plant in these two communities. Hon. members are aware that Fishery Products had been in there once already, did a satisfactory job and got kicked out! And, Mr. Speaker, so this indeed will be welcome news by the people in these two communities.

Now I do not understand the arrangement that the hon. gentleman spelled out there for us. It is my understanding that the fish plant in Hermitage was built by the provincial government and it was some kind of a strange and peculiar arrangement that the hon. gentleman made in the beginning that got the situation into the mess that it was in.

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: So really what they are doing, Mr. Speaker, is they are undoing a mess that they created themselves. It was of their own creation. I do not know if this is a new philosophy of the party, a new policy or not. The situation was indeed long being unravelled, and I tip my hat to Mr. Mercer for being able resolve the problem through negotiations. It was a long time coming, as the minister admitted in his statement. Perhaps, Mr. Speaker, now after four years trying to straighten out two small fish plants, one in Hermitage and one in Belloram, the provincial government may employ the services of Mr. Mercer to tackle Grand Bank and Gaultois and all the other fish plants in Newfoundland that are having serious problems and to try to straighten out the crisis in the fishery. These people in Grand Bank and Gaultois and other communities are living under that same cloud of uncertainty that the hon.

MR. S. NEARY: gentleman referred to in his statement.

So, Mr. Speaker, the only thing that I can say is that we will have to wait and see what these minor details are. It would seem to me that they are not very minor details. There is a fair amount of provincial money involved here, about close to \$1 million.

MR. MORGAN: \$765,000.

MR. S. NEARY: I beg your pardon?

MR. MORGAN: \$765,000.

MR. S. NEARY: And what about the \$300,000?

Is Fishery Products putting that in on their own?

MR. MORGAN: An investment.

MR.S. NEARY: An investment. So close on \$800,000 of provincial money involved right up front, Mr. Speaker. What I would like to see - I will have to wait, I will have to reserve my judgement -

MR. MORGAN: And there is the bill from the fishermen.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: I will have to

MR. NEARY: reserve my judgement on the distribution of that money.

SOME HON. MEMBERS: Oh, oh!

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

MR. NEARY: I will have to reserve judgement to see how much of that goes to the previous owners of these plants that were built out of taxpayer money. I am not sure if the matter has been -

MR. MORGAN: The expansion was built by the company, Seawater.

MR. NEARY: The expansion was built by the company. The original plants were built by the government, who turned them over to Seawater in the beginning, originally. Anyway, Mr. Speaker, I am sure it will be a good Christmas present for the people of Hermitage and Belleoram.

SOME HON. MEMBERS: Hear, hear!

#### ORAL QUESTIONS

MR. SPEAKER: The hon. the member for Grand Bank.

MR. THOMS: Mr. Speaker, I would like to direct a question, if I may, to the Minister of Transportation (Mr. Dawe). On the Burin Peninsula this past weekend the roads were extremely slippery, as I would suspect they would be in other parts of the Province. But on Monday morning there were four accidents which occurred between St. Lawrence and Burin, involving four different motor vehicles, and it came very close to another major accident where there was a bus transporting thirteen students to the school in Salt Pond. An inquiry was made to the Superintendent of Highways on the Burin Peninsula, and he advised that the policy of the minister's department now in respect of sanding was that sanding would not start until eight o'clock in the morning.

MR. THOMS: Now, as the minister knows, most people on the Burin Peninsula are at work at eight o'clock in the morning. They are not politicians, they are at work. Is this in fact the policy of the minister's department, not to start sanding roads in this Province until eight o'clock in the morning?

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

MR. DAWE: Mr. Speaker, the policy of the department, of course, is to keep the roads in adequate condition twenty-four hours a day. The directions in the policy are that the hours of work, when a specific shift is not on, there is a member of the district or the region involved cruising the roads to determine whether in fact the roads need additional work. If, in his opinion, the roads need sanding or in fact whether the snow plow should be called out at any time in the day, he has authority to do so. In other words, we have twenty-four maintenance of our roads in the Province. All it takes is that if the road conditions are such that the foreman who is travelling the roads at night or sometime when the shift is not on, all he has to do is call out the necessary crews and the work will be done.

MR. THOMS: A supplementary, Mr. Speaker.

MR. SPEAKER: The hon. the member for Grand Bank.

MR. THOMS: Mr. Speaker, can the minister explain to me why this particular section of road, Salmonier Hill between St. Lawrence and Salt Pond

MR. THOMS:

Burin was not sanded at eight o'clock in the morning if the policy of the department is as the minister says it is? There is something contradictory; either the superintendent or the people on the Burin Peninsula in that department are not doing their work or there is a policy to that effect.

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

MR. DAWE: Mr. Speaker, I cannot comment on specifics of that particular instance but I will certainly check into it for the hon. member and find out what the reasons were. But the policy of the department is that there is twenty-four hours surveillance on the road systems in the Province, and if and when required the crews will be called out at any time within that twenty-four hour period.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, there seems to be an awful lot of concern and a lot of people are forecasting a crisis in road maintenance this coming Winter because of a new policy on the part of the minister in connection with just one crew, one crew involved in snow clearing and maintaining icy highways this Winter. Would the hon. gentleman care to elaborate on a statement that I heard him make this morning that that indeed was a fact, that there would only be one crew hired this year for snow clearing and maintenance of roads during the coming Winter?

MR. THOMS: How can he have twenty-four hour service with one crew?

MR. SPEAKER: The hon. Minister of Transportation.

MR. DAWE: Mr. Speaker, I have no idea what the hon. member heard or thinks he heard. The situation is that this Winter is exactly the same as last Winter. Through a better utilization, we think, of staff and equipment, there is in place a maintenance management programme. In most districts of the Province last year there was only one shift at work during

MR. DAWE: the full Winter. In other parts of the Province, where it became necessary, there was a second shift hired on, in the Western part of the Province and on the Northern Peninsula and so on and in parts of Central Newfoundland. And where that becomes necessary again this Winter there will be a second shift hired on.

The method used now is that there is a single shift; there is, for the rest of the twenty-four hour period, personnel involved in checking the road conditions throughout the particular region. And as I indicated before, if and when it becomes necessary to have the crews on the road to either take care of ice conditions or to take care of snow conditions, that person has the authority, as foreman, to call out the necessary personnel. If that involves at some point in the year a second shift, then that will be done as well.

MR. NEARY: Supplementary, Mr. Speaker.

MR. SPEAKER (Simms): Supplementary, the hon. member for LaPoile.

MR. NEARY: Mr. Speaker, do I understand the hon. gentleman correctly? Is he saying that there will be no cutbacks in the crews that will be hired for snow clearing and maintaining roads this coming Winter? Is the hon. gentleman saying that the regular crew that is hired for snow clearing this time of the year will indeed be hired? Is that what the hon. gentleman is saying?

MR. SPEAKER: The hon. Minister of Transportation.

MR. DAWE: Mr. Speaker, what I indicated was that the level of service to the people of this Province will be maintained at the same level that it has always been maintained at, and if and when it is necessary to hire on the extra crews, that will be done.

MR. NEARY: Final supplementary, Mr. Speaker.

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



MR. NEARY: Could the hon. gentleman indicate the state of the equipment? Here it is December 1st., and I had a complaint this morning from the Port aux Basques area that the only grader they had in the area to scrape the ice off a very treacherous road this morning leading to Grand Bay West was broke down, and that they would have to get a replacement grader and it would probably take a couple of days from some other part of the Province. And coming down on Sunday from my own district - and I have to commend the Highways people in that particular part of the Province, in Port aux Basques, for the way they cleared the road - but when we hit the minister's own district, I never saw conditions on the highway so treacherous as they were in the minister's own district. Would the hon. gentleman tell the House now the state of the equipment? And, Mr. Speaker, to follow up on what the member for Grand Bank said, are instructions issued to the Highways Depot to salt and sand and clear highways twenty-four hours around the clock, or have they been instructed that they are only to salt and sand highways certain time of the day, say, starting like early morning?

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

MR. DAWE: I have answered the third question already, Mr. Speaker, and I guess if the hon. member wants to go back and read Hansard he can find out what the answer was.

The fact of the road through my district, I happen to drive across the Province on Sunday evening, leaving Codroy Valley at six in the evening and driving through, and getting into St. John's at four-thirty in the morning, specifically to have a look at the road conditions across the Province. So I am very familiar with the road conditions, not only in my own district but all across the Trans-Canada.

MR. DAWE: The level of maintenance of equipment is kept at the highest possible level, Mr. Speaker. The maintenance foreman, the people involved in the department are top notch and they do an excellent job.

SOME HON. MEMBERS: Hear, hear!

MR. DAWE: Unfortunately, no one can foresee sometimes a particular breakdown in a particular area. If that occurs, then whatever is necessary to be done to get a piece of equipment to fill in is done as quickly as possible. I doubt very much if it will take two or three days, as the member indicates. But certainly it will be done as quickly as possible.

MR. SPEAKER (Simms): The hon. member for Windsor-Buchans.

MR. FLIGHT: I will yield for a supplementary.

MR. SPEAKER: Yields for a supplementary by the hon. member for St. Barbe.

MR. BENNETT: Yes, Mr. Speaker, my question is also to the Minister of Transportation. The hon. Minister of Transportation, I understand, drove across on Saturday. Apparently he did not drive across -

MR. LUSH: Sunday. Sunday.

MR. BENNETT: Oh, Sunday. I am sorry. I drove across on Friday night, after the House of Assembly closed, it must have been midnight when I drove between Grand Falls and Gander and I met quite a number of transportation

MR. BENNETT:

trucks parked by the side of the road unable to move. They were completely annihilated by the road conditions. And I was driving twenty miles an hour, Mr. Speaker, myself. And after I get home I have a call from the President of Hawk Industries wondering if I saw his equipment anywhere along the highway. His equipment hauls lime to this East Coast from Daniel's Harbour mines, and it costs a lot of money to park vehicles by the side of the road, heavy equipment like that, Mr. Speaker. And I am wondering if the hon. minister is suggesting that the road between Gander and Grand Falls on that night - and I travelled that night and absolutely nothing was on the road in the way of snowclearing equipment and six inches of slush and it was quite hazardous - so I am wondering if that, Mr. Speaker, area in itself is being neglected or if it is not the minister's responsibility to have that section cleared? Because that was an area that was totally neglected and I am wondering how the minister feels about having such atrocious conditions for roads.

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

MR. DAWE: I would suggest, Mr. Speaker, that the indications there were slush on the road meant that at least the sand trucks and salt trucks were out a little earlier.

SOME HON. MEMBERS: Oh, oh!

MR. DAWE: Mr. Speaker, those of us who have spent a great number of years travelling the roads of this Province learn to expect that at different parts of the Province you will encounter during a Winters drive varying weather conditions. And it would be nice, I suppose, to have all Summer conditions and to be able to have, perhaps

MR. DAWE: a heated highway so that the snow and ice would not stick to it. This is a little beyond the capabilities of this or any other administration that I am aware of. The work will be done in the same efficient manner as it has always been done and will be done if and when it is necessary. We have very capable foremen in the various districts of the Province to travel the roads and will make that decision based on a great deal of experience in dealing with the roads in their area, Mr. Speaker.

MR. NEARY: Do not be so arrogant.

SOME HON. MEMBERS: Oh, oh!

MR. DAWE: And he will certainly, if and when he determines necessary, make sure that the necessary equipment is made available.

SOME HON. MEMBERS: Hear, hear!

MR. BENNETT: A supplementary, Mr. Speaker.

MR. SPEAKER(Simms): A supplementary, the hon.  
the member for St. Barbe.

MR. BENNETT: Mr. Speaker, my supplementary  
is directed to the hon. the Minister of Transportation  
(Mr. Dawe). Will the Minister of Transportation notify  
people who last year worked for his department, and are  
hoping that they might be employed again this year, that  
they will or they will not be employed for this year's  
snow clearing operations? These people have mortgages  
to meet, Mr. Speaker, and they are living in suspense,  
they are wondering if they too have to pack their bags  
and go to the mainland to seek employment when, indeed,  
they should be working with the Department of Transportation  
with which they worked last year.

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

MR. DAWE: Mr. Speaker, I indicated  
earlier that in some districts of the Province Winter  
conditions indicate that it will be necessary to put on a  
second shift. That will be determined by the staff in  
the area, in consultation with the management staff in  
St. John's, to decide when the appropriate time to bring  
on the second shift will be.

My understanding is that the  
people who would normally be called back have been  
notified of this situation. It is very difficult, because  
we are dealing with an inconsistency with the weather, to  
be able to establish the specific date when they would be  
employed a second shift, or when that shift might terminate.  
It has been indicated to them, and if and when necessary  
the second shift will come on.

MR. BENNETT: A final supplementary.

MR. SPEAKER: A final supplementary, the  
hon. the member for St. Barbe.

MR. BENNETT:

Thank you, Mr. Speaker.

The minister, I take it, is suggesting - from previous statements, not at this moment said, but previously - that you call out workers which operate over and above and eight hour shift. I am wondering if the minister's department feels that this will save money, paying overtime? Sometimes a man is on the job more than twelve hours, most certainly more than eight if it is overtime. If he works more than forty hours a week it is recognized as overtime. Is the minister suggesting that by paying overtime his department is saving money?

MR. SPEAKER(Simms):

The hon. the Minister of Transportation.

MR. DAWE:

Mr. Speaker, it has been indicated over the past couple of years that this is in fact true, that in areas where a second shift was in place and was not necessary at all, at the time it was found that the actual work time involved in the second shift was somewhere in the neighbourhood of 30 per cent. When it reaches a point of overtime on a single shift, where they start getting into where it would be better, economically better to have on a second shift than to pay some overtime, then that certainly will be a consideration,

MR. DAWE:

but our experience to date is that it is much more economical to continue and still provide the same level of service by paying overtime in certain instances.

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER (Simms):

The hon. the member for

Windsor - Buchans,

MR. FLIGHT:

Thank you, Mr. Speaker.

I have a question for the President of the Council, Mr. Speaker, Newfoundland's Acting Minister -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! Order, please!

MR. FLIGHT:

- the Minister of Energy

(Mr. Marshall).

The question, Mr. Speaker, is:

In the past year we were led to believe in Newfoundland and in this House of Assembly that Mobil Oil would be presenting its development plans for offshore either in late Summer 1981 or the Fall of 1981. Obviously, we are into the Winter of 1981, and there do not appear to be any development plans presented to this point in time. Would the minister tell the House what the status is now, why they have not been presented and when we can expect the development plans of Mobil to be presented?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, the development plan that is required to be presented by Mobil is a plan that has been required to be presented pursuant to the provincial regulations that the hon. gentlemen oppose, as well as the hon. gentlemen oppose our efforts to gain control of our offshore. Given that that is the situation,

MR. MARSHALL: Mr. Speaker, Mobil have been informed that the Government of this Province require a development plan to be provided and, of course, this will be a plan as to the way in which Mobil plans to develop this resource in the offshore. Mobil is in the course, I understand, of preparation of the same and same will be provided in due course. If Mobil asks for any extensions of this, as far as the government is concerned, the government will examine such a request, but will examine it very stringently, because we are anxious to get on with the development of the offshore in this Province. And the development, of course, depends upon a resolution of the offshore issue, which in turn depends upon the outcome of the negotiations upon which the government is not going to comment. Suffice it to say, though, Mr. Speaker, that these negotiations themselves may not have even been necessary if the hon. gentlemen there opposite and their five fellows in Ottawa, who say 'Aye, aye, aye' to everything the federal government says, had agreed to support the Province of Newfoundland and realize the interests of the people of Newfoundland.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: A supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A supplementary, the hon. the member for Windsor - Buchans.

