

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD
3:00 p.m. - 6:00 p.m.
MONDAY, MAY 25, 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. Minister of Finance.

DR. COLLINS: Mr. Speaker, I am pleased to advise the hon. members of the settlement which has been achieved between the government, the Federation of School Boards, and the NTA.

Following rejection by the NTA of the conciliation board report and a subsequent vote authorizing strike action by members of the association, efforts by the parties involved, with the assistance of the Department of Labour and Manpower, was finally successful in reaching a satisfactory conclusion. We were advised last Friday that the teachers of our Province had voted to accept the latest government offer which was being recommended for approval by both the executive and the negotiating committee of the NTA. As we understand it, the actual vote was more than seventy per cent in favour of accepting the offer.

The main issues, Mr. Speaker, which finally formed the basis of the settlement were as follows: one, salaries will rise almost twenty-four per cent over the two year agreement which has retroactive effect to September 1st, 1980. Two, the government agreed to credit certain periods of maternity leave for incremental and severance pay purposes, based upon the period eligible for payment under UIC regulations. Three, the government agreed not to amend teacher regulations in a manner which would effect teacher responsibilities during the life of the agreement. And four, an agreement was reached with respect to compensation for former co-ordinating principals and co-ordinating vice-principals.

Taking into consideration the

DR. COLLINS: difficulties and hardships that would result from a teachers' strike, government is pleased with this settlement and looks forward to continued good relationships which exists between government and NTA.

SOME HON. MEMBERS: Hear, hear!

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

MR. NEARY: That was half-hearted.

MR. STIRLING: Yes, Mr. Speaker, and there is no reason why it was half-hearted. I think that the Minister of Finance, or the President of Treasury Board (Dr. Collins) on this side, Mr. Speaker, we have been trying for some time to make sure that there would not be a strike and if negotiations had taken place in good faith there would never have been any question of a strike. What we seem to have established now, Mr. Speaker, for the first time, and I think that the President of Treasury Board had better address himself to this, because we have the very serious charge that an offer was made on the eve of a strike which was a conditional offer, a conditional offer on condition that you accept this offer as a negotiating committee and be prepared to recommend it, or the offer is withdrawn.

MR. NEARY: Blackmail.

MR. STIRLING: Now this is a new low in negotiating, Mr. Speaker.

MR. NEARY: Right on.

MR. STIRLING: And it is something -

DR. COLLINS: A point of order, Mr. Speaker.

MR. SPEAKER: Order, please! A point of order has been raised by the hon. Minister of Finance.

DR. COLLINS: To a point of order, my understanding of the rules is that

DR. COLLINS: a statement may be commented upon but may not be the subject of debate and I would say that the hon. Leader of the Opposition is getting into the area of debate, and not only that but he is arguing from a false basis.

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

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

MR. STIRLING: I think if the President of Treasury Board checks any authority, but specifically if he checks any of the authorities used in this House, he will find that it is quite in order to ask questions about a Ministerial Statement. I was not entering into debate, I was asking questions, Mr. Speaker. And the question that I was asking is whether or not it was true, whether it was true-and for the minister to clarify in his Ministerial Statement-whether it was true that an offer was made to the teachers, which was a conditional offer on the ever of the strike, that said, okay, if you go out and strike we will then tell the people that you did not offer this improvement and that it was conditional on the people taking in advance this offer, accepting it in advance, which is a change in any kind of a standard for collective bargaining, and that was the question being asked, Mr. Speaker.

MR. SPEAKER: Well, the rules are there for everybody to see. Members are allowed to comment or make comments on Ministerial Statements, seek explanations and so on. The hon. Leader of the Opposition has done that and I understand also reiterated his question in debate on the point of order and has therefore asked his question.

Unfortunately now the time generally allotted has now run out.

The hon. the Minister of Mines and Energy.

MR. BARRY: Mr. Speaker, I would like to make a statement to clarify the various references to the intervention by CFLCo in the Water Rights Reversion Act case presently before the court. These discussions that have taken place in the House during the past several sittings, refer to the intervention of CFLCo in the legal action, as I have said, that is now ongoing. And I should point out first of all that CFLCo is a federally incorporated company whose actions are governed by the Canada Business Corporations Act. When the Water Rights Reversion Act was brought into this House in November of 1980, it had the full support, co-operation and assistance of Newfoundland and Labrador Hydro, whose objectives are the same as government's with respect to confirming our legal rights to access Upper Churchill power and with respect to asking the courts of this land to confirm those rights which are currently repudiated by the province of Quebec. However, the ultimate effect of this act would be to terminate the rights of CFLCo under the 1961 lease

MR. BARRY: and to revert to the Province and Newfoundland and Labrador Hydro the right to generate electricity from the waters of the Upper Churchill watershed. In other words, the reason for being of CFLCo would for all intents and purposes be ended. And the board of directors of CFLCo had to consider the ultimate effect of these actions upon that corporation - corporation as a separate legal entity. It had to consider its legal responsibilities as directors and officers of the corporation as defined under law. It is clear from a legal point of view that the board of directors of CFLCo must act in the best interests of the corporation, which might not necessarily coincide with the best interests of either the majority or minority shareholder. This legal responsibility to the corporation takes precedence, by law, over any interests of any shareholder. And it is clear that for the board to have stood by in the face of its lease being revoked would not have been in the best interests of the corporation, which is its prime duty and its responsibility by law and, in fact, the directors could very well have been personally legally liable for not acting in the best interests of the corporation. In addition, there is every reason to believe that by action of the minority shareholder, confirmed by court order, the company, had it chosen not to intervene, would have been forced to act in its own best interests. Hence government and Hydro understood from the beginning that CFLCo would have been, by necessity, an intervenor in the reference concerning the validity of the Water Rights Reversion Act. This was understood as the only reasonable and responsible action which could be taken by the board in accordance with its duties under the law. In other words, the directors had two choices; one was to act outside the law, or the other was to intervene in the best interests of the corporation despite a possible unfavourable public reaction to such an action. Government did not order nor sanction the action of the board,

MR. BARRY:

but we agree that it is necessary under the circumstances.

Mr. Speaker, the point which should not be missed is that we have full confidence in the outcome of the Water Rights Reversion Act and we believe that we have a legal right to revoke the lease. We further believe that given Quebec's repudiation of its terms, we not only have a legal, but also a moral obligation to do so. Whether or not the Government of Quebec or Hydro-Quebec or CFLCo, or for that matter, the Liberal Party or any other party intervenes, it does not in our view weaken the legal case which we are presenting to the courts.

I can assure this hon. House that the government and the board of directors and management of Newfoundland and Labrador Hydro are acting as one in the overall objective of attempting to access Upper Churchill power and attempting to get the Lower Churchill developments off the ground. I might also say that when we discussed the Water Rights Reversion Act with the

MR. BARRY: financial institutions in North America, they were not concerned with the apparent conflict between Hydro and its subsidiary CFLCo, but they were more concerned that we might force CFLCo to act in a manner which would be inconsistent with its corporate responsibilities or with the minority interests of Hydro-Quebec. And we assured them that we were very cognizant about overall responsibilities under Canadian law and that where necessary, the rights to CFLCo would not be abrogated by its majority shareholders. In other words, Mr. Speaker, we are being extremely scrupulous to avoid even the slightest indication that we are not proceeding according to the due process of law and this whole uproar has been arisen because of what is a legal technicality, because of the way corporations are structured; the fact that they are separate legal entities from the shareholders, but we are acting to make sure that we are scrupulous in our observance of the law and that we are doing everything proper, that it will in no way hamper our ability to win the case presently before the courts.

I believe this brief statement explains clearly our position with respect to the Water Rights Reversion Act and the government's, Hydro's and CFLCo's position before the courts.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER (Simms): The hon. the Leader of the Opposition has about three minutes.

MR. STIRLING: Thank you very much, Mr. Speaker.

I think it is significant that it is bad news time again and therefore the Minister of Mines and Energy is allowed to make an announcement that would normally be made by the Premier - bad news time again. The information when the legislation was brought into the House, it was brought in with a great flurry the Premier. It was significant that this information was not given to us at the time.

MR. BARRY:

What information?

MR. STIRLING:

Whatever this great information is that we now have.

Mr. Speaker, the fact of the matter is that we are now getting a little more information; as a result of the digging, we get a little more information. And the truth of the matter is that now you have the minister having to re-assure the financial community. This is the truth, Mr. Speaker, the financial community was re-assured, when this legislation was first brought in, that this government would not do anything that would hurt CFLCo and the minority shareholders, Hydro-Quebec.

Now, Mr. Speaker, if ever there was a classic conflict of interest in this Province by what this government says and by this Opposition agrees, we supported wholly what you brought in when you brought in that legislation, this great opportunity for us to do something, to have some kind of control over our resources. The key to it is CFLCo and if ever there was a conflict of interest, you have the Chairman of CFLCo and the Chairman of Newfoundland Hydro - and as the minister just said in his statement, they are one and the same, Newfoundland Hydro and the Newfoundland government -

MR. BARRY:

That is what the hon. minister has not said.

MR. STIRLING:

And so now you have a situation in which the Chairman of CFLCo, who is the same person who is Chairman of Newfoundland Hydro, by the government's admission, now has to go to court and try to preserve CFLCo, has got to try to set aside this legislation. Now, Mr. Speaker, it happens by coincidence that we are in court against ourselves today. We started this in 1976. On thing the minister has not told us - the Premier would not discuss it and the President of the Council (W.Marshall) would not tell us - how much money, how much money has been set aside by this Province for lawyers' fees on both sides of this case now, one presenting the case of the Newfoundland Government and the other one, our own case, presenting CFLCo.