MR. FLIGHT: Mr. Speaker, this government have staked out, over the past couple of years, two or three positions that were non-negotiable with regard to our offshore. Now we have discussions, negotiations going on with Ottawa, we have development plans delayed. I am wondering if the government is still standing on - if these are still positions that are non-negotiable?



MR. FLIGHT:

The first one I would ask the minister about is the position that government took with regard to the gas that is present in the Hibernia structure. And the minister of the day - the government's position was, 'We will not develop the oil. We will not go into production and development of oil unless there is gas - on gas development there will be no clearing of gas or reinjection.' Mobil pointed out at the time and I am simply asking for the information, the operators pointed out at the time that that may be so but it could delay the development of oil. What is the position now? Is that still the position of government, that there will be no oil development without a concurrent development of gas?

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

MR. MARSHALL: Mr. Speaker, as tempted as I am to respond to the hon. member, I have to insist on the position taken by the government, which will continue to be taken during the course of the ongoing negotiations with respect to the offshore, that the government is not going to make one comment one way or the other with respect to matters pertaining to the offshore for fear that some statement that is made can be taken out of context and thereby endanger the negotiations themselves. And I am sure the hon. member can understand it. In due course the results of the offshore negotiations will obviously be made public, but I think that this is one instance, and there are certainly in the minority rather than the majority and very much in the minority, whereby public statements as to the position that the government has taken no matter what the question may be can only serve, I think, to derogate from the possibility of success in negotiations, the last thing that we would wish, Mr. Speaker.

MR. FLIGHT: Mr. Speaker.

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

MR. FLIGHT: May I remind the minister that my question was not related to the negotiations going on between Ottawa and Newfoundland. It was related to the discussions going on between the operators and the Province relative to the development of our resource out there. That question was directed to the minister in as far as his position with the developers, because they laid their position out very clear and the Province was not prepared to accept that position. So it has nothing to do with the development - my question has nothing to do with the

MR. FLIGHT:                   ongoing negotiations. It has to do with the government's position, the terms and conditions under which they will accept the development plan. Now let me ask the minister another question, Mr. Speaker. It was the government's position in this House that there would be no development of oil, no development plans would be accepted, the wells would stay capped for twenty-five years unless, one of the conditions would have to be, the reactivation of Come By Chance. Now I want to ask the minister is that still the position of this government, that no development will be accepted or no agreements will be gone into without the reactivation of Come By Chance being part of that deal? Now the previous minister stood in this House and there was a standing ovation given to him less than six months ago when he made that statement. Is that still the position of the Newfoundland government?

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

MR. MARSHALL:               If the hon. gentlemen there opposite, Mr. Speaker, are ever standing in a standing ovation to this government, if they ever did, Mr. Speaker, we would be very concerned. The fact of the matter is, Mr. Speaker, whilst the negotiations are ongoing I am not going to make any comment one way or the other with respect to it, except with respect to the Come By Chance oil refinery. The hon. member will recognize, and I know will give due credit to the fact, that it was through the efforts of this government that prior to - it appeared, Mr. Speaker, no so long ago when this government took office that unfortunately the prospects of the Come By Chance refinery were very dim. It appeared, Mr. Speaker, at that time that the British interest, Kleinwort Benson and the other financiers were about to dismantle the Come By Chance oil refinery like a mechano

MR. MARSHALL: set and move it somewhere else, and this government intervened. This government intervened, Mr. Speaker, to the extent that it was very fortunate in interesting Petro-Canada in the future of this and we have now Petro-Canada very, very, much involved in this particular refinery. And the hon. gentlemen there opposite can take confidence in the fact that we are going to do everything we possibly can with every ounce of energy we have to see that that refinery continues in operation and of course it would be most convenient for it to operate on the oil, the crude oil from the Hibernia structure. But

MR. W. MARSHALL: whether or not that occurs. Mr. Speaker, relates to the offshore negotiations. I hope I am giving the hon. member as much information as I can, but I refuse to respond to anything of what may be a pre-condition one way or another with respect to the ongoing negotiations.

MR. G. FLIGHT: A final supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A final supplementary, the hon. member for Windsor - Buchans.

MR. G. FLIGHT: Mr. Speaker, the backing off is becoming obvious, the backing off from positions is becoming obvious. Let me ask Newfoundland's acting Minister of Energy (Mr. Marshall) this: in Central Newfoundland over the weekend the Premier was making statements about this government's intention of moving oil from Come by Chance to Gander. And he was speculating as to whether we would be using a pipeline, whether we would be using high road modes. Now, Mr. Speaker, the question to the President of the Council (Mr. Marshall) is when the Premier was talking about the moving of oil from Come By Chance to Gander, was he thinking in terms of an immediate re-opening of Come By Chance? Does he know something we do not know? Is Come By Chance going to be re-opened? Or is the oil he is talking about moving from Come By Chance to Gander contingent on our getting into production and re-activating the Come By Chance oil refinery six or seven or eight years down the road?

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

MR. W. MARSHALL: Mr. Speaker, I will refrain from certain comments that I am tempted to make with respect to the hon. gentleman's question. But the fact of the matter is that the hon. the Premier was obviously referring to the re-activation of the Come By Chance refinery and the dedication of some of that product to the International

MR. W. MARSHALL: Airport at Gander. And this is what we will strive to do but at the present time, Mr. Speaker, that is a part of the periphery negotiations and is very much of a great deal of concern to us. But the major concern, of course, is the re-activation and the re-opening of the Come By Chance refinery.

MR. G. WARREN: Mr. Speaker.

MR. SPEAKER (Sims): The hon. member for Torngat Mountains.

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

MR. G. WARREN: I will yield, Mr. Speaker.

MR. SPEAKER: The hon. member for Torngat Mountains yields to the hon. member for LaPoile.

MR. S. NEARY: Would the hon. President of the Council (Mr. Marshall) indicate to the House whether or not the matter of the Come By Chance oil refinery was the subject of discussion during a recent visit to the Province by Petro-Canada officials, a subject of discussions between the officials of Petro-Canada and Mobil Oil will review to Mobil Oil re-activating the oil refinery at Come By Chance?

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

MR. W. MARSHALL: Mr. Speaker, that particular subject was a matter of discussion between officials of the government, including the Minister of Finance, and the Vice-President of operations of Petro-Canada with respect to the re-activation of the Come By Chance refinery. Certainly the prospects of Hibernia are a matter of very significance to the operation and the continued mothballing of the Come By Chance refinery. In actual fact, where there is a crude oil source so close to us that is one of the -

MR. FLIGHT: You are backing off it (inaudible).

MR. W. MARSHALL: Now, Mr. Speaker, if the hon. gentleman wants an answer I am prepared to give it, but I am not prepared to give it over the cat-calls of the member.

SOME HON. MEMBERS: Oh, oh!

MR. W. MARSHALL: You know, that was a matter of discussion between the government

MR. MARSHALL: and Petro-Canada. I am not myself privy to any discussions that occurred between Petro-Canada -

MR. FLIGHT: No wonder Leo Barry is out.

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: All right, Mr. Speaker. I will give the hon. gentleman an answer afterwards if he can keep his friend quite afterwards. I do not mind.

MR. WARREN: Mr. Speaker.

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

MR. WARREN: I yield.

MR. NEARY: Mr. Speaker, I have a supplementary.

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

MR. NEARY: The hon. gentleman confirmed that this was a matter of discussion between the Newfoundland Government and the officials of Petro-Canada. Did Petro-Canada indicate during these discussions that they would be offering the oil refinery at Come By Chance to Mobil Oil to reactivate even long before Hibernia came onstream, using a supply of crude oil that they had access to from other parts of the world, rather than wait for Hibernia oil?

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

MR. MARSHALL: No, Mr. Speaker, Petro-Canada is striving, and I believe earnestly striving, to get an alternate supply of crude oil from other areas of the world to get the refinery in operation in anticipation of the offshore development. And of course it would not be a 100 per cent operation but it would be somewhere in the vicinity of 50 per cent or 60 per cent. But I am not aware of any bilateral talks between Petro-Canada and Mobil with respect to that.



MR. SPEAKER (Simas): The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, my question is to the Minister of the Environment.

MR. THOMS: Who is he?

MR. WARREN: Some time ago, Mr. Speaker -

MR. NEARY: Is he dead or alive?

MR. WARREN: - there was a weather station belonging to the Germans found in Cape Chidley, Labrador, and I would just like to ask the Minister of the Environment who claims ownership of this weather station?

MR. NEARY: A good question.

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

MR. OTTENHEIMER: A very urgent question.

MR. ANDREWS: Speaking as the Minister of Culture, Recreation and Youth, responsible for historic resources of Newfoundland, the Government of Newfoundland does claim it.

MR. WARREN: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Torngat Mountains.

MR. WARREN: My supplementary, Mr. Speaker, could the minister clarify why the weather station was dismantled and taken up to Ottawa?

MR. SPEAKER: The hon. Minister of Culture, Recreation and Youth.

MR. ANDREWS: Mr. Speaker, the weather station being referred to is on loan to the Museums Canada people for restoration, for research, and for temporary storage until we find a proper place and have sufficient funds to restore it to its proper place.

MR. WARREN: A supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A supplementary, the hon.  
member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I would like for  
the minister to clarify, number one, temporary, and I would  
also like to ask the minister -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. WARREN: - I would also like to ask  
the minister - its proper place was where it was found - why  
was it not left where it was found?

MR. SPEAKER: The hon. Minister of Culture,  
Recreation and Youth.

MR. ANDREWS: Mr. Speaker, it was deemed by  
officials of our department, our museums people and in  
consultation with Museums Canada people, who are very much  
more expert at this type of matter, that the whole station  
should be preserved in the proper way, which means some  
classification of the equipment, some historic research,  
a proper housing of the facility, if it is going to be  
preserved at all to protect it from the weather.

MR. ANDREWS: The best people in Canada to do that are museum of Canada people. It is on loan to those people for those purposes. It does not belong to the Government of Canada.

MR. WARREN: A final supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A final supplementary, the hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I would like to ask the minister is it a policy of the government that he is part of of when they find any artifacts, as has been in the past several years, the first thing to do with them is ship them up to Ottawa or to Halifax or somewhere else. Why not keep them in the Province where they belong?

MR. SPEAKER: The hon. the Minister of Culture, Recreation and Youth has about fifteen seconds.

MR. ANDREWS: I am reminded by my learned colleague that it is the remnants of Naziism, and I certainly think it is, and it was very much of high technology of its day. It is not the policy of the Government of Newfoundland to ship artifacts out of the Province. As a matter of fact, Mr. Speaker, it is a declared policy of this government to keep all the artifacts within the Province, but we do recognize that there is expertise in these matters that we do not have in this Province and many other provinces for restoration, for historical research and that authority and ability is in Ottawa in many cases, and in some other provinces too where we borrow expertise. They also come to us, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The time for Oral Questions has expired.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

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

MR. MARSHALL: Mr. Speaker, on behalf of the hon. the Premier, I table the report of the Provincial Advisory Council on the Status of Women for Newfoundland and Labrador for the year ending March 31st, 1981.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

ORDERS OF THE DAY

Second reading of a bill, "An Act To Amend The Department Of Finance Act". (Bill No. 113)

MR. SPEAKER: The last day debate was ajourned by the hon. member for Eagle River (Mr. Hiscock), who I believe had spoken for approximately five minutes.

The hon. member for Eagle River.

MR. HISCOCK: Thank you, Mr. Speaker.

With regard to the re-organizing of the Department of Finance, it is extremely important to us in this Province to re-organize the department and as I said I am very pleased to see the government going in this direction. Also, just

MR. HISCOCK: making a comment, Mr. Speaker, I am rather pleased that we finally do have a solution to the Hermitage-Belleoram plant. But I am a little bit concerned. It took them four years. They have had a major disruption in that area, four years this government allowed the people to go through such economic problems in that area. And again, Mr. Speaker, I hope that this government also has a solution for the people of Gaultois - and we actually know that they are after writing Gaultois off and basically they will get into resettlement.

MR. MORGAN: That is the Liberal policy.

MR. THOMS: Can I quote you on that?

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

MR. SPEAKER (Simms): Order, please!

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

MR. MARSHALL: Mr. Speaker, perhaps it is just as well early in the afternoon to try to get the hon. member on track. We are debating a bill, "An Act To Amend The Department Of Finance Act", which is a restructuring of the Department of Finance. The hon. member is now talking - his first sentence was with respect to the re-opening of the Hermitage and Belleoram plants, now he is talking about Gaultois. It would seem to me, Mr. Speaker, that the principle of the bill does not admit to a debate which in essence is the same debate as one would have on a budget or Throne Speech.

MR. SPEAKER: Well, to the point of order, I realize that in previous days that debate has been fairly flexible, but I think it is a legitimate point of order and that second reading debate is supposed to be on the principle of a bill and members are supposed to try to confine their remarks to the principle of the bill. And the principle of the bill clearly is outlined on the inside page of the bill, Bill No. 113, and I would ask hon. members to try to contain their remarks to the principle of the bill and not to be irrelevant or else the Chair

MR. SPEAKER (Simms): will have to call the members to relevancy.

MR. HISCOCK: Mr. Speaker, but with regard to this bill being a money bill, I am sure as both sides of this government have had -

MR. SPEAKER: Maybe if I could just add further clarification, I do not consider the bill to be a money bill. It is not a money bill in the sense of a debate on money bills when you are debating estimates and so on. It is an administration bill and clearly the principle of the bill is there.

The hon. member for Eagle River.

MR. HISCOCK: The administration, Mr. Speaker, I would ask in some way some guidance for what I can say on this, if it is an administration bill or a money bill. The question that I have asked and I asked yesterday, what are we going to do when we do re-organize the Department of Finance and what are we going to be doing with the money? And that is the principle of the bill and that is the part that I am addressing, asking what we are going to be doing with this money once we collect it. With regard to that, there is no sense of organizing unless we have revenue coming in and I am very pleased that we are making a step forward, small as it may be, with the Hermitage plant and thereby getting more revenue coming into this department, and the Deputy Minister of Finance and the Comptroller have some money coming into their department. But the other part

MR. HISCOCK: that I am rather concerned with, Mr. Speaker, in this bill and in our own government, is what necessary cutbacks are going to take place under this reorganization of the Department of Finance and in what ways are they going to end up getting more money for the department? I will go as far as to say that we are going to see drastic cutbacks in education, in health, in social services, in transportation. The Minister of Transportation (Mr. Dawe) has basically said it today.

So with regard to that, Mr. Speaker, the Comptroller -

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

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

MR. MARSHALL: The point of order, Mr. Speaker, is this, that the hon. gentleman has adequate opportunity to discuss the items that he is talking about, he is talking about cutbacks in finances and what have you, and Your Honour has just a moment ago ruled quite rightly that this bill related to the administration of the Department of Finance and did not pertain to financial matters. Now, the hon. member persists in continuing on in this particular vein.