Mr. Speaker, we are definitely in a conflict of interest situation for whatever the concerns are about giving a fair hearing to Quebec-Hydro, they have now maneuvered us into a position where a company that we bought, paid \$200 million - on one hand they are telling us what a great deal it was to buy CFLCo, 'It is now our company that we now control' and now they are saying, 'Well, of course, it is a separate legal entity and just because we own it and control it, we cannot do anything about it. They have to protect themselves.'

Quebec-Hydro, with BRINCO, created CFLCo like some kind of a robot that protects itself against destruction, even if it has to eat its owners. And we have a classic conflict of interest situation, Mr. Speaker, where the Chairman of CFLCo has to be giving information, by the minister's own statement, giving information to Quebec-Hydro that the people of Newfoundland have not been given and that the people of this House of Assembly have not been given.

MR. STIRLING: And all that this statement does, Mr. Speaker, is confirm that that conflict of interest is there.

MR. SPEAKER (Simms): Any further statements?
The hon. the Minister of Mines and Energy.

MR. BARRY: Yes, Mr. Speaker, I have another statement but with reference to legal fees, if the Leader of the Opposition cannot get either his energy critic or justice critic to give him a little advice, if he does not trust their advice, I would advise him to hire a few lawyers and get the basics of corporation law which makes this whole statement - it should have been unnecessary because it should have been clear to the Opposition Leader, right from the beginning.

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

MR. SPEAKER: Order, please! A point of order has been raised by the hon. the Leader of the Opposition.

MR. STIRLING: I think the very learned member, who knows better than anyone else, is now abusing the rules of the House by getting up on a pretense of another Ministerial Statement and debating my comments on his first Ministerial Statement.

Mr. Speaker, I ask the Speaker to bring the minister back from his ravings. Let us have a proper debate. If we are going to have a debate, let us open it up for a debate. Let us not use the rules of the House for one side only.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): With respect to the point of order, is a legitimate point of order. However, the Chair was waiting to hear what the minister had to say because there is provision, as well, for a minister to respond to any questions and so on that may have been asked when comments were being made by the hon. Leader of the Opposition (Mr. Stirling). However, I would suggest that the comments made by the minister were not answers to questions but perhaps more in the form of debate. I bring that to his attention and ask him to proceed with his second Ministerial Statement.

MR. L. BARRY: Thank you, Mr. Speaker. I hope the Leader of the Opposition will give his energy critic an opportunity to respond to this one. He did not trust him on the big one.

Mr. Speaker, I would like to respond to a matter that was raised by petition and by members of the Opposition concerning power outages at Nain. On April 8th., 1981 and on April 30th., 1981, I arranged to have public meetings held in Nain in order to provide the residents the opportunity to voice their complaints directly to officials of the Power Distribution District. And I might say, Mr. Speaker, that was done the same day, these meetings were set up the same day I received the petition. The meeting held on April 8th. at 7:15 p.m. in the Community Council office was advertised but only thirteen residents attended. Now it was felt by those attending that there was insufficient lead time in advertising - there were about two days of advertising - so to bend over backwards we made sure there could be no complaints about lack of time, we scheduled another meeting. And in the meantime we had the Power Distribution District representatives visit any households who wanted checks made in order

MR. L. BARRY: to more fully explain energy consumption variations at the follow-up meeting. So the meeting of April 30th. was a follow-up to the one of April 8th. It was well advertised in advance and was held in the community recreation centre at Nain, attended by thirty-five residents. An interpreter was hired at the request of the community to translate the discussions into Inuktitut. The problems itemized on the petition and the responses provided by the Power Distribution District representatives were as outlined in the following: (1) there had been the allegation that there were "frequent interruptions of service without adequate notification to residents resulting in disrupted household schedules, damages to personal property, and other undue hardships such as lack of heat and running water." Now the residents were advised that the frequency of power interruptions experienced were uncharacteristic of the level of service provided by the Power Distribution District, and that every action was taken would be taken to ensure that this did not re-occur. And hon. members will recall that this was due to certain contamination in the fuel which got into the equipment and caused a number of the generators to break down. So actions were taken including the complete overhaul of both the 450 kilowatt diesel electric sets; the supervision of these overhauls by the manufacturers representative; the stationing of a

MR. BARRY:

certified mechanic in Nain permanently in January 1981. And although stationed in Nain, he will also travel to other locations on the coast of Labrador periodically. The residents were advised of the action to take in the event of damages to personal property which they felt were attributable to events on the Power Distribution system. A letter must be written to the areas superintendent in Happy Valley Goose Bay stating what was damaged and when and the receipts for repairs must be included. One such letter has been received from Nain for damages to a television set and this is in the process of being paid.

Now the second complaint had to do with an increase of over one hundred per cent in kilowatt hours used as reported by many households for December, a well above average increase expected for that time of year causing unexpected high bills and numerous so-called "cut-off" notices at a time when families can least afford to be without service. Well, when we looked into this we found that there was more to it than met the eye. During the first public meeting, residents were advised that each instance of apparent excess consumption must be considered on an individual basis, that to make comparisons of electricity use between residences is somewhat similar to comparing how much water each family consumes. And if they are like members on the other side who rarely wash, obviously their consumption would be much less than the members on this side of the House. I am not really serious about that, Mr. Speaker. Thus, we suggested that during the following week we would have technicians visit each resident who wanted such a check to explain the reasons for particular consumption levels. And when we met on April 30, 1981, when the representatives met, they reviewed the findings. Now we had two technicians with an interpreter spend the week of April 13th in Nain visiting those people whose names were

MR. BARRY: on a list provided and others who indicated they would like to have a check. In total we visited thirty-seven residences of the 208 customers in Nain. A report of each residence was made with a comparison of the actual consumption to a typical consumption level for the same appliances. The high consumption level described by the residents was primarily due to an extended billing period of thirty-seven days from the first part of December to early January. So it was billing for more than thirty days, it was for thirty-seven days actually, and this did result in some slight increase.

MR. HISCOCK: Did the ministers say slight?

MR. BARRY: Slight. This extended period resulted in twenty-one customers being charged at a higher rate because of the increasing block rates for diesel domestic customers. Each of the twenty-one customers was written a letter to advise that an adjustment would be made to credit his account on the basis of a thirty-one day period. Normally this adjustment is made as a

MR. BARRY: matter of course when an extended period occurs, but it was overlooked in this instance, no question about it. No adjustment is made normally if the cost to the consumer is unaffected in total. .

MR. NEARY: Thanks to the Opposition.

MR. BARRY: Yes, thanks to the Opposition. We have taken steps internally to highlight such extended reading periods in future to ensure that these adjustments are made, and the Opposition can be thanked that the total value of the adjustments to the affected twenty-one customers is \$60.30. Mr. Speaker, that is an average of \$60.30 total for twenty-one customers, something less than \$3.00 per customer on the average.

Now, Mr. Speaker, members opposite say, 'Oh, but there were certain high bills in December by residents at Nain.' Well, other personal reasons for high levels of consumption were found, as follows: First, electric heaters used by the household; secondly, use of an electric range for heating purposes when the home was without fuel; third, use of a hot plate for space heating - one house had one hot plate in each bedroom; fourth, one house had up to twelve contractors, employees, boarding there at the time of the high billing, twelve boarders; one house had a number of people from outside coming in to take baths; one house had outside electrical outlets which were rented to the helicopter companies for heaters; and twelve of the homes checked had electric hot water tanks which obviously are high consumption items. Now, the above items were pointed out to the individuals concerned and also in a general way at the public meeting. And I am pointing them out in such detail today to the House because I think all members of this House have an obligation to point out to our constituents the way in which excessive billing or excessive electrical consumption can occur.

MR. BARRY:
finished.

Now, Mr. Speaker, I have almost

The discussion on "cut-off" notices related more to the understanding of the Inuit people involved about the contents of such a notice. In this regard, we advised the residents that we would have the notices and other consumption-related information translated into Inuktitut, their own language, and I think that this is a thing which is a significant step, Mr. Speaker, and is something that I believe we could have done and we should have done earlier, and I am happy to say, we are doing now. We will give a clear translation into Inuktitut of the billing and consumption-related information and the process of translation and printing is already initiated. The time period between actual billing and the sending out of a cut-off notice, I might mention, is a minimum of sixty days, and there is also the practice that no one is actually cut off until a personal contact is made with the customer

MR. BARRY: for a final attempt to collect the amount owing. Now, there was one further point raised and that had to do with meters, and if the members opposite are not concerned about these matters which they raise, presumably just for the sake of raising them, there are people at Nain, residents of Nain and other parts of the Province who will have an interest in this.

The third matter related to meters. Meters, the petition complained, were not changed and tested every two years, according to regulations - what they thought was the regulation. And several households felt that their meters might not be giving accurate readings. Now, the spokesman for the residents was asked where they heard of two-year retest period but she did not know where this two year period came from and the MHA, I have to say, must be falling down on the job because this information could have been gotten directly from my department.

Now, the information in the federal department of Consumer and Corporate Affairs brochure relating to retest periods was set out and the period is currently eight years for the retesting of meters. We did find that there were seven meters at Nain which did not have retest dates on them. They have not yet been replaced as part of the programme to replace all meters on the systems taken over from the Labrador Services Division of Rural Development. These meters are an indoor type for which we specifically have to obtain replacements and they will be replaced before the end of May, 1981, this month. And the removed meters shall be tested by the Department of Consumer and Corporate Affairs in order to ensure that the meters do record within the required limits of accuracy.