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

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

MR. NEARY: Obviously, the hon. the President of the Council this afternoon, Mr. Speaker, is trying to restrict and muzzle debate on this particular bill. Your Honour will recall yesterday afternoon we had a ruling, and I think Your Honour was in the Chair, that we could have a wide-ranging debate on this bill, because, Mr. Speaker, this bill does have far-reaching implications as far as the administration of the Department of Finance is concerned. It divides the two responsibilities,

MR. NEARY: Mr. Speaker, as I indicated yesterday. It separates the Comptroller of the Treasury from the Deputy Minister of Finance. Now we will have two individuals, a Deputy Minister of Finance and a Comptroller of the Treasury, and in the process of doing that, Mr. Speaker, and the application of the provincial Seal on all documents and contracts to be seen by the Comptroller before they are signed by ministers, all these items have far-reaching implications which makes it possible to have a wide-ranging debate on the Department of Finance on this particular bill.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Well, to the point of order, perhaps I can outline again what I see is the principle of the bill, and it is clearly contained in the explanatory note, I think, on the inside of the bill. It says, "This Bill would amend The Department of Finance Act to reflect the administrative changes in the structure of the Department consequential upon the creation of the separate position of Comptroller General of Finance as set forth in c.9 of the 1981 Statutes."

MR. NEARY: Financial Administration Act (inaudible)?

MR. SPEAKER: No, it reflects the administrative changes in the Department of Finance.

MR. NEARY: Yes.

MR. SPEAKER: Two departments.

So in my opinion that is the principle of the bill and members should try to contain themselves to what is in that principle. And I do not believe that long range, wide-ranging debate really is permissible.

MR. NEARY: Read the clause.



MR. SPEAKER (Simms): I have read all the clauses, I can assure the hon. the member for LaPoile (Mr. Neary), and I can assure hon. members as well that if the Chair feels a member is being irrelevant then he will have to call the member to order, because, as everybody is aware, parliamentary procedure is that on second readings members should contain their debate and discussion to the principle of the bill as outlined. I hope that is clear.

The hon. the member for  
Eagle River.

MR. HISCOCK: Mr. Speaker, other members spoke in this House with wide range. And with respect to the Chair, I hope that I will not continue to be interrupted and I will address myself to the bill.

With regard to splitting -  
the idea

MR. HISCOCK: of the Comptroller General and also the Deputy Minister of Finance, with regard to that reorganization, what effect is that having on the Minister of Transportation (Mr. Dawe) or the Deputy Minister? What effect is that going to have on the Department of Education and the Deputy Minister of Education? What effect is that going to have on the Minister of Fisheries and the Deputy Minister of Fisheries, and all the other departments? And it is going to have quite a range because it is going to give a splitting of the departments, and it is going to give both people a lot more power, and it is going to, again, as I said, split this department.

One of the things that I am asking, and I will ask the Minister of Finance (Dr. Collins) to address this when he does speak, what is it going to do to these departments? How much money is needed by these departments and what effect are the Comptroller General and the Deputy Minister - what are they saying to the various other departments in the necessary budget review that is taking place now, that the Minister of Education (Ms. Verge) admitted. What cutbacks are going to take place under this reorganization? And if we are not having the reorganization, Mr. Speaker, just for the sake of reorganization, we want, the people of this Province want and have the right to know the financial state of this Province. I believe that under this act, with the administration of the Department of Finance, we have the right to ask in this House for accountability. We have not been getting it from any of the ministers so far, and, as the member for Carbonear (Mr. Moores) said, and I totally agree with him, this government is operating under deception, deceiving the people of this Province, and

MR. HISCOCK: is deceiving them, for example, with the transportation, the crews, the cutbacks that are going to take place in Education and Social Services and that.

On of the things, again, that is a matter of concern to myself with regard to this bill is that with regard to the Department of Education we are going to have such cutbacks that we are going to go back -

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

MR. SPEAKER (Simms): A point of order has been raised by the hon. the Minister of Justice.

SOME HON. MEMBERS: Oh, oh!

MR. OTTENHEIMER: Mr. Speaker, the Chair ruled a few minutes ago that the principle of the bill dealt with the creation by this statute of a separate position of Comptroller General of Finance. The principle of the bill has absolutely nothing to do with any cutbacks or not cutbacks in the Department of Education, with more teachers or less teachers, more schools or less schools, it has absolutely nothing to do with that. And it is not that I really care one iota if the hon. gentleman wants to talk about that or not, but it is important, as a matter of fact it is essential, that the rulings of the Chair be upheld by this House. That is what is important, and that is important to members on both sides. So I would suggest that the hon. member is violating the ruling of the Chair.

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

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

MR. NEARY: Mr. Speaker, I am getting more convinced, as I listen to hon. gentlemen raise points of order, that apart from the Minister of Finance (Dr. Collins)

MR. NEARY: nobody on that side of the House read this bill. This bill, Mr. Speaker, has far-reaching implications, as I said a few moments ago. Your Honour read the provisions -

MR. MORGAN: What is the matter or (inaudible).

MR. NEARY: Your Honour said he read the provisions of the bill, I have read the provisions of the bill, the principle of the bill is outlined in the explanatory notes. But my hon. friend does not have to stick to the explanatory notes, that is what the government is saying.

Mr. Speaker, for instance, in the opening paragraph of this bill, Definitions, "'Department' means the Department of Finance constituted by this Act'. That in itself would open up the debate, would throw it wide open, Mr. Speaker. I would submit that the hon. gentlemen, in their rush to get the House closed, are now rising on points of order to try to muzzle debate. Well, I can tell the hon. gentlemen they are not going to get the House closed this afternoon.

MR. THOMS: Or tomorrow afternoon.

MR. SPEAKER (Simms): Are hon. members finished?

With respect to the point of order, I think I have already given a ruling on a number of occasions and it is very difficult for the Chair to try to enforce it if members are not going to pay attention to the ruling. I will try to say it again as clearly as I can. The points made by the hon. member for LaPoile (Mr. Neary) are, certainly interesting points, but I do not necessarily agree that wide ranging debate is allowed on second reading. I think the procedural references that anybody will look up will tell you that debate on second reading must be confined to the principle of the bill. But the principle of the bill, as the hon. member for LaPoile (Mr. Neary) even indicated himself, is shown on the explanatory note on the inside of the cover. But the Chair is also saying that that is the principle of the bill, which is to separate the two positions, a move actually I think that has already been done, I presume, and this is to change the Finance Act to merely bring it into line with the act that had been dealt with before, the 1981 statutes. So I hope now that I can make myself clear again; the point of debate during the second reading is to deal with the principle of the bill. Now that is clear. Everybody agrees with that. The principle of the bill in this case, as outlined, as the hon. member for LaPoile (Mr. Neary) told me and told everybody else, is outlined on the outside of the bill under explanatory notes and the principle of the bill is to deal with the separation of the two positions Comptroller General from the Department of Finance.

MR. NEARY: (Inaudible).

MR. SPEAKER: No, that is in the rest of the bill, but the principle of the bill is to separate the two positions of Deputy Minister of Finance and Comptroller General.

AN HON. MEMBER: And all the implications that that has.

MR. SPEAKER (Simms): No. I did not say that.

The hon. member for Eagle River (Mr. Hiscock). I do not wish to take up all his time, I am sorry, but I have to try to make it clear. The hon. member has about ten minutes remaining.

MR. HISCOCK: Maybe I will stand up, Mr. Speaker, for ten minutes and then probably it will be a point of order taken on that if I do not say anything. With regard to separating this department, it is having far reaching implications and the people of this Province do not realize the implications it is having. They do not realize the financial state of this Province. The economy has never been worse. It has never been worse in our history and we are trying to find out various things and ask questions but we are not getting answers. We want to talk about the financial situation and have a debate on it with regard to the organization of this department. Look at the reorganization of the House, Mr. Speaker, that we have got into. We do not even have the Throne Speech finished yet or the Budget Speech and yet, Mr. Speaker, here we are getting into reorganization. If we are only getting into reorganization, Mr. Speaker, for the sake of itself and not letting the people know the implications that it is having, then the state of this Province is even worse of than we actually realize. But again the question I have to ask, and I hope that the Minister of Finance (Dr. Collins) will address it, in the cutbacks of the \$16 million or the \$30 million that the government needed and has gone in the hole this year and we are borrowing that much more now on current account, the question I want to know and ask is that with regard to splitting up this department, what are

MR. HISCOCK: going to be the cutbacks? What is the Comptroller General saying to the various other ministers and Deputy Ministers and the Deputy Minister of Finance? What is he saying to these ministers is he saying, 'I need to balance the books, and how am I

MR. HISCOCK: going to balance the books?  
You have to do this, you have to cut back this, you have to cut down on the hospitals, you have to cut down on the schools, you have to have only one crew for the Department of Transportation." And the end result is it is going to be better financial management then fine, fine. But if it is not then we, as a Province, Mr. Speaker, are rather small with population, rich in resources but now economically, as I said, we could not have it worse. And now we, the members of this House, asking questions on behalf of our constituents, cannot get the answers, cannot get the answers to have a debate on the economy, to have a debate with regard to the financial situation of this Province,

And with regard to this bill, I only hope that by separating the Comptroller General and the Deputy Minister of Finance that they will have a better organization this coming year than they had last year of bringing in a Budget that now is \$30 million short and having to find out that all the projections were not done in a prudent way, that we are finding ourselves now having to cut back left, right and centre. And I am rather concerned about the social advancements that we have made in this Province with regard to education, with regard to health and social services and other programmes in this Province.

They are now in jeopardy, Mr. Speaker, and I hope that the Comptroller General will do something about it and the Deputy Minister of Finance will do something about it in the re-organization of this department.

It is unbelievable that a government, after bringing in a Budget, finding out now that they are \$30 million short. It is unbelievable, and with all the



MR. HISCOCK: closing of the mines and the fish plants and other construction industries happening in this Province it is frightening. Our people are in a state of anxiety and want some answers and want some reassurance and want some hope. There is no question that we have a great potential future and -

MR. MORGAN: (Inaudible).

MR. THOMS: That is something you are not going to get from this side.

MR. HISCOCK: - there is hope, but we are not getting it from this government and from this administration and I do hope by tightening up this department that we will have more planning, more control over the economy and a greater sense of direction that has been lacking. It has been lacking for the past ten years and it is continuing to take place. So in re-organization of this department the main question will be, will this put the Province on a better sound economic footing? And I, for one, hope it is.

I, for one, hope that we will settle all the industrial disputes in this Province with regard to the mining. I hope that the mines are opened and are opened soon. With regards to the fish plants, I hope they are also opened soon. But this government is giving a rather indifferent attitude to a lot of things and it is also denying the people of this Province information.

This was the administration, Mr. Speaker, in this Province that was going to give the freedom of information. Here we are now organizing,

MR. HISCOCK: reorganizing the Department of Finance, and we cannot even find out what our financial situation is in this Province. And I for one, as a member of this House, think we have a right to know what the financial situation of this Province is. If we actually knew, Mr. Speaker, how we were, we would, as I said before, it would almost really be frightening. Because we are on the verge of bankruptcy, if we are not bankrupt. We are borrowing, Mr. Speaker, we are borrowing on our future. We are borrowing on our future. And I for one hope that future comes that much more sooner. Our people have a right to know what this reorganization is going to do and whether it is going to tighten up the waste and the mismanagement of this government.

SOME HON. MEMBERS: Hear, hear!

MR. HISCOCK: The Naskaupi-Montagnais, for example, I hope the Comptroller General, and the Deputy Minister will do something about this, of \$3 million being spent on helicopters when the Inuit and the Naskaupi natives -

MR. SPEAKER (Simms): Order, please! Order, please! Perhaps for further clarification, just one further time, and I neglected earlier to read any references for hon. members and I know that it is difficult to provide guidance if I do not provide some references for you, but may I refer hon. members to Beauchesne, fifth edition, paragraph 739, page 225 -

AN HON. MEMBER: Beauchesne?

MR. SPEAKER: - Beauchesne, which says, "On the second reading of an amending bill it is the principle of the amending bill, not the principle of the act, which is the 'business under consideration'. Debate and proposed amendments must therefore relate exclusively to the principle of the amending bill."

May I also refer hon. members to the same reference book, Beauchesne's fifth edition, and paragraph 734 which I think is even much more clear, and it says, "The

MR. SPEAKER (Simms): second reading is the most important stage through which the bill is required to pass; for its whole principle is then at issue and is affirmed or denied by a vote of the House. It is not regular on this occasion, however, to discuss in detail the clauses of the bill."

So that may provide a little more guidance for hon. members. And I am sure helicopter rides, or whatever it was the hon. member was about to refer to, really has got very little to do with the separation of the Deputy Minister of Finance's position and the Comptroller General's position. Hon. members would almost have to agree with me on that one.

The hon. member for Eagle River has about three minutes.

MR. HISCOCK: With regard to the dividing of the department, I hope again that when we have the negotiations with Ottawa on the offshore with regard to the transfer payments, with regard to equalization, with regard to post-secondary education, that I hope that the Deputy Minister of Finance will know what is going on between the various other departments. And I am very pleased that the Secretary of State for post-secondary education (Mr. Regan), is going to be putting more money into this Province and into the Atlantic Provinces because we have the lowest enrollment of students in post-secondary education in Canada. But to listen to this government you would never know that they are going to be doing this and putting the influence of our younger people in the future of our Province. Here we have the Minister of Education, and the Premier, basically saying there are going to be more cutbacks. There is not going to be more cutbacks, there is going to be more money into it. And here they are jeopardizing negotiations even before it starts.

MR. HISCOCK: But this bill, Mr. Speaker, if we are going to divide the department and put up the Comptroller General into another deputy minister as such, and the deputy minister, is this going to allow tighter management? Is this going to cut down as much, with respect to the Chair, \$3 million is being spent on helicopters within Labrador, and the people in Labrador are saying, Why can they not use local aircraft?

AN HON. MEMBER: (Inaudible).

MR. SPEAKER (Simms): Order, please.

MR. HISCOCK: So, Mr. Speaker, saving money is a very great responsibility of the Deputy Minister of Finance and the Comptroller General and I hope that they start tightening up on a lot of the waste and the abuse of the various departments, and cut out a lot of the

MR. E. HISCOCK: unnecessary. fat and get into sound management. And if this is what the bill is going to do, and I hope for one it is, then, Mr. Speaker, it is worthwhile. But if we are not going to continue to have a Department of Finance that brings in a budget-and now before the year is out finds out that all their projections are wrong. I think it is about time we re-organized the Department of Finance. I think it is about time we got a new Minister of Finance.

So with regard to this bill, Mr. Speaker, it is extremely important and the repercussions that it is going to have. And I hope that with regard to the Cabinet that the Deputy Minister of Finance and Comptroller General will have more control over the other deputy ministers and with regard to Treasury Board. I think it is time for this government and other governments to have accountability, accountability of the tax payers' money and where this money is going and what it is being used for. We have a tendency to think sometimes it is basically our own and end up spending in whichever way.

In concluding, Mr. Speaker, I would like to conclude on this by saying it is about time we have the re-organization but I also think it is about time that the people of this Province have accountability and let us have a debate on the economy and find out this financial situation that we are actually in.

MR. S. NEARY: Mr. Speaker.

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

MR. S. NEARY: A point of order, Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile.

MR. S. NEARY: Mr. Speaker, we have had a number of points of order and then Your Honour quoted a section of Beauchesne, section 734. I would like to draw Your Honour's attention to section 299 in connection with relevancy, and I do not think I have to quote it for Your Honour I would just like to draw it to your attention: 'Relevancy is not easy to define. In borderline cases the Member should be given the benefit of the doubt.'