MR. BARRY: In general, Mr. Speaker, following this presentation, all residents appear satisfied with the explanations provided and the actions taken. And, in particular I might say, the concept of providing translated information brochures seemed to appeal to them.

I might again underline, Mr. Speaker, that when the petition was presented in the House of Assembly, there was mention of a hydro bill, I think, by the member for Torngat Mountains (G. Warren), a 'hydro bill in the tiny community of Makkovik, where the house was only occupied for eleven days and the hydro bill was \$324.00'. This bill was checked as well and it relates to a household where, we understand, there was occupancy for eleven days during December of '80 but the billing was actually from November 5, 1980 to December 1st and during November this resident had the employees of the contractor who were working on the new powerhouse living in his house. The house contained such high consuming appliances as a thirty gallon hot water heater, an electric dryer, an electric range and three electric heaters. Thus, the energy consumption of these personnel was likely uncontrolled since the electricity bill was being paid by the owner who apparently was not in the house at the time.

Now, Mr. Speaker, this just goes to show the lengths to which this government will go, Mr. Speaker to determine if there are people who feel that they are being not getting proper treatment from any Crown corporation in this Province, we will thoroughly investigate it.

SOME HON. MEMBERS: Hear, hear!

MR. HISCOCK: Mr. Speaker.

MR. SPEAKER (Simms): The hon. member for Eagle River has about six minutes.

MR. HISCOCK: Mr. Speaker, I do not -

MR. HANCOCK: How much rent did he get for the house for the month?

MR. SPEAKER: Order, please!

MR. HISCOCK: I do not believe, Mr. Speaker, that the Minister of Mines and Energy (Mr. Barry) has taken so much time related to an energy project in one of the coastal residences of Labrador and has gone to the great pains of commending the government, commending the government, that once you have a complaint then let us know. I only wish that the government will make sure that the Coastal Labrador residents, with all of the hydro power in Labrador, that the coastal residents of Labrador have a uniform price because now the reason for this concern, because the price is going up all the time, the reason residents are concerned that the more electricity they consume, because it is diesel consumption, the higher the rates, whereas here on the Island, because of hydro power, the lower the rates. So if the minister and the government are really, really concerned about all these complaints that are coming in, hopefully the minister will recommend to Newfoundland Hydro, because it is a sub-arm of the government, that the minister will make sure that we have uniform rates of electricity all across this Province and that we cannot continue to look upon Labrador as the great resource of electricity for the Island consumption only and leave our coastal communities all along the coast saving, "Oh, it is diesel." Because we do know from the National Energy Board that in four years time the rates are going to double for the higher consumption. So we are seeing bills going up all the time, but with diesel, if there is nothing done for the long-term benefit then we are going to see bills going up all the time.

May 25, 1981

Tape No. 1770

NM - 2

MR. HISCOCK: And I would say, Mr. Speaker, if this government did not do away with the Department of Consumer Affairs, that the minister himself would not have to get up and defend his own department and put the boots to the people of Nain and make sure that they have known every little bit, whether they had curlers, whether they had a hot plate or whether - and took great pain, Mr. Speaker, to knock down every item whatsoever. The main complaint came from Nain, not about the amount of electricity used, but they were rather concerned as well -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Simms):

Order, please!

MR. HISCOCK:

- as, Mr. Speaker, I would point out, of all coastal people, there should have been an education programme all along that coast. The minister stated that it took a week for 37 people out of the 280. All along the coast,

MR. HISCOCK: Mr. Speaker, people are having the same complaints. I would like to ask the minister, with the adjustment being made on the community of Nain, the twenty-one people, how many other adjustments will be made further along the coast? Will there be any educational programmes, will they go in a spend a week in Cartwright, will they spend a week in Makkovik, will they spend a week in Nain? And as I say, Mr. Speaker, I have instances where a person in Charlottetown had to pay over \$600. Once he found out it was a faulty hot water tank, it was his fault, he still had to pay six hundred and something dollars because of a fault in Charlottetown.

SOME HON. MEMBERS: Oh, oh!

MR. HISCOCK: The person who owned it, Mr. Speaker, but it comes down to the fact whether we as a Province are going to make sure that -

MR. BARRY: You said everybody (inaudible).

MR. HISCOCK: I did not say everybody, I said one person.

MR. SPEAKER (Simms): Order, please!

MR. HISCOCK: But the main thing, Mr. Speaker, that I am rather concerned about is that the minister went into great detail to outline how this energy was used. I only hope that the minister will use as much energy to making sure the people in Pinsent's Arm and Norman Bay, who do not even have diesel, I would hope that the minister will use as much energy to make sure that Coastal Labrador gets rid of diesel generating and be able to have some provincial pride in their own part of the Province in saying that they are hooked up to hydro power. And maybe it is because I am making a brief to the Public Utilities Committee saying 'no, they should not have the rates', maybe the minister is getting a little sensitive sensitive.

And with regard to my fellow colleague who is now down in his district visiting, Mr. Garfield

MR. HISCOCK: Warren, it was he who presented this petition; speedily as it was two days later the minister's officials were in Nain and the resident in Nain objected at the two days notice. And, Mr. Speaker, -

MR. BARRY: Yes, we responded too quickly.

MR. HISCOCK: - too quickly, trying to get their snow job, being too sensitive, Mr. Speaker, too sensitive, that is all. So I am rather pleased that it is being looked after but again it is like most of the cases with this government, it is after the fact. And I would say, Mr. Speaker, with the person being stationed in Nain, I would like to know what is going to be done with the educational programme all along the coast because I do share the same concern, I do share the same concern with the minister, that people have to be aware of energy consumption and energy conservation. But I would also say, Mr. Speaker, that we as a government and as a Province here, that we are with regard to the vast hydro power off Labrador and now it is in the federal courts that we cannot as a Province take the attitude that we are going to continue to have a resource and allow

MR. E. HISCOCK: coastal Labrador to be quite contented that if you have a complaint, you phone us and we will look after it. But in the meantime, Mr. Speaker, the rates are at least 20 per cent - they are the highest national energy rates in the country because it is diesel. And I would say, Mr. Speaker, that this government would, if it is concerned about the people of coastal Labrador and concerned about the people on diesel in parts of the Province, that they would institute immediately a uniform price for electricity in this Province, Mr. Speaker. Thank you.

MR. SPEAKER (Simms): Any further statements?

ORAL QUESTIONS

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

MR. L. STIRLING: Mr. Speaker, I have a question for the Minister of Health (Mr. House). He knows that it is coming because we both attended a meeting of the Canadian Council of the Blind yesterday. And we were told by a person who is blind and disabled and forced to live on welfare that he has a sixteen year old son who required dental treatment - and we were told this together - that this person was told that the government policy is that if the teeth to be filled are in the front it will be paid for but they will not pay for any fillings for any teeth other than front teeth and that the teeth will have to get bad enough to be extracted. I told the minister I would be asking him this question, so I ask the Minister of Health whether he would be able to clarify that situation for the individual involved?

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

MR. W. HOWSE: Mr. Speaker, I attended that meeting and I advised the people there that I would be taking their resolutions that they had presented earlier-and they will be sending some to my department and some to Social Services and we will be investigating. There was two or three matters that they did raise with me; that was one. That was a policy that has been in, of course, the policy of free dental care up to - it used to be up to eleven years old and now it is to thirteen years old, and it is free dental care for indigents, for old -

MR. S. NEARY: For front teeth.

MR. W. HOWSE: No, for old people. This was brought in, that one for front teeth, incidentally, was brought in by the previous administration, your administration.

MR. S. NEARY: (Inaudible)

MR. W. HOWSE: Yes, right.

Mr. Speaker, we are doing dentures also for these people and crowns and replacements. And I am having the other aspect of it investigated now at this particular point in time. So that was one. The other one that they asked me, Mr. Speaker, to bring up was the blind allowance. This was one that we brought in in 1975 after the federal Liberals discontinued it, and they asked me to look at improving that one and that falls into the ambit of my hon. colleague here in Social Services. There was another one about glasses and I advised them that this government would be providing glasses to all indigents in this current year. It is in the Budget.

The other thing, Mr.

Speaker, they asked

MR. HOUSE: me to do, in the presence of the Leader of the Opposition in a conversation, was to bring back to the Premier the great job he was doing for Newfoundland and that every Newfoundlander should support him.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: A supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A supplementary, the hon. the Leader of the Opposition. A new question?

MR. STIRLING: Yes. Mr. Speaker, I confirm that - I cannot make a speech here, I can only ask a question, but there were compliments made for both sides of the House.

Let us get back to the specific question, Mr. Speaker, the one dealing with the greatest slight on the dignity of people. Will the minister, and if he cannot, will the Premier agree as of now that regardless of what has happened in the past, that this kind of discrimination against a child, saying that we will only do the cosmetic work, that we will give that child the full treatment to which he is entitled the same as if he were in the dental plan in the under thirteen or the under twelve group? Regardless of what has happened, let us agree to that today. You do not need to do any more discussing with that. Have you got that answer for us today?

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

MR. HOUSE: Mr. Speaker, I advised the hon. member in this House just now that we were looking into that particular thing and I spoke to them the other night that I would look into it today, and I am true to my word, I am investigating it.