Now this is the kind of a bill, Mr. Speaker, it is a very tricky bill. It does have far-reaching implications, it separates what - actually it is breaking with tradition in this Province. It is separating the Comptroller of the Treasury from the Deputy Minister of Finance. It used to be one in the same person. Now it is going to be two separate entities, two separate people. And the implications of that are far-reaching and I believe members should be permitted to have a broad-ranging debate on that principle. It is a very important principle and the principle is spelled out not in our words, we did not write the principle on the bill, Mr. Speaker, the government, the legislative draftsman wrote in his own words the principles. So we do not have to stick - there was a time, Mr. Speaker, and in some Legislatures at the moment there is no explanatory notes in bills. The principle of the bill, you have to gather it yourself from reading the sections of the bill.

So I believe the government are trying to restrict debate, and I do not think they should be allowed to get away with it, Mr. Speaker.

MR. SPEAKER (Simms): I thank the hon. member for -

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

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

MR. W. MARSHALL: That is not a point of order, Mr. Speaker, that is a hypothetical question. Your Honour has made a ruling in this House and Your Honour made a ruling and quoted that particular section of Beauchesne. And the hon. gentleman, as his is bent, gets up and tries to, in effect, instruct Your Honour by raising matters, Mr. Speaker, that are hypothetical. All the hon. gentleman has to do is also refer to Beauchesne on hypothetical questions being asked to the Speaker. I hardly need quote it. I can if the hon. gentlemen want it.

What the hon. gentlemen, Mr. Speaker, are doing in this bill and with respect to these points of order are trying to filibuster in effect.

SOME HON. MEMBERS: Oh, oh!

MR. W. MARSHALL: It is a corporate filibuster! They will get their per diems, Mr. Speaker, but they will not get the votes of the people of this Province.

MR. SPEAKER (Simms): Well, really, I think it is -

MR. S. NEARY: A point of personal privilege, Mr. Speaker.

MR. SPEAKER: May I deal with the point of order first and then I will certainly hear the hon. member's privilege? I do not want too many things piling up on me.

MR. NEARY: Alright, Sir.

MR. SPEAKER: With respect

MR. SPEAKER (Simms): to the point of order, there is no point of order. Hon. members are aware of that, I am sure the hon. member for Lapoile (Mr. Neary) himself is aware there is no point of order. I did not consider it to be presenting a hypothetical case, I took it to be the hon. member for LaPoile was providing the Chair with a little bit of additional information should I have to rule on relevancy in the future, and I thank him for that. But I will carry on and read a section that he did not read when he related to relevancy, where it points out that discretion is used by the Speaker in relevancy. But the whole point of calling members to order with respect to relevancy on second reading is not whether or not I should allow members to have wide discretion or so on, it is the parliamentary rules which say those things that I quoted and I do not need to repeat them again. But debate on second reading should be applied to the principle of the bill. Committee is a little more flexible, and there are other opportunities to ask questions such as those that are raised during this debate or have been raised during this debate, which I do not consider to be totally relevant, and that is the reason why I have called members' attention to it.

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

MR. SPEAKER: A point of order, the hon. member for LaPoile.

MR. NEARY: Mr. Speaker, when the hon. President of the Council (Mr. Marshall) raised his point of order, he implied that I had challenged Your Honour's ruling or that I had questioned the ruling of the Chair in some way or other. Now, Mr. Speaker, Your Honour knows that Your Honour in an unorthodox sort of way this afternoon - well, maybe that is not the right word - but not in the traditional way Your Honour intervened in the debate to give the House some information in connection with the way that the debate should follow and so forth and we appreciate that. And I was not challenging



MR. NEARY: that in any way, shape or form and I resent the imputation on the part of the President of the Council (Mr. Marshall). And I believe Your Honour should direct the President of the Council to withdraw these remarks.

MR. SPEAKER(Simms): I thank the hon. member for LaPoile (Mr. Neary). There is no point of order. He just made a comment.

MR. WARREN: Mr. Speaker.

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

MR. L. THOMS: We have been talking one day and a part of an afternoon and it is called a filibuster.

MR. WARREN: Mr. Speaker, I wish to say a few words on this bill. However, I would only be too glad, Mr. Speaker, seeing such a bill of this magnitude coming before this House, being presented by a government that not one person on the government side has spoken for or against this bill, Mr. Speaker, I would be only too glad, Mr. Speaker, to sit down and take my seat and let some hon. member on the other side have the opportunity to address this bill.

MR. THOMS: There is nobody on the other side speaking on it.

MR. SPEAKER: Order, please!

The hon. member for Torngat Mountains has been recognized.

MR. WARREN: We can see, Mr. Speaker, that here is an example of this government trying to ramrod something through this House without even speaking on it.

MR. NEARY: Right on.

MR. WARREN: This is exactly what is happening with this bill, is that this government wants to ramrod it through this House without having the opportunity of letting anybody speak on it and we, on this side, will not let that happen. We will be speaking on this bill.

MR. WARREN: Now, Mr. Speaker, I have great concern. What will the duties of the Comptroller -

SOME HON. MEMBERS: Oh, oh!

MR. THOMS: Come on, boy, come on, any time at all. Let the coward call an election and then you can come on down because you will never get elected again in Placentia, so you might as well try the South Coast.

MR. SPEAKER(Simms): Order, please!

MR. WARREN: But, Mr. Speaker, here we are, this government is trying to divide

MR. WARREN: up the Department of Finance into two deputy ministers, if you care to call it, or a Comptroller and a Deputy Minister.

I would like to know, Mr. Speaker, what will be the responsibility of the comptroller? I wonder, Mr. Speaker, if that person had been around in 1975, almost to this very date in 1975, Mr. Speaker, when an editorial appeared in a newspaper, and if I may ask the indulgence of the House, I would like to read this editorial because it does tie in with this financial bill. The editorial begins: "Ashaky way to get along. There are those who say that Newfoundland's winding up the fiscal year \$11 million in the hole on current account is a disaster. We say that government will be extremely lucky to be able to keep it at that." This was an editorial on November 28, 1975 and I believe it was from the Evening Telegram. "Do you have the feeling that the whole Province is falling apart? Look at what is happening. Our three big resource-based industries, fisheries, forestry and mining, are in serious trouble. We have more people out of work than ever before in our history. Strikes are tearing away at the already weakened fabric of the feeble economy. The Province has the lowest credit rating in all Canada. The only thing holding us up is the high proportion of our money that comes from Ottawa. Because of Ottawa money, payments to government in one form or another, unemployment insurance, old age pension, family allowance, etc., Newfoundlanders have as much money to spend this Christmas as they ever had, but it is a shaky way to get going."

Now, you would not believe, Mr. Speaker, but that editorial was written this morning. It is the same kind of an editorial that you would see appearing in today's paper, because this government has

MR. WARREN: no more to be proud of today than the government of the day under a P.C. administration on November 28, 1975. It is almost exactly word for word, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

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

MR. SPEAKER (Simms): Order, please!

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

MR. MARSHALL: I refer to Your Honour's ruling earlier this afternoon, a few moments ago, with respect to paragraph 739, page 225 of Beauchesne, which says, "Debate and proposed amendments must therefore relate exclusively to the principle of the amending bill." The principle of this bill, Mr. Speaker, is for the division of the Deputy Minister of Finance and the Comptroller of Finance. It relates to the administration of the Department of Finance, and what the hon. gentleman is doing -

SOME HON. MEMBERS: Oh, oh!

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

MR. MARSHALL: - and what the hon. gentleman is doing is debating, Mr. Speaker, in effect, the general financial position of the Province. As interesting as it is, and as proud as this government is of it, it is not a matter of the principle of this amendment.

SOME HON. MEMBERS: Hear, hear!

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

MR. SPEAKER: The hon. the Deputy House Leader.

MR. LUSH: Mr. Speaker, it seems to me that my hon. colleague, in talking about the restructuring of the Department of Finance and talking about the divisions of responsibilities between the Comptroller of Finance and now the Deputy Minister, was simply wondering, Mr. Speaker,

MR. LUSH: out loud, as to how this would affect the financial position of the Province.

Mr. Speaker, that seems to be quite in order to me.

AN HON. MEMBER: (Inaudible) the editorial.

MR. SPEAKER (Simms): To the point of order, I do not think I really need to repeat myself. Hon. members are aware of what debate should take place on second reading, I mean, those are the rules of the House, rules of Parliament. Every member should adhere to the rules. So the rules are that the hon. member should contain his remarks to the principle of the bill, which I repeated on a number of occasions, as it relates to the separation of the two positions, and actually simply asks that those two positions be incorporated into the Department of Finance Act as has already been done in the statutes, as referred to in the explanatory note.

Hon. members by now should well be aware. I might point out, somewhere, and I cannot find

MR. SPEAKER(Simms): the reference, but I would want to caution hon. members, if I may, that if hon. have to consistently be asked to refrain from irrelevancy, they can be ordered to take their seats. So I will caution the hon. members and ask them to try to contain their remarks to the principle of the bill.

The hon. the member for Torngat Mountains.

MR. THOMS: Those who have reservations made for Florida are not going tomorrow.

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

MR. SPEAKER: A point of order, the hon. the member for LaPoile.

MR. NEARY: Mr. Speaker, on two or three separate occasions this afternoon the President of the Council (Mr. Marshall) made a statement to the House that the Opposition were filibustering.

MR. TULK: That is right.

MR. NEARY: Now, Mr. Speaker, I want to say that that is not true, it is not correct. All the Opposition want to do, Mr. Speaker, is, in carrying out their duties and responsibilities to the people of this Province -

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

Now, that is clearly not a point of order. The hon. the member for LaPoile (Mr. Neary) knows that. There have been accusations on this side that the government is muzzling, accusations on that side that this side is filibustering. So those are clearly differences -

MR. NEARY: Why did you not let me finish?

MR. SPEAKER: Because it is not a point of order. Those are clearly differences of opinion -

MR. NEARY: How do you know? I did not finish.

MR. SPEAKER(Simms): Well, I finished - I have heard as much as much as I need to hear.

MR. NEARY: You can not cut members down like that in the House.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: I have heard enough to be able to make a ruling that what the hon. member has said is not a point of order - Okay?

The hon. the member for Torngat Mountains.

AN HON. MEMBER: (Inaudible).

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

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

MR. MARSHALL: Your Honour has raised a ruling in this House, and given a ruling with respect to the point of order raised by the hon. the member for LaPoile (Mr. Neary). The hon. the member for Lapoile, while Your Honour was giving his ruling, was consistently interrupting Your Honour and questioning him, 'Why did you not this, and why did you not that', and he culminates it, Mr. Speaker, at the end by saying, 'Perhaps we have to challenge a few rulings'. Now, Mr. Speaker, by any rules this constitutes an attempt of intimidation against the Speaker of this House, it requires for either the prompt retraction or the prompt withdrawal of the member who uttered them.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Well, certainly if those are the remarks that were made, then it would certainly be a

MR. SPEAKER(Simms): legitimate point of order. I would want to check Hansard to see clearly what was said, and see if it has been reported, and I will deal with it at a later time.

The hon. the member for Torngat Mountains.

MR. NEARY: We are not going to be muzzled by the President of the Council(Mr. Marshall), Mr. Speaker.

MR. WARREN: Yes, Mr. Speaker.

MR. THOMS: No way! No way!

MR. NEARY: You are not getting the House closed, you might as well forget it.

MR. THOMS: That is right. Cancel your reservations for tomorrow.

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

MR. NEARY: You can try to intimidate the Speaker all you want, but you are not getting the House closed.

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

The hon. the member for Torngat Mountains has the floor.

MR. WARREN: As a new member in this House, Mr. Speaker, some of those bills -

MR. MOORES: Showdown. Showdown.

MR. NEARY: Yes, it is a showdown.

MR. WARREN: - that the government tried to muzzle through the House I would like to try to understand a little bit more clearly what the duties are in some of those bills. So all I have been asking, Mr. Speaker, is what are going to be the duties of the Deputy Minister and the Comptroller? Is it going to have any effect on an editorial that appeared five years ago in a



MR. WARREN: paper, or is this government going to continue to waste money, and continue to waste money as they have been doing in past years?

Now, Mr. Speaker, this bill,

MR. WARREN: "An Act To Amend The Department Of Finance Act". Mr. Speaker, we are speaking about the complete operation of this House of Assembly, the complete operation from one minister's department to the other minister's department. And it is very very difficult for a member in this House to stand up and try to speak on a bill if he can not once in a while address his concerns to a particular department.

Now, Mr. Speaker, I am concerned that the Department of Transportation is spending \$3 million helicopter charters in Labrador. I am really concerned, Mr. Speaker -

MR. SPEAKER (Simms): Order, please!

I have already ruled that comments of that nature are not pertinent to the bill we are debating.

The hon. the member for Torngat Mountains.

MR. THOMS: What are we doing? What are we doing?

MR. WARREN: Mr. Speaker, government control of responsibilities can be projected to helicopter charters in this Province. What are the government's responsibilities? I hope the Minister of Finance (Dr. Collins) when he does clue up this bill will be able to answer. Will one of the Comptroller's responsibilities be able to look into the wasting of different departments, Mr. Speaker. Will this bill, will the Comptroller have any authority, any responsibility to check into the wastage that is going on by people working with the government, by civil servants working with the government, whenever they are moving from place to place they have to charter a helicopter instead of using the airlines that are available.

Mr. Speaker, these are the kind of questions that I am asking. Maybe this is a good thing

MR. WARREN: for the Public Accounts Committee to take up looking into, this big helicopter wastage.

MR. NEARY: How much was it?

MR. WARREN: Over \$3 million. Now if the government of this Province is going to make their Finance Department more adequate by dividing up the responsibilities of their high bureaucrats, at least, Mr. Speaker, the least thing we can find out is who will have responsibility for what. Will a Comptroller have responsibility in checking into high waste spending of this government or will that go to another deputy minister?

Mr. Speaker, it is very simple. These are the concerns that I would like to find out as a member of this House. If that is not what this bill is intended for, I would like to know why. I am sure all of us on this side would like to know why. What is the purpose of a Comptroller? I presume, Mr. Speaker, it is to try to cut wastage in the government. And, Mr. Speaker, God help us, there has been enough wastage in the past four or five years.

Mr. Speaker, this government all along has said, in particular before this session opened, that they were going to bring in - every piece of legislation is major reform. Mr. Speaker, I believe probably this piece of legislation should be a major reform. But I am astonished, as all my colleagues are, that not one member on the government side consider this a major reform.

AN HON. MEMBER: They do not know what it is all about.

MR. WARREN: Not one member on that side has decided to stand up and defend it. I am not defending or against it, Mr. Speaker. I would like to know what it is, why it is. And, Mr. Speaker, if the hon. Minister of Finance

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MR. WARREN:

(Dr. Collins) could tell me -

MR. AYLWARD:

I will tell you.

MR. WARREN:

- if I sit down the hon. member is going to tell me? Oh, well I am surprised that the hon. member for Kilbride (Mr. Aylward) has not gotten up and spoken in support of this bill.

Mr. Speaker, there are other things in other departments that I believe that the Comptroller, that is going to be, we will say, separated from the deputy minister in this bill -

MR. WARREN: Is he going to look at all the waste and the spending that has happened in the Department of Fisheries in the last two years? Is he going to look at that, Mr. Speaker? Is he going to look at all the unnecessary trips that have been taken throughout this Province? And all we need is for the Minister of Finance (Dr. Collins) to lay on the table of this House - or the Minister of Transportation (Mr. Dawe) for that matter - lay on the table of this House copies of invoices from Sealand Helicopters and, Mr. Speaker, we will know if this Comptroller, the person who has been selected in this bill will see if there is any wastage of government money.

MR. HOUSE: I would say that (inaudible) in the districts or travelling (inaudible) thousand dollars (inaudible).

MR. WARREN: Not too many, no, and I do not either.

MR. HOUSE: Do you not?

MR. WARREN: No, Sir.

Back to the Minister of Health (Mr. House), Mr. Speaker. If I were spending half as much money as the Minister of Health is spending and not doing anything about it, Mr. Speaker, then I would have something to crow about.

Mr. Speaker, what is this government afraid of, I wonder? I believe that this government is afraid to let us debate this bill, afraid because we may all of a sudden uncover something in some department.

SOME HON. MEMBERS: Oh, oh!

MR. WARREN: And, Mr. Speaker, it is there knee-deep. There is enough dust there in the various departments knee-deep that we can uncover; there are all kinds of things. So if the Minister of Health -

MR. WARREN: I will kindly take my seat if he wants to stand up and support this bill and what it is going to do. Mr. Speaker, my hon. colleague, the member for LaPoile (Mr. Neary), as well as I and as well as other members are - we are sort of concerned about what this bill is going to do. Is it going to help the Treasury to save money? If it is not, what is the purpose? Is it for the purpose of signing a few invoices or a few letters or something like that? Is it a means of this government saving a few dollars? If it is, Mr. Speaker, then it is helping the taxpayers of this Province.

Yesterday, Mr. Speaker, the government gave the indication - it was in today's paper - that this government wants to close the House, the people's House. And what did the President of the Council (Mr. Marshall) do yesterday? He brought in several special warrants.

MR. DAWE: (Inaudible).

MR. THOMS: There you are, the minister says it is a waste of time.

MR. WARREN: Yes, I just heard the Minister of Transportation say 'a waste of time'. That is why, Mr. Speaker, we only had one shift on for snow clearing.

Mr. Speaker, this bill, "An Act To Amend The Department Of Finance Act," is long overdue.

MR. THOMS: Why are we filibustering?

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

MR. WARREN: I am sure, Mr. Speaker, if you would only take two or three hours of your busy schedule and take any five departments for the past six years and look at their expenditure - expenditure in travelling alone, in helicopter charter alone, Mr. Speaker, if you take about

MR. WARREN: two hours of your special time and just look at that alone, Mr. Speaker, I would say that this bill is long overdue because we definitely need somebody, somebody Mr. Speaker, because it is a full-time job for one man alone, to scrutinize what it is costing the taxpayers of this Province for bureaucrats and ministers and so on travelling on helicopters. It would take one person alone, Mr. Speaker, to do that. And I hope, Mr. Speaker, this bill will at least give that person that kind of authority, where at least he can have the free will to investigate the full operations of government spending in air services. And, Mr. Speaker, I would say the people of Newfoundland and the people of Labrador would be shocked to know that helicopters paid for by the people of this Province have been used to go fishing.

MR. NEARY: What?

MR. WARREN: Yes.

MR. NEARY: What?

MR. WARREN: Yes, to go fishing, paid for by the people of this Province.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. WARREN: Mr. Speaker, there are cases all over this Province where people go to a destination. They reach their destination alright, Mr. Speaker, but after many extra miles. And, Mr. Speaker, I know this is happening and this is why I hope that this person, whom this bill is designed to create, that this person will be given the autonomy to go in and take hold of the invoices for the last five or six years for the spending of people's money on helicopter services - and we will find that this person is really going to be worth his weight in gold. But, Mr. Speaker, if this government

MR. WARREN: tries to muzzle us from breaking open these very important facts that we want to let the people of this Province know- we want to let the people know that this government is wasting money. This administration has wasted money since it came into being in 1979 and it will continue, Mr. Speaker, and it is not an honest government.

SOME HON. MEMBERS: Oh, oh!

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

MR. THOMS: Sick people do not go fishing.

MR. WARREN: I have not yet, Mr. Speaker, seen a person who was on a stretcher go fishing. But I did see a minister go fishing. I did see a minister of the Crown go fishing. And that, Mr. Speaker, is not a person on a stretcher. And, Mr. Speaker, in this letter that I will table, it says that the most important thing that a helicopter should be used for is medical evacuation and forest fires, and I agree wholeheartedly, Mr. Speaker, but not to take ministers of the Crown and other bureaucrats into fishing camps.

MR. NEARY: Do you want to know who they were? The hon. gentleman knows. Fishing in Northern Labrador.

MR. WARREN: Now, Mr. Speaker, I say that this bill will come to a purpose and the least thing that it could develop is to put a scrutinizing eye on the operation of the various departments. Another thing I would like to know in speaking to this bill is -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order!

MR. WARREN: Now, all of a sudden the Minister of Health (Mr. House) - I must have touched something very touchy or very thorny, because the minister is awfully upset.



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MR. WARREN:

not know.

MR. THOMS:

MR. WARREN:

like it.

Maybe he is the guilty one. I do

Is he?

I do not know. He is really acting

MR. WARREN:

You are really acting like it.

MR. THOMS:

Are you the one who went fishing in a helicopter?

MR. HISCOCK:

Mr. Speaker, I am talking about the last ten years of Tory Administration, the worst administration in this Province, Mr. Speaker. That is what I am talking about. And this is why this bill was brought in, Mr. Speaker.

MR. NEARY:

And the fishing trip was within the last two years.

MR. MARSHALL:

A point of order, Mr. Speaker.

MR. SPEAKER (Butt):

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

MR. MARSHALL:

The hon. gentleman sums up what his perception is of what he was talking about other than the words "Mr. Speaker" since he has been talking, and that is the past ten years of Tory Administration. Now, Your Honour, this is a matter - the principle of this bill is the division of the office of Deputy Minister of Finance to Deputy Minister and Comptroller. And Your Honour, Mr. Speaker, has already called the hon. gentleman to order for irrelevancy and I quote to Your Honour Standing Order 51 (a) "A member addressing the House shall, if called to order by Mr. Speaker or by any other member, resume his seat while the point of order is being stated - " "Any debate on the point of order, which Mr. Speaker may permit, must be strictly relevant."

Now, Mr. Speaker, what the hon. gentleman is talking about now has already been ruled to be irrelevant. It goes on to say, "Mr. Speaker or the Chairman, after having called the attention of the House, or of the Committee, to the conduct of a member who persists in irrelevance or needless repetition, may direct him to discontinue his speech, and if the member continues to speak, Mr. Speaker may name him, or, if in Committee, the Chairman shall report him to the House."

MR. MARSHALL: And, Mr. Speaker, the rules are here and it is quite obvious if the hon. member wants to persist in his illrelevancy he can go and he can speak elsewhere, to a Liberal Party committee or whatever he wishes to. But this is the House of Assembly. The business before the House is a matter of division of the Department of Finance. The hon. gentleman is not being relevant to the thing. He has been persistently irrelevant for the last twenty minutes and should be directed really, Mr. Speaker, if he continues to take his seat.

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

MR. SPEAKER (BUTT): To the point of order, the hon. member for LaFoile.

MR. NEARY: Mr. Speaker, that is several times this afternoon the President of the Council (Mr. Marshall) has gotten up on a point of order to try to really - designed primarily to restrict debate, to muzzle the Opposition. I would like to draw Your Honour's attention to page 218 of Beauchesne, Section 704 which says that the long title of the bill - "The long title sets out in general terms the purposes of the bill. It should cover everything in the bill." Now, the reason I point that out to Your Honour is that the title of this bill is not the explanatory note inside, Mr. Speaker. That explanatory note inside, Mr. Speaker, has nothing at all to do with the bill. It is the wording of the legislative draftsman who says, This is the principle of the bill when in actual fact Beauchesne says and rightly so, that the title of the bill is what we are debating, the long title. And, therefore, the hon. gentleman, in my opinion, Mr. Speaker, has no point of order. Because if we are debating the title of the bill, which is what we are debating, which is supposed to cover everything in that bill, let me point out to Your Honour that the title of the bill is An Act To Amend The Department Of Finance Act. That is the title of the bill, and it is an umbrella under which everything else comes.

What is inside on the page is merely written by a legislative draftsman and not necessarily something

MR. NEARY: that I agree with or my colleagues agree with. And what we are debating, Mr. Speaker, is the title of that bill.

MR. THOMS: Good point! Good point!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (BUTT): Order, please!

To the point of order let me say the Standing Orders are quite clear and just prior to the hon. President of the Council (Mr. Marshall) rising on this point of order I was about to call the hon. member to order because once again, as

MR. SPEAKER(Butt): has been ruled by the Speaker, the previous gentleman here in the Chair, he was being irrelevant. And the Standing Orders point out as well that an hon. member can be called to order for needless repetition. And I would ask him if he would confine his remarks to the bill we are now debating, which is a division in the Department of Finance.

And the hon. member has about five minutes to conclude his remarks.

MR. WARREN: Yes, Mr. Speaker, thank you very much for your ruling.

Mr. Speaker, in this bill we are talking about a division in the Department of Finance. I wonder will the Comptroller - will one of his responsibilities be, in this bill, to carry out an investigation into all the spending of any department. I am just wondering, Mr. Speaker, if the Comptroller would have the authority to carry out an investigation, for example, into the complete chaos within the Department of Rural Development? Is that the purpose of this bill, Mr. Speaker, or are we just going to have a bill and give another guy a job and put a figurehead up on the seventh floor and that is all there is to it? I am just wondering, Mr. Speaker, what is the purpose of the whole bill?

If the purpose of the bill is to give this person the authority to do a probe into -

AN HON. MEMBER: (Inaudible) the retail sales tax.

MR. WARREN: Okay. As my hon. colleague is just saying - to try to collect the outstanding sales tax that is in this Province, that people owe, Mr. Speaker, or to check .

MR. WARREN: into buildings that are costing the government \$50,000 and \$60,000 and sell them off to their friends for \$10,000 or \$15,000. Is this what this person is going to do?

For example, Rural Development sold a building down on the Baie Verte Peninsula for peanuts of what it cost. So I am concerned, Mr. Speaker, that unless this person is going to be given some authority, some ammunition and some means and ways to function properly and to uncover what this government has covered up, it is just a waste of paper, a waste of the time of this House in even debating it. Because if this person is going to be the person that this government wants and the person that the people in this Province want, then the person should be given a free-for-all to uncover anything that is of the utmost importance, Mr. Speaker.

I have a feeling, Mr. Speaker, -  
I am going to close on these remarks - that this government -

MR. THOMS: By leave.

MR. WARREN: - is going to appoint a Comptroller General for one purpose, Mr. Speaker- and I am going to close on that-and that is that this government is gone bankrupt and they just want to cover it up.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Butt): The hon. the member for Lewisporte.

SOME HON. MEMBERS: Hear, hear!

MR. WHITE: Mr. Speaker, I want to say a few words on this bill, not a lot. I will try to be as relevant as I can with respect to the principle of this bill.

The main reason why I am rising, Mr. Speaker, to say a few words, is to make sure that credit for this piece of legislation goes to those who deserve it. I want to refer members to the report of the Public Accounts Committee of the House of Assembly for the financial year ended 31st March 1978. On page 69 of that report by the Public Accounts Committee under the heading General Matters, it says, "The Committee notes that the Comptroller of the Province is also the Deputy Minister of the Department of Finance, under subsection 2 of section 20 of the Financial Administration Act, 1973. Under the act the Comptroller is charged with the financial supervision of the operation of all government departments and his powers should not be subject to any influence by a Cabinet minister. This independence cannot be maintained if he must act as the Deputy Minister of the Department of Finance. The Committee believes that there is a conflict of interest in the combining of the positions of Comptroller and Deputy Minister of the Department of Finance."

In recommendation number 25 of that Public Accounts Committee report, "The Committee recommends that the Financial Administration Act, 1973, section 20, should be amended to separate the positions and duties of Comptroller and Deputy Minister of the Department of Finance."

MR. WHITE: Mr. Speaker, that was the report of the Public Accounts Committee, 1978, making the recommendation that the two positions be split. Subsequent to that the Minister of Finance announced, I think it was last Summer, that the government was going to act in accordance with the recommendation of the Public Accounts Committee and split the two positions.

I should also tell members who was on that Committee at the time when this recommendation was made. Members were the member for Baie Verte - White Bay (Mr. Rideout), the member for St. John's West (Mr. Barrett), the member for St. John's North (Mr. Cartér), the member for Stephenville (Mr. Stagg), the member for Bonavista North, the present Leader of the Opposition, the member for Menihek (Mr. Walsh) and myself. I should also give credit to Mr. Roger Simmons, who was the first Chairman of the Public Accounts Committee here in this Province, because he resigned from the Committee shortly before this report was brought in. So it was not a recommendation of the Auditor General, Mr. Speaker, let us make that very clear. I think members confuse the duties of the Auditor General sometimes. His duty is not to recommend on policy to the government. The Auditor General would be stepping out of line if he were, in his report to the House of Assembly, to recommend, for example, that the position of Deputy Minister and Comptroller be split. That is not his duty. His duty is to oversee the accounts of this Province and to recommend where things have gone wrong or steps should be taken to correct pitfalls in the financial structure of the government. So it was not a recommendation of the Auditor General, and he would have no right to make such a recommendation to this



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MR. WHITE:

House or to the government,

no right whatsoever.

MR. WHITE: That was the job of the Public Accounts Committee and I say, Mr. Speaker, it is one of the few times in this House that I have seen the government pay any attention to the report of the Public Accounts Committee. It might do the administration some good to take the reports of the Public Accounts Committee for the last four or five years and re-read them, because there were a lot of recommendations in reports of the Public Accounts Committee in the past that should be acted on, and this is one situation where they have decided to act.

Now, Mr. Speaker, another related matter that I would like to ask the administration about now is in that same recommendation to the House of Assembly that the Public Accounts Committee made; Section two, under General Matters, goes on to say, 'Section three, subsection one of the Financial Administration Act, 1973, states that Treasury Board should have a minister who shall be the President.' So the President of the Treasury Board is obviously a Cabinet Minister. 'At present, the President of Treasury Board is also a minister of another government department. As Treasury Board examines and approves the budgets of all departments, the Committee therefore feels that the President of Treasury Board should only be the minister of that department.'

What we are saying in that report or in that recommendation, recommendation number twenty-six, 'The committee recommends that the President of Treasury Board not hold a position as minister of another government department', Mr. Speaker. So that is what we are recommending in this report and I would like to know from the government if they have given any consideration at all to making the President of the Treasury Board that position only.

MR. WHITE: In other words, a Cabinet Minister with another portfolio not be assigned to the presidency of the Treasury Board and hold that position and that position only.

I do not know if the government has thought about that or not, but I think they should and look at it closely, because, again, it would be something worthwhile. The problem with the financial structure and the Financial Administration Act in this Province, Mr. Speaker, is that we need a completely new audit act. I think the government has started to work on it in some ways but I do not think they are working fast enough. We need an audit act, a brand new audit act. And if members would look at the one in Ontario, for example, it is very small and simple compared to the one down here that we have, which is pages and pages of words and documents. But the audit act in Ontario Mr. Speaker, provides protection for the Public Accounts Committee.