MR. STIRLING: Mr. Speaker,

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

MR. STIRLING: Mr. Speaker, I have a question for the President of Treasury Board, who was so very brief with his Ministerial Statement dealing with the teacher situation. And it has to do with this very serious charge, an unbelievable charge, of a government which has now asked people, 'First of all, before we negotiate, you must go on strike.' Is it true that the offer made to the teachers was an offer that was conditional on their acceptance by the negotiating team and the recommendation by them and the executive of that offer, or that there was, in fact, a condition that if they did not accept it at that bargaining time, then that offer would be withdrawn?

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

DR. COLLINS: Mr. Speaker, my statement was somewhat brief, but the hon. the Leader of the Opposition cannot deal with too much information at one time, so that is why I made it brief, so he could manage it.

MR. STIRLING: Well, you are trying hard to be funny today.

DR. COLLINS: When the negotiating team went back to their members to ask for a strike vote, there was an offer from government on the table that remained on the table until such time as government put another offer on the table. At no time did government put an offer on the table - that is Treasury Board - put an offer on the table, whereby it said 'This offer is on the table now but it may be taken off the table.' At no time did that happen.

DR. COLLINS: Now the hon. Leader of the Opposition (Mr. Stirling) has very little concept of this whole area of labour bargaining, very little concept. The remarks he makes point it out very vividly, but I can assure him that when an offer was put on the table by Treasury Board it was put on unconditionally. That was government's stance as of that time and it remained government's stance until such time as government withdrew that offer and put on another offer, and that other offer obviously would not be a lesser offer than the previous one. That would be too ridiculous even for the Leader of the Opposition to take that view. A new offer obviously would be an advance on the offer that had been put there initially.

MR. STIRLING: Mr. Speaker, a supplementary.

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

MR. STIRLING: Yes, I can see the ministers have had their share of nasty pills today, Mr. Speaker. Let us get back to the main question.

We have heard, from public comments by the teachers, and in fact in a letter, that the offer that was made either by the mediator or the Treasury Board - now you may be technically correct that it may not have been made by the Treasury Board because one of the things we are finding is that this government conceals a fair amount of information. You have to pry it out. But the information that has been made public is that somebody, either the mediator, or the bargaining unit on behalf of the government, made a conditional offer to the teachers on the understanding they accepted it in the room and if they did not accept it the offer would be withdrawn. Are you now saying that the people who put out that information were incorrect?

MR. SPEAKER (Simms):

The hon. Minister of Finance.

DR. COLLINS:

Mr. Speaker, whenever the Leader of the Opposition (Mr. Stirling) opens his mouth he only makes clearer his misunderstanding, his sort of naïve view of this whole process. Again I state that government puts forward at times firm offers, when government puts forward those firm offers those offers are unconditional offers in the terms in which they are stated. There is no ifs, ands, or buts under the table on them. I can assure the Leader of the Opposition, and the members of this House, that any offers put forward firmly by government, were offers in good faith. There was never any question of bad faith.

There were negotiations going on by both sides with the mediator over offers put forward. This is normal practice. It is not something that government, in terms of its offers, has any control over. This is the area of discretion that is left to a mediator. If a mediator is not left areas of discretion, clearly there would be absolutely no point in having a mediator in place. But I can assure members of this House that any offers put forward were completely above board, completely understood by the other side, and that any information the hon. leader has to the contrary I think he should put forward and if it is in a documented form put it forward so that we can see exactly what he is talking about.

MR. STIRLING:

A final supplementary, Mr. Speaker.

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

MR. STIRLING: Do I understand the President of the Treasury Board(Dr. Collins) - and since he is such a learned fellow and I am so naive and not understanding, maybe you can continue to explain in your short period that you are going to have in your job. Would you confirm the final settlement, in fact, was a government offer?

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

DR. COLLINS: Mr. Speaker, the final settlement was a matter that came out of negotiations, those negotiations going on between NTA representatives and the Deputy Minister of the Department of Labour and Manpower, and the negotiations between representatives of Treasury Board and the same Deputy Minister. The final settlement came out of the efforts of the Deputy Minister to which each side ultimately mutually agreed, and which the negotiating team for NTA, having agreed to it, made a tentative agreement on behalf of the teachers but said they would bring it back to the teachers with their recommendation for acceptance.

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

MR. NEARY: Mr. Speaker, my question is for the Minister of Labour and Manpower, Sir. It seems to me that an application from the Seafarers' International Union to the Labour Relations Board for certification to represent offshore supply boat workers, Crosbie's group, has been on the carpet now for a long time. Can the minister inform the House what is holding up this application, what the complications are with this application?

MR. SPEAKER: The hon. the Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, the last time I checked on that, I believe it was about six days ago, the application by the SIU, the Seafarers' International Union, the CVRT and the Canadian Merchant Service Guild to represent workers on Crosbie Offshore went before the Labour Relations Board and has been held up by an action taken by the SIU to the courts and the courts have asked, or ordered, the Labour Relations Board to cease and desist from doing anything further until they make a ruling.