There was a study done recently, this study here that I hope members have seen. It is called Improving Accountability, Canadian Public Accounts Committees and Legislative Auditors. This study was done by the Canadian Comprehensive Auditing Foundation which was set up by J.J. MacDonnell, the former Auditor General of Canada. The recommendations with respect to Public Accounts Committees, I am pleased to say, in this study, Mr. Speaker, almost make the Newfoundland Public Accounts Committee a model committee in the country. It almost does. We are one of the few provinces with a working Public Accounts Committee, a good Public Accounts Committee.

MR. WHITE: As Chairman of the Public Accounts Committee here for the last few years, I had the opportunity to attend a number of meetings of Chairmen of Public Accounts Committees from across Canada - the last one was in New Brunswick in July-and from comparing notes from all those committees, I am very pleased with the committee that we have here in Newfoundland. But the trouble with the committee we have here in Newfoundland, Mr. Speaker, is that it has no protection in law. It is controlled by a majority of government members and at any time that majority can stop the work of the Public Accounts Committee as has been done in the past.

Members will recall how, under the former administration, the Moores' administration, the Public Accounts Committee was split. And that could very well happen again. If something turned up in the Public Accounts Committee concerning the administration, that became embarrassing to the administration shortly before an election or close to an election, it would be very easy for a majority of the members of the Public Accounts Committee, representing the government side, to halt the work of the Public Accounts Committee.

Now, in the Province of Ontario,

MR. F. WHITE:

Mr. Speaker, the activities and duties of the Public Accounts Committee are written into law, they are written into the statutes. It says clearly that matters coming before the House dealing with the finances of the Province of Ontario must be referred to the Public Accounts Committee. Must be referred to the Public Accounts Committee. The Auditor General can only make recommendations to the House and if there is no committee to expose the recommendations of the Auditor General, to find out the reasons for such misgivings that the Auditor General might have, then it is almost useless to have an Auditor General at all. You have to have a follow-up committee, a legislative committee like the Public Accounts Committee, to follow up on the report of the Auditor General.

And my concern, and it was always my concern when I was on the Public Accounts Committee, because I was there when the Committee was split and I was always afraid that it would happen again and the possibility that it could happen still exists today. I would say to the government that if they want to protect the Public Accounts Committee, and I think they do, I think they would like to see the committee work, then it should be written into law that the activities of the Public Accounts Committee cannot be stopped just because they have a majority on the other side.

So I say, Mr. Speaker, that this bill comes directly from the report of the Public Accounts Committee of 1978. The government has already acted on it; people are in place; there is a new Deputy Minister and there is a new Comptroller already in place. I assume they are doing their duties. But I would say that if the government wants to continue to bring in progressive legislation into this House, like this bill, then it would

MR. WHITE: be to their advantage, Mr. Speaker, to take the Public Accounts Committee reports, as I mentioned earlier, of the past few years and re-read them and re-read them to see other examples of good recommendations that could be put into place to bring about a more modern system of finances and controlling our finances here in this Province. And I would like the government to act on those matters, Mr. Speaker.

There are a host of recommendations under General Matters dealing with the Public Accounts Committee, dealing with this kind of legislation, this bill that the government would be smart to re-read and to pay some attention to, Mr. Speaker, as they have done in this case, the report of the Public Accounts Committee. Because although I am not there anymore on the Public Accounts Committee, Mr. Speaker, I was there since I first got elected in 1975, and that was long enough, I feel the danger always exists that the Public Accounts Committee could be destroyed by the government. That is a big concern of mine and a concern that I wanted to raise in this House at this time.

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

(Inaudible).

MR. THOMS:

MR. MARSHALL:

Mr. Speaker, the hon. gentleman

now objects, after one, two, three, four, six or seven people speaking, that somebody in the government might want to speak.

MR. THOMS: I thought it was a filibuster.

MR. SPEAKER: Order, please!

MR. MARSHALL:

It was a filibuster, Mr. Speaker,

and it certainly was. I have listened in this debate to such illustrious people as the hon. member for the Strait of Belle Isle (Mr. Roberts), the Leader of the Opposition, the hon. member for LaPoile (Mr. Neary), Eagle River (Mr. Hiscock),

MR. MARSHALL:

Torngat Mountains (Mr. Warren),

I do not know, certain others as well, and there is only one speaker who has spoken in this debate, Mr. Speaker, whose comments merit any reply at all. All the rest have used it to satiate their usual old foolishness or getting on with a general diatribe against the government, and against the members of this government, that the people of Newfoundland are getting very tired of hearing.

The member for Lewisport (Mr. White), in his brief.- you will note they were brief remarks, made very pointed remarks about this bill and they are the ones that I will respond to, Mr. Speaker, and I shall completely ignore the other remarks that were made by the other gentlemen there opposite and give them what their remarks deserve.

MR. MARSHALL: Mr. Speaker, first of all, the hon. the member for Lewisporte (Mr. White) says that this was a recommendation of the Public Accounts Committee. The Government of this Province does not attempt in any way to take away from the credit of the Public Accounts Committee for making this recommendation. We would point out, as well, that it was also a recommendation - even though the hon. member makes the point, which is probably well taken - to the effect as to whether it is in the province of the Auditor General to make it or not, but the Auditor General in fact did make this recommendation, as well as the Department of Finance, as well as its being contained in the Five Year Plan of this Province. So there has been unanimity. But at the same time, I would not wish to take away from the credit of the Public Accounts Committee that the hon. member drew attention to. It was not only the hon. member, the Minister of Finance (Dr. Collins) gave credit to them when the bill was introduced into this House. So we will give credit to the Public Accounts Committee, and at the same time, Mr. Speaker, this administration will take credit for the Public Accounts Committee, itself, because the Public Accounts Committee, it should never be forgotten, never operated in this Province until this party took over the government of this Province.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: So let us not forget that when we are giving credit.

The hon. gentleman did mention, in respect of the Public Accounts Committee, that the former member for Burgeo - LaFoile or Burgeo Bay d'Espoir - I do not know whether the district was split at the time - Mr. Simmons, the present member - it must have been



MR. MARSHALL: Burgeo - Bay d'Espoir because I remember that the present member, Mr. Andrews, took that district and took it in very fine style - and will take it in the future - in one of the big upset wins of this administration.

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: But the former member for Burgeo - Bay d'Espoir (Mr. Simmons) was not -

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

MR. SPEAKER (Butt): On a point of order, the hon. the member for Grand Bank.

MR. THOMS: What is sauce for the goose is sauce for the gander. I see no relevancy in what the President of the Council (Mr. Marshall) is talking about now, what winning or losing in Burgeo - Bay d'Espoir, has got to do with what must be a new ruling now in parliamentary procedure, where an explanatory note is taken as being the essence of a bill.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: If I have erred, I am, as customary, very contrite. You know, Mr. Speaker, I do not believe I erred at all or strayed or anything, but if I did err and stray, my mea culpa is that I will not err and stray. I am talking about the Public Accounts Committee. I may have got off on a little tack. I do not believe I did, but if Your Honour thinks so, by all means bring me back on track.

MR. SPEAKER: Order, please!

Well, to the point of order, I think the hon. the President of the Council was straying and I would ask him to keep his remarks relevant to the bill.

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

MR. MARSHALL: Well, Mr. Speaker, we are talking about the Public Accounts Committee, and the first chairman, when the Public Accounts Committee was actually operating, was really, I believe, the Liberal member for Labrador North, Mr. Woodward. Before that there had been no Public Accounts Committee. There was never a Progressive Conservative chairman of the Public Accounts Committee because they never operated at the time, because the Liberal Government was in.

In addition to this now, the second point made by the hon. gentleman was that he felt that the recommendation of the Committee that the President of Treasury Board should be the only minister of that department in the government and he should not have coincidental duties - Mr. Speaker, not all recommendations of the Public Accounts Committee are necessarily accepted or agreed with. The fact of the matter is that with respect to expenditures of the government, every single minister of the government is responsible for them in addition to the President of Treasury Board, and to create a minister purely and simply for that purpose is - sometimes in the organization of government it might be necessary to have a separate President of Treasury Board but it does not mean that you should make that rule. Because if you make that rule, in effect, what you are doing is you are perhaps recommending a protagonist system of government where somebody inside the Cabinet itself is recognized as being a watchdog of the Treasury, as it were, whereas, in fact, as we all know, all ministers of this government are watchdogs of the Treasury.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: They say, Mr. Speaker, the other thing, and I say that the member for Lewisporte (Mr. White) is the only one who made any comments that are worthwhile replying to.

Another point that he brought up - the fact if you do not agree with it does not mean that it is not a point that is worthwhile to debate - another point he brought up was it was controlled by government members. Well, Mr. Speaker, it is a fact, to my knowledge, that every Public Accounts Committee is controlled by

MR. MARSHALL: government members, the members of the Committee are proportionate to the seats in the House. As a matter of fact, it is a matter of custom that the Chairman of the Public Accounts Committee is selected from the Opposition and that is what is being done. This is what is being done in this administration. I remember once, in the halcyon days many years ago, when there was an attempt to put a bogus Public Accounts Committee by the Liberal administration, that at that period of time they had a minister of the Crown as Chairman but we would never even countenance that.

At the present time, Mr. Speaker,

on the -

AN HON. MEMBER:

I think we should revise it

anyway.

MR. SPEAKER (Butt):

Order, please!

MR. MARSHALL:

- it does not - as far as the duties are written into statute, that might be a very good suggestion and one that we could certainly consider, I think, to set forth the duties and the obligations of the Public Accounts Committee and what exactly they should do, and particularly their areas of concern and what have you. I hate to see, for instance, we have seen - this government has always accepted the nominee of the Chairman of the Public Accounts Committee, but the Public Accounts Committee is supposed to look into the accounts of the Province. Now, if the accounts of the Province, if the government affairs have been ordered in such a fashion that the Public Accounts--the Auditor General's Report is rather tame, as it was last year and it will be next year and the year after, that does not give the Public Accounts Committee, in my opinion anyway, Mr. Speaker, the right to constitute itself in sort of like a McCarthyist fashion and go into all areas and avenues and assume that it

MR. MARSHALL: has the right to go into all areas and inquire into things long since past, like Shaheen and Doyle and what have you.

So, I would certainly hope, Mr. Speaker, that the Public Accounts Committee will continue to function in an effective and efficient manner. And certainly I agree that perhaps the rules and regulations of its area of inquiry should be set down, because this is a good institution which we have. There are certain things it has done which various members can agree or disagree with -

MR. NEARY: You are trying to muzzle the Public Accounts Committee.

MR. MARSHALL: No, I am not trying to muzzle the Public Accounts Committee but trying to prevent a person or persons, shall we say, who seemingly have a penchant for trying to dig into certain things way, way back in the past, from using the Public Accounts Committee for their own purpose. That is what I am trying to do, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: What I am trying to do is trying to preserve and make a plea for the continuance of this Public Accounts Committee as an effective vehicle for looking at the avenues of government administration and government expenditure over the preceding years, and not to be able to use it for the satiation of an individual's own bile or what have you or his own prejudice or to invoke -

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: - McCarthyist tactics. But that is something, Mr. Speaker, we will see as the months and the days transpire, and as the months and the days transpire, we will see how it operates. And I have every confidence in most of the members of the Public Accounts Committee, on both

MR. MARSHALL: sides of the House, and, as I say, the majority of them, they will want to see that the Public Accounts Committee operates as it was intended to do when it was invoked.

So, Mr. Speaker, as I say, these are the only comments - there may be other members on this side of the House who will have comments to make. The Minister of Finance (Dr. Collins) is down at the closing of - not the closing, at the institution and the installation of the new city council and that is why he has not spoken to close the debate. Although he may be back to close the debate, I do not know. But I will say, from all of the comments that we have heard over the past few days, the only one who has made any comments that are worthwhile replying to is the member for Lewisporte (Mr. White). And I say

MR. MARSHALL: I am to several of the things he said, but at the same time I put the plea to this House that this Public Accounts Committee that we have instituted be used for the purpose for which Public Accounts Committees were intended, have been intended from the time that they were instituted not only in this House but in other Legislatures, and not be used for the purpose of venting the vindictiveness of certain individuals.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (BUTT): The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, I have been waiting for somebody on the opposite side of the House to explain what this bill is all about. We have been told by the Premier that this was going to be a session of major legislation, major legislation that was going to revolutionize the Province. Well, Mr. Speaker, it is strange, if this is a major piece of legislation, strange by the silence of members on the other side in getting up here and telling the hon. members opposite what this bill is all about. Mr. Speaker, it is passing strange that, if this is a major piece of legislation, members on the other side are so silent and they are so quiet about this particular bill. If this is a major bill, Mr. Speaker, one would expect them up on the other side waiting their chance, speaking one by one and telling us what this bill is all about and telling us what it means to the people of this Province.

I have not been informed yet, Mr. Speaker.

MR. FLIGHT: The member for Bay Of Islands has to leave, he cannot take it.

MR. ROBERTS: He cannot leave soon enough or go far enough.

MR. FLIGHT: He cannot take it. He knows he is muzzled in this bill. He knows he is being muzzled and not allowed to speak on it.

MR. ROBERTS: They do not want to hear his views on fiscal policy.

MR. LUSH: Well, Mr. Speaker, I would like to hear -

MR. SPEAKER (BUTT): Order!

MR. LUSH: - somebody talking about this bill.

I would like for somebody to explain it, because the Minister of Finance (Dr. Collins) in introducing it told us very little.

MR. ROBERTS: Well, he told us what he knew.

MR. LUSH: He told us very little about the bill.

And if what he told us was what he knew, then this bill is in a sad state I am afraid. And maybe, Mr. Speaker, that is why we are not hearing from members opposite. Maybe they do not know what the bill means. And maybe they do not know anything about the bill. Maybe the bill means nothing.

MR. FLIGHT: The hon. Minister of Health (Mr. House) understands the financial affairs of the Province.

MR. SPEAKER: Order!

MR. LUSH: Maybe the bill means nothing, Mr. Speaker.

Maybe that is the reason everybody is so quiet. Maybe that is the reason why members on the other side of the House are so reluctant to get up to speak about this particular bill. But, Mr. Speaker, I would like to know what this bill is all about. I would like to know what this is going to mean to the voters of the Terra Nova district. I would like to know whether this is going to put any money in their pockets. It looks like it might take some out. But I am wondering how much it is going to put in, how much money is going to put into their pockets as a result of this piece of legislation that we are passing today, Mr. Speaker. I am wondering what it is going to mean with respect to the improvement of public services in that district and in so many district throughout rural Newfoundland, what it is going to mean with respect to roads and installation of water and sewer. Mr. Speaker, I would suggest it is going to mean very little. But it might, Mr. Speaker, insofar as what we got from the Minister of Finance in introducing the bill - because he did not say very much that was informative or enlightening in this particular



MR. LUSH: bill. And, of course, the hon. member for St. John's East (Mr. Marshall), the acting Minister of Mines and Energy, the hon. the House Leader, certainly did not enlighten us anymore. He certainly did not elucidate the bill anymore. He certainly did not shed any more light. He was certainly no more enlightening than the Minister of Finance (Dr. Collins), Mr. Speaker.

MR. STAGG: Sit down (inaudible).

MR. SPEAKER (BUTT): Order, please!

MR. LUSH: I hear the hon. member for Stephenville (Mr. Stagg) making some murmurings, but I am not able to pick up what it is he is saying, Mr. Speaker. But, Mr. Speaker, it is certainly odd, peculiar, very strange that with this bill nobody on the other side of the House is getting up and explaining what this is going to mean to this Province.

MR. FLIGHT: The Minister of Health is going to explain it shortly.

MR. LUSH: Mr. Speaker, I understand from my friend and colleague from Lewisporte (Mr. White) that it was a recommendation of the Public Accounts Committee to structure the Department of Finance in this particular manner. And since it was recommended by the PAC, Mr. Speaker, I am sure

MR. T. LUSH: that it was done for some purpose. But, again the Minister of Finance (Dr. Collins) certainly did not lay out very clearly or very emphatically why the division of powers was necessary. And, Mr. Speaker, I believe that the Minister of Finance or somebody on the other side has that obligation, to inform members on this side of the House and thereby informing the people of this Province what this restructuring will mean. And, Mr. Speaker, my friend and colleague, the hon. member for the Strait of Belle Isle (Mr. Roberts), certainly raised an important point. And when the hon. member for St. John's was addressing questions raised on this side of the House, I was sad to see that - I was disappointed, I suppose, as much as sad - he did not clarify the questions raised by my friend and colleague in relation to the authority or the structuring of these positions. For example, what we now have, it looks, are two department heads, two deputies. And again my friend and colleague made the point that the law requires that there be one deputy head of a department, and I think the bill states that these two are created equally, they are equal positions. So, Mr. Speaker, what does this mean now, that we have two deputies, two people reporting to the Auditor General who in turn reports to the House of Assembly? What is the situation? Do we have two bosses? Do we have two bosses as we have two Premiers and two Ministers of Fisheries? What is the situation? Because they are, according to the bill, to be equal.

MR. FLIGHT: I wish we had two Ministers of Health.

MR. ROBERTS: I would settle for one Minister of Health.

MR. FLIGHT: I wish we had one Minister of Health.

MR. T. LUSH: Well, I do not think there is any -

MR. MOORES: Time for a shake-up 'Wallace', boy, time for a shake-up.

MR. FLIGHT: The member for Bay of Islands  
(Mr. Woodrow) has his eye on that member.

MR. T. LUSH: I do not think there is any  
provisions in the act, Mr. Speaker, where we can rectify  
incompetency by appointing two.

MR. ROBERTS: Well, let us be (inaudible) we would  
need three ministers (inaudible).

MR. T. LUSH: Well, that is for sure, that is  
for sure. I do not think there is any legislation or any  
precedent for that to sort of compensate for incompetency by  
having two or three heads -

MR. MOORES: Multiple ministers.

MR. T. LUSH: Yes, multiple ministers. I do not  
think we have any legislation for that. But there is certainly  
a lot of confusion, Mr. Speaker, and a lot of misunderstanding  
about this particular bill. In its details the Minister of  
Finance (Dr. Collins), when introducing this bill, certainly  
did not do anything to clarify these questions that have been so  
effectively, Mr. Speaker, raised by members on this side of the  
House. And so we would hope that somewhere along the line the  
Minister of Finance will clarify all of these queries and all  
of these questions, all of these queries and all of the mis-  
understanding with respect to the law of having two deputy heads.  
That is something revolutionary for sure and we would want to  
know just what is the situation whether - I do not know how one  
can be the boss, how one can report to the Auditor General when  
the bill states emphatically, when the bill clearly states that  
they are equal. Well, Mr. Speaker, it is

MR. LUSH: not clear, Sir, what their duties will be, so we have got the confusion with respect to authority and power. We have got that confusion and we have not been fully informed, indeed, we have not been informed at all with respect to the separate duties, other than very vaguely and in a very general fashion. The Minister, in introducing the bill simply stated that the Deputy Minister was in charge of fiscal policy and debt management, whereas the Comptroller General would be responsible for tax administration, pension policy, payroll, etc. And the Comptroller General was responsible for tax administration, pension policy, payroll, etc. We do not know if this etc. means other duties, Mr. Speaker, that will be added by the Premier, by the Cabinet, but he is to be responsible for tax administration. And, again, we do not know whether that means, Mr. Speaker, seeing that the taxes are collected, whether the retail sales taxes will be collected. If so, Mr. Speaker, then the controller general got quite a job on his hands to start collecting in the taxes; the retail sales taxes which are in arrears in this Province, which, I understand, are in the area of \$11 million dollars. So, Mr. Speaker, he could sure earn his keep by collecting in those taxes, and we would hope in a humane fashion, and in a way that is not going to hurt people, particularly small business people, as these people have been the victims of the tax collection people in the last year or so. One wonders whether they go after the big businesses, Mr. Speaker, the multi-nationals with this same vigor and with the same aggressiveness as they do with the small business people in this Province. And I would hope that the Comptroller General will see to it that all our people, all the people who are in arrears, Mr. Speaker, with respect to the

MR. LUSH: sales tax, the retail sales tax, will pay up, we could certainly do a lot with the \$11 million dollars. I expect that if we had that \$11 million dollars today, the government would not be in the deficit position that the Minister of Finance (Dr. Collins) was forced to say that we were in a few weeks ago. Whereas we were having a \$10 million dollar surplus on current account, now we are in a \$6 million dollar deficit. So, Mr. Speaker, if we had that money, then we would be in a better financial position. We would be I suppose, not right on with respect to the government estimates but very close to it, and there would certainly be a variance of some \$5 million dollars, instead of now, the \$16 million dollars. Mr. Speaker, that in itself would have relieved the great anxiety on this side of the House, and great frustration, because we have had great difficulty in finding out where that \$16 million dollars are gone. We cannot find out, so if the Comptroller General could rectify that situation, that would relieve a lot of anxiety and a lot of worries on this side of the House. But, I suppose, Mr. Speaker, just to take care of the administration of the retail sales tax in this Province is certainly a major job, because outside of clothing—that is the only thing that is not taxed in this Province today. Clothing is the only thing that is not taxed in this Province today - clothing and food—and outside of that, Mr. Speaker, everything that you can think of is taxable, everything is taxable. So, Mr. Speaker, every conceivable item in this province today is taxed. So the Comptroller General, of course, I suppose will have nothing to do with the policy. So, Mr. Speaker, there is quite a job—the Comptroller General is going to have quite a job in that

MR. LUSH: area alone, of the administration of the retail sales tax requirements, the retail sales tax laws of this Province. And I do not know what else is left to tax. I do not know what else is left to tax. Mr. Speaker, I do not know whether that will effect the poor people or not.

MR. ROBERTS: The poor people will be poorer.

MR. SPEAKER(Baird): Order, please! Relevancy.

MR. ROBERTS: Judging from the way the price of  
(inaudible) is going, it may be the only activity left, period.

MR. LUSH: This is what we have been doing in  
the last two or three years, Mr. Speaker, socking it to the  
poor people, socking it to the poor people, taxing them in  
every direction, and if there is an activity left, there are  
not too many left. Or if there is an item left, there are not  
too many items left to be taxed. And we are taxed to death,  
Mr. Speaker.

MR. THOMS: The people are going to rise up  
one of these days, you know.

MR. LUSH: I would not be surprised, quite  
frankly, if there were no tax increases in the next budget,  
because I do not know what else there is left to tax. There  
could be tax increases, I suppose, because we will -

MR. THOMS: They will think of something. They  
will think of something.

MR. LUSH: But again, Mr. Speaker, that is  
named as a duty of the Comptroller General, tax administration.  
And, I suppose, that will be sending out the bills and seeing  
that the people get their records in on time, Mr. Speaker, and  
seeing that all the bureaucratic red tape is followed religiously.  
And, Mr. Speaker, I can assure you that it is a lot of bureau-  
cratic red tape today, to be involved in business. It would drive  
one cracked to be in business, to take care of all the tax forms  
that have to be taken care of, collecting all of the taxes.

MR. THOMS: Under this administration, you are  
lucky to be in business.

MR. LUSH: Mr. Speaker, I salute the people,

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MR. LUSH:  
particular.

the small business people in

MR. THOMS:

Who have been able to survive.

MR. LUSH:

They have been able to survive

and been able to stay abreast -

MR. ROBERTS:

And whom are somewhat smaller as

a result of this government's policies.

MR. LUSH:

And, Mr. Speaker, we could say-

if we could tell the people of this Province, if we could only tell them that by virtue of this legislation today, this bill that we are passing, Bill 113, if we could only tell the people that because of this bill that they would get great relief from the retail sales taxes in this Province today, then, I am sure, that we, on this side of the House, Mr. Speaker, would find no difficulty in supporting that kind of bill.

If we could get some relief. If our people could get some relief from the heavy burden, from the tremendous burden, Mr. Speaker, of the retail sales taxes in this Province, then I am sure that we would all see the benefits of this particular measure today.

But I am afraid, at this point in time, that we do not see too much benefit, we do not see, certainly as far as what the Minister of Finance (Dr. Collins) has told us - the only thing we have to go on, Mr. Speaker, the only thing we have to go on, the only thing that is substantial at all is the recommendation made by the Public Accounts Committee, And the Minister of Finance, Mr. Speaker, had the obligation to tell members of this House why this particular re-structuring was necessary. He had that obligation and responsibility to tell hon. members of this House and the people of this Province why this re-structuring was



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MR. LUSH: necessary so that all hon. members could be enlightened and know exactly what all of this was going to mean.

So, Mr. Speaker, the Comptroller General, one of his duties is going to be looking after tax administration and that, in itself, does not tell us an awful lot. As I have said, it does not say

MR. LUSH:                    whether the division of these powers, whether the division of responsibility is going to result in any improvement to the retail sales tax structure in this Province. That is what I would have liked to have heard the minister comment on. That is what I would like to have heard, whether we were going to drop taxes on this item and that item. But, Mr. Speaker, it does not say that that is the way it is going to be. I would expect, Mr. Speaker, it is to apply more stringently these laws. That is what I would expect, it is to apply these laws in a more rigid manner to ensure that nobody, but nobody escapes these horrendous taxes and to ensure efficiency in the collection, of course, which we hope would result, Mr. Speaker. We have to collect these taxes. Where they are imposed, naturally it is an obligation to have them in. As we have said before, if we had in all of the taxes which are owing to the government today we would be \$11 million better off, \$11 million better off, Mr. Speaker. That could do a lot of work in the Terra Nova district. That could provide a lot of water and sewer systems. It could provide many miles of upgraded road. So, Mr. Speaker, I suppose that is going to be a responsibility of the Comptroller General and we will see how effective it is. When they have been placed in position for a year or so, we will see how effective they were, whether they were efficient or effective at all, in overhauling the retail sales tax structure of the Province and in collecting the arrears.

So, Mr. Speaker, that is certainly something we have to wait and see, and we wait with bated breath to see how effective the breakdown of this department will be, the restructuring of two positions, namely, that of the Deputy Minister and that of the Comptroller General. It is very difficult, Mr. Speaker, as one looks at this more closely, it is very difficult to see just exactly what the

MR. LUSH: division of powers will be, just exactly what it will be. I assumed at one stage that maybe one was a policy maker and the other person was looking into the expenditures. But it is very difficult, Mr. Speaker, when one looks at the few items with respect to responsibilities which were outlined by the Minister of Finance (Dr. Collins). The Minister of Finance said that the Comptroller General would be responsible for tax administration, which I have briefly commented upon and, secondly, he talks about pension policy. Now, Mr. Speaker, I do not know what will be the responsibility there. The pension policy, everybody pays it, it is deducted from source. I do not know what could be the exact role here. I assume there are people there looking after pension policy. So I do not know exactly what the Comptroller's role will be there in terms of looking after pension policy, whether it is complaints people have about pensions, whether he is the source they go to, people on pensions who want increases. I cannot seem to fathom at all, Mr. Speaker, just what precisely the Comptroller's role here is with pension policy unless, of course, he becomes head of a department, head of a division, having to do with pension policy. Because I understand that - I know with respect to teachers, I believe they have their own man. There is a person within the Department of Education looking after teacher pensions. So, does this mean now that this changes? There are people there in charge of teacher pensions, so how will this fit in with the Comptroller? Will he take the jobs of those people now in the Department of Education, looking after teacher pensions?

I do not know, Mr. Speaker, what the situation is with respect to other recipients of pension within the public service. I expect they operate much the same as teachers. I suppose that there is somebody in the public service, there is somebody in the Department of Finance who looks after their pensions. So how is this going to be correlated? How is this going to be co-ordinated,

MR. BUSH:

Mr. Speaker? Just what is the Comptroller General's role with respect to pensions, pension policy? And this is what I was suggesting a moment ago when I was trying to glean from this, Mr. Speaker, when I was trying to ascertain what the role might be and what benefits might accrue to the Province as a result of this restructuring. And, Mr. Speaker, while I was doing this,

MR. LUSH: I came to the conclusion that the Deputy Minister's role was one of policy, one of making policy, naturally, as instructed by the Cabinet and naturally would also, he, himself, have some role, we would hope, in creating that policy and that the Comptroller General was taking care of expenditures. But in the three-item list that the Finance Minister gave, which would be the duties of the Comptroller General, namely, tax administration, policy pension, payroll, etc., when I looked at number two, pension policy, then I was forced again to direct the question, What are the roles of both men? Because as I suggested to hon. members, who I know are following what I am saying, I suggested that I thought that the role of the Deputy Minister was in policy making, but in item number two of the duties assigned to the Comptroller General, they say it is pension policy. So I do not know, Mr. Speaker, what the - have we now assigned to this man the onerous task, Mr. Speaker, of designing pension policy for all of the public servants of this Province? That is what one would gather here, that is what the connotation is, that he would be looking after pension policy for all of the Province. Well, I suppose it means for all of the public servants of the Province, certainly. And it could be designing pension policy for people in the private sector, I do not know. But one would assume naturally that it has got to do with pensions within the public service. Now, Mr. Speaker, that is not to say that we do not need new policies, new creative policies, new innovative policies with respect to pensions in this Province. There is certainly a lot of work to be done, but again, we are not told here exactly what the role would be, it just simply says pension policy and, of course, the Minister of Finance expected us to swallow that

MR. LUSH: hook, line and sinker,  
Mr. Speaker. What does it mean? What does it mean when we say that the Comptroller General will - one of the areas of his responsibility will be dealing with pension policy?

So, Mr. Speaker, that certainly needs to be cleared up, particularly when we understand and when we know that there are people already in the employ of the government looking after teacher pensions.

I notice, Mr. Speaker, that my time is running short and I just want to clue up by - and then just the other area which will come under the jurisdiction and purvue of the Comptroller General is payroll. Now, again, Mr. Speaker, you know, what structural changes will this bring about within the department? Again, I am sure, each division has its own payroll people. I know again, the department with which I am most familiar, the Department of Education, have their own payroll people and I would expect every department has its own payroll people; I am sure the Department of Finance does and the Department of Fisheries, I am sure, have their own payroll.

So, Mr. Speaker, just how will this fit into the structure? Does this mean now that all of the government payroll will be co-ordinated under this one individual? Is this what it means, Mr. Speaker? Is this what it means, that all of the payroll now will be directed out of the one office? Does this mean now we will have no payroll division in the Department of Education? Does this mean now we will have no payroll department within other government departments?

Mr. Speaker, there are many things in this particular bill that need to be explained.

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MR. LUSH: There are many dark areas  
right now, there are many shady areas that many

MR. LUSH:

hon. members do not readily understand and certainly it is the obligation, the responsibility of somebody on the other side, some hon. members, Mr. Speaker, to clearly elucidate and explain this particular bill. It is their obligation, Mr. Speaker, to tell everybody in this hon. House and the people of this Province just what the re-structuring of this bill will mean.

It is time, Mr. Speaker, that we were told that. The Minister certainly did not do that in his introduction of the bill and I would suggest, Mr. Speaker, if this is some of the major legislation, if this is some of the sweeping legislation that the Premier was talking about, if this is some of the legislation, Mr. Speaker, that was really going to revolutionize this Province, if this is some of the bills and some of the legislation that was going to improve the quality and standard of life in this Province, then I, for one hon. member, Mr. Speaker, cannot see this bill doing it. I do not see this particular bill achieving these lofty ideals that the Premier assigned to the legislation that we were going to be passing in this particular session.

And, Mr. Speaker, maybe, as I have indicated in my opening remarks, maybe it was because the Minister of Finance (Dr. Collins) did not know a lot about the bill and was not able to sufficiently inform hon. members as to the benefits and the values and the advantages of this particular bill. No doubt about it, Mr. Speaker, that the breakup of the various duties, I suppose, can take some of the duties off the shoulder of the Deputy Minister of Finance and put them onto the Comptroller, but the very



MR. LUSH:                    important point, Mr. Speaker, that has not yet been ironed out, the very important point that has not been ironed out, the very salient and major point that has not been addressed in this hon. House yet is, who is going to be the boss? Who is going to be the boss? Which person will be the boss? Because as I understand it, and as was pointed out so capably by my friend and colleague - the member for the Strait of Belle Isle (Mr. Roberts) indicated that the law requires that there must be a deputy head of each department reporting to the Auditor General.

Now, Mr. Speaker, we have - it looks like here, by the bill itself, that we have two deputy heads and nobody on the other side has alluded to that particular point, a very important point with respect to the administration of the law in this Province, with respect to the efficient administration of the law in this Province. Nobody has taken the time to deal with that very important point, to deal, Mr. Speaker, with, if you will, the delineation of authority. No one has taken that position, Mr. Speaker, to clarify to members opposite, as I have said before, -

MR. SPEAKER (Baird):            Order, please!

Is the hon. member winding up on his remarks now?

MR. LUSH:                    Mr. Speaker, have I come to the end?

Well, Mr. Speaker, just in cluing up my -

SOME HON. MEMBERS:            By leave.

MR. LUSH:                    No, Mr. Speaker, I just simply want to say that we are certainly supporting the bill but we are certainly disappointed. We are certainly shocked, Mr. Speaker, beyond words, really, that the Minister of Finance (Dr. Collins)

MR. LUSH: comes in with a bill that is re-structuring the Department of Finance, that is re-structuring the Department of Finance, that is dividing powers equally between two positions and fails to give the House any more information than he gave about this particular bill.

And, Mr. Speaker, maybe hon. members opposite now can get up and clarify some of the misunderstandings of this particular bill, or at least, Mr. Speaker, articulate more precisely just what the various responsibilities and duties of these positions will be and what they will mean to the Department of Finance, Mr. Speaker, and what they will mean to the overall administration of this Province. Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. BENNETT: Mr. Speaker.

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

MR. BENNETT: Thank you, Mr. Speaker.

SOME HON. MEMBERS: What is wrong with the government members?

MR. NEARY: Are you trying to get the House closed or what?

MR. SPEAKER: Order, please!  
The Chair recognized the hon.

member for St. Barbe.

MR. BENNETT: I missed yesterday's session, Mr. Speaker, unfortunately, so I did not hear the remarks from all the government

MR. BENNETT:

members who, I suspect, took advantage and the opportunity to speak on this bill. I would hope, Mr. Speaker, that yesterday government members - when I was out I missed their comments - I would hope that they spoke yesterday on this bill like they, I hope, speak on all bills. Because I think that we should have comments from two sides of the House, not necessarily all the remarks from this side. I hope to keep my remarks relevant. There have been a fair number of points of order, Mr. Speaker, since we have been in discussion today, debate on this bill. So I hope to keep my remarks relevant. It may be a little difficult to do. So you will have to forgive me if I should wander.

I realize as you do, Your Honour, that this government has had ten years of office now. Probably legislation of this sort might have been introduced before today, probably, possibly, if there was a need to have it brought in, introduced with an expanding Province, expanding government - not government necessarily, but more seats being brought forward as an indication we have an expanding population. I question that, if we do have an expanding population, as of the last two years, Mr. Speaker. I suspect our population has been on a decline in the last two years with the outflux of people who have had to go away from the Province looking for employment.

Mr. Speaker, I understand this bill splits a department like it would split any camp, any organization, any association. Two departments in one, from what I gathered from listening and from what I read here, leaving responsibilities or giving responsibilities to two departments in one. Mr. Speaker, it seems to me that there are a lot of things being split by this government.

AN HON. MEMBER: Could you run that one by us again.

MR. BENNETT: Pardon?

AN HON. MEMBER: Just run that one by us again.

MR. BENNETT: It seems to me that this department, Mr. Speaker, the Department of Finance now with the Comptroller, "An Act To Amend The Department Of Finance Act" - now I made those remarks, Mr. Speaker, for a reason. It seems that you are going to have two deputies -

AN HON. MEMBER: (Inaudible).

MR. BENNETT: No, I have not. I have the same act as you have. It is just that you have not spoken on it, you have not studied it, you have not looked at it, you have not even listened. You probably have not even been in the House of Assembly to listen to the remarks from other people.

MR. NEARY: (Inaudible) unparliamentary.

MR. SPEAKER (SIMMS): Order, please!

MR. BENNETT: But, Mr. Speaker, if that is the case, that we are finding two positions within one department, then I would like to suggest that that is not the only area that is being split up to create - possibly create jobs. I am wondering just how many jobs will be created by a bill such as this one, Bill 113, Just how many extra jobs. And will that be added to next year's, or when the budget comes in, and the hon. Minister of Finance (Dr. Collins) says that we have created another 9,000 jobs, or we have created another 1,000. During the election campaign, Mr. Speaker, there was an indication or a promise made by this government of today that there would be 40,000 jobs introduced. And I wonder how many jobs will be created with the pyramiding effect of departments splitting themselves and creating extra employment, extra jobs.

MR. HOLLETT: What was that?

MR. BENNETT: The pyramiding effect.

MR. HOLLETT: You certainly outdid yourself there.

MR. BENNETT: On my desk today, speaking of splitting departments - and I hope this is relevant, I would like to comment on it - but I find it very strange when I see this, Mr. Speaker,

MR. BENNETT: and it refers only to motor vehicles -  
I am sorry - it refers only to motor cars, vehicular traffic.  
It does not refer to -

MR. SPEAKER (BAIRD): Order, please!

I think we are beginning to stray a  
little now.

MR. BENNETT: Well, Mr. Speaker, I want to illustrate  
the fact that this is a split in departments basically. The  
job that was being done by one head is now apparently going  
to be done by two heads, two departments - two deputies.

MR. BENNETT: It seems to me, with all the points of order and the heckling that has gone on from across the House, from the government side of the House, that - the points of order especially, it seems that the government just did not want to hear any remarks or comments about this bill because it does relate to government spending, it does relate to financing, it is a financial - I believe I can read clearly, "An Act To Amend The Department Of Finance Act". The Department of Finance Act, Mr. Speaker, I suspect deals with finance of the Province.

We turn to page 4 of this bill, clause 2, subsection 4: "The Lieutenant-Governor in Council may prescribe powers and duties for the Deputy Minister and the Comptroller General who both shall be deputy heads of the Department" - two deputy heads.

AN HON. MEMBER: I believe you should read clause 3, too.

MR. BENNETT: Subsection 4 on page 4.

"As provided by section 21 of The Financial Administration Act, 1973 if there is no Comptroller General or if the Comptroller General is absent, an Assistant Comptroller General or other person designated under that section has the powers and shall perform the duties of the Comptroller General." I wonder, Mr. Speaker, how many down the line jobs, the deputy, comptrollers, assistant deputies, all down the line -

SOME HON. MEMBERS: Oh, oh!

MR. BENNETT: The total finance cost to the Province for splitting a department, or splitting the work load, I should say - hopefully splits the work load and helps to get a better job done.

Subsection 5 in section 2:

"Such other officers, clerks and employees as are necessary for the proper conduct of the business of the

MR. BENNETT: Department shall be appointed or employed in the manner authorized by law, but the Minister may temporarily employ such technical and other assistants as he deems necessary and fix the remuneration of and prescribe the expenses that may be incurred by those assistants in carrying out their official duties."

The hon. gentleman was questioning my remarks from the very beginning so I, Mr. Speaker, read a few of these subsections.

AN HON. MEMBER: I think you should read them all.

MR. BENNETT: Okay, Mr. Speaker, if the hon. gentleman so desires, I could do just that.

MR. SPEAKER (Baird): Order, please!

At the Committee stage we go into the clause by clause.

MR. BENNETT: Mr. Speaker, as I read along these sections and subsections and I realize the split powers, I, myself am wondering who determines now where such things as road money should go? Who determines where such things as education spending should go?

Mr. Speaker, the people of this Province have lost confidence in the government of the day in this Province. We have lost confidence ourselves. And when the government tries to muzzle this side, they only stimulate our interest and desire to stay in this House of Assembly until we get some of the answers. Mr. Speaker, there are still too many questions to be answered. We want to put forward these questions and the House of Assembly will not close by consent of this side until we have had some of these answers. And by debating such bills as this one, "An Act To Amend The Department Of Finance Act" which deals with finance, there are lots of questions related to finance that we would certainly like to have answered.

MR. BENNETT: Mr. Speaker, if I could just touch on one other - section 6, subsection 18.(1).

I want to read this one especially: "Subject to subsection (2), to section 22 and to the provisions of any other Act, no agreement, deed or other writing made or executed under this Act shall bind the Government or the Minister or be held to be the act of the Government or the Minister unless it is signed by the Minister or the Deputy Minister or the Comptroller General or a person designated by or under subsection (3) of section 4 to exercise the powers and perform the duties of the Deputy Minister or a person with the powers of the Comptroller General under section 21.



MR. T. BENNETT:

Now why, Mr. Speaker? What were the conditions before this bill? Could anybody at all - could I just go out and sign bills? Could I go out, Mr. Speaker, and charge off things to the government's departments? If that is a change that we are making there now, what conditions prevailed prior to this, to the introduction of this bill? I can see positive results from this legislation, Mr. Speaker, but I can also see a slowing down again, a bureaucratic slowness, a slowing down of the development of this Province, a slowing down of development when you have to go through all the various departments. Mr. Speaker, if this is, again like my hon. colleague from Terra Nova (Mr. Lush) said, some of the major reform - I cannot see where it is major reform - if this is some major reform being brought on by this government, then I wonder why at this time, when we are hoping to get the House closed, you bring on finance bills?

MR. THOMS:

They are hoping to get the House closed.

MR. T. BENNETT:

They are hoping to get the House closed. But I do not care if the House does not ever close. And, as a matter of fact, I hope it does not close until -

MR. STAGG: (Inaudible) your leader the other day on television.

MR. T. BENNETT:

Mr. Speaker, you need not worry about our leader being able to handle himself on television. Our leader has made a lot of progress in the eyes of the public. And the people of this Province, Mr. Speaker, have lost confidence in the government and they have lost confidence with most of the legislation that is being brought in.

SOME HON. MEMBERS:

Oh, oh!

MR. T. BENNETT: Mr. Speaker, I should ask for relevance myself because I am being taunted into getting off the subject. Mr. Speaker, in your absence there was more heckling, they have continued to heckle, they have continued points of order to filibuster and then accused the Opposition of filibustering. But with the split personality of this government and the split departments that we see, I am wondering, Mr. Speaker, now, if we will see other departments with extra deputies set up. And if we could have better conditions and if we could have better - Mr. Speaker, I have a lot of material on my desk today that I would like to have been able to read but I feel are irrelevant. But, Your Honour, you have ruled out of order some of the things that have gone before me today and I am reluctant to be ruled out of order. But dealing with finance, and this bill, Mr. Speaker, does deal with finance, I have a letter in front of me from a constituent of mine. It came from the Department of Social Services and it says; 'This letter is written to advise you that you owe the Department of Social Services the amount of \$167.32. You owe this amount from way back in 1960 when you collected unemployment insurance.' Now, I wonder, Mr. Speaker, when that money comes in which department that money shall go to, what effect a bill such as this will have? Now, there is a threat on the bottom of that letter from a social worker. 'The department regrets having to take this action but under the law, which is known as the Financial Administration Act, we have no other choice, We count on your co-operation and failure to do so may result in court action, or referral to the Department of Justice for any action they may take.' So, Mr. Speaker, this is going to be an added cost, it might be justified and it might be a good cost. Most certainly there is a need, if the work load is too heavy under the present structure of this department - if work load is too heavy

MR. T. BENNETT: we certainly agree with having the workload split. But when we see such things as this letter-I just read this letter in part -I wonder, Mr. Speaker, just how pressed and distressed the government is at this time for money. And if this is going to be an added cost, "An Act To Amend The Department of Finance Act," if this is going to be an added cost, Mr. Speaker, I wonder if we can afford to have any added cost, or if we should not take care of some of the things that we already have on our plates, such as collecting monies from an older person who cannot afford to pay back \$167.00 that he drew unintentionally way back in 1960 when he was a tubercular patient resting in a hospital, and six children in school, way back in 1960.

MR. BENNETT: To me it is disgusting for letters of this kind to go out. If we cannot afford to let that gentleman - leave him alone in his older days, if we cannot leave these elderly people alone and write off that \$167.00, then I am wondering where the money is coming from to support changes in legislation of this sort.

MR. THOMS: The Statute of Limitation should apply to this government too.

MR. NEARY: Right on.

MR. BENNETT: Mr. Speaker, I and this side of the House, I think, would like to have more say in where our tax dollars get spent. We try to help decide where tax dollars get spent and we certainly need it -

SOME HON. MEMBERS: Oh, oh!

MR. BENNETT: My hon. colleague spoke about the absurd tax structure that we have inflicted on the backs of people in the Province at the moment and that is a fact, Mr. Speaker. And when you travel the Province now, and especially with conditions as they prevail at the moment and they are going to be worse the rest of this year, there is a hidden tax that we are not identifying. And as I travelled over this Trans-Canada on Friday and I saw traffic stalled and spinning and stuck and off the road for the lack of snow clearing - they are burning up gas and paying tax. They are sitting by the side of the road waiting for snow clearing crews that we do not have in place. We are not able to afford to put our snow clearing crews in place to accommodate industry and to move goods and services over the highways, but, Mr. Speaker, we can still bring in bills into the House of Assembly that will cost the taxpayer extra dollars, and I suspect, Mr. Speaker, this bill will be no less significant in cost to the taxpayer. It will have a cost, and conditions as they presently prevail in the Province -

AN HON. MEMBER: Move the adjournment and we will carry on tomorrow.

MR. BENNETT:  
adjournment of the debate.

Mr. Speaker, I now move the

MR. SPEAKER (Simms): The hon. member for St. Barbe  
(Mr. Bennett) moves the adjournment of the debate.

The hon. the President of the  
Council.

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

On motion, the House at its  
rising adjourned until tomorrow, Wednesday, December 2,  
1981 at 3:00 P.M.