MR. NEARY: A supplementary.

MR. SPEAKER (Simms): A supplementary. The hon. the member for LaPoile.

MR. NEARY: Mr. Speaker, will the minister inform the House if Mr. Crosbie or any of his cronies have approached the minister regarding this application that is before the Labour Relations Board and before the courts, and if so, would the minister supply us with any details of any meetings that he might have had with representatives of this company?

MR. SPEAKER: The hon. the Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, I have not had any meetings with Mr. Crosbie with respect to this, or any of his cronies.

MR. NEARY: A supplementary.

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

MR. NEARY: Mr. Speaker, has the hon. gentleman had any new representation in writing from management in connection with this matter?

MR. SPEAKER: The hon. the Minister of Labour and Manpower.

MR. DINN: I did not get the question, Mr. Speaker. Maybe the hon. member could repeat it.

MR. SPEAKER (Simms):

for LaPoile.

The hon. the member

MR. NEARY:

if he has received any representation from this company in writing in connection with the application before the Board.

I asked the hon. gentleman

MR. SPEAKER:

Labour and Manpower.

The hon. the Minister of

MR. DINN:

this morning I have

Mr. Speaker, as late as

MR. DINN: cleared everything in my 'in' basket and there was no communication -

MR. FLIGHT: Maybe it is in the 'out' basket.

MR. DINN: - in my 'in' basket as a result went to my out basket from Crosbie Offshore, his representatives.

MR. NEARY: Supplementary, Mr. Speaker.

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

MR. NEARY: Mr. Speaker, would the minister indicate to the House that any such representation that he might have from Mr. Crosbie or from his company in connection with asking the minister to intercede or interfere in any way, shape or form with applications before the Labour Relations Board, that this would be considered to be improper? Would the minister consider that to be improper, that sort of representation to be improper if Mr. Crosbie or any of his cronies did approach the ministers?

MR. SPEAKER: The hon. Minister.

MR. DINN: Mr. Speaker, many people contact me with respect to the Labour Relations Board or the Labour Standards Board, Labour Standards Tribunal and I frequently communicate with them in different sections in my department, I do not think it is improper at all.

MR. NEARY: Final supplementary, Mr. Speaker.

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

MR. NEARY: What I am asking the hon. gentleman is to assure the House that if he indeed did have such representation, that it would not happen under this administration, that there would be any interference or the minister taking sides before the board in this particular matter?

MR. SPEAKER: The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, the Labour Relations Board is an autonomous body. It basically deals with anything

MR. DINN: that goes before it and very rarely if ever interfere with any decisions of the Labour Relations Board but it does not preclude me from speaking to them or communicating with them and expressing concerns.

MR. SPEAKER (Simms): The hon. member for St. Mary's - The Capes.

MR. HANCOCK: I wish to yield.

MR. SPEAKER: He wishes to yield.

MR. NEARY: Supplementary, Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Would the hon. gentleman care to elaborate on what he means by communicating with them and expressing concern? Would the hon. gentleman care to elaborate on that statement?

MR. SPEAKER: The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, the Labour Relations Board deals with different areas of disputes in the Province, some of the disputes which I personally deal with myself, and I have frequently communicated with the Labour Relations Board and members on the board. I do not think I have ever interfered in any way, shape or form with rulings of the board; indeed I think that would be inappropriate.

MR. NEARY: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. member for LaPoile.

MR. NEARY: That is the assurance I was looking for from the hon. gentleman. Has he now assured the House that he would not dare-because as he said himself that the Labour Relations Board is an autonomous group, a quasi-judicious group and interfering with the workings of the Labour Relations Board would be almost the same as interfering with the proceedings of the trials court, trials division, the court in this Province - is that what the hon. gentleman is saying? Is the hon. gentleman

May 25, 1981

Tape No. 1776

SD - 3

MR. NEARY:

giving the House that assurance?

MR. SPEAKER (Simms):

The hon. Minister of Labour and

Manpower.

MR. DINN:

Mr. Speaker, if I get concerns

raised to me with respect to the Labour Relations Board then

I will certainly pass those concerns on to the board. I do

not think that is inappropriate and I do that frequently.

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

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

MR. NEARY: Is the hon. gentleman saying then that he would merely pass the concerns on to the board without requesting an opinion? Is that what the hon. gentleman is saying?

MR. SPEAKER: The hon. the Minister of Labour and Manpower.

MR. DINN: Well, Mr. Speaker, not necessarily. I mean, I might express an opinion about something that somebody expressed to me to the Labour Relations Board. I mean that is part of my job, I would think.

MR. NEARY: Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: No, what I want to say is that the hon. gentleman would never take sides, if he was communicating with the Labour Relations Board, he would never take sides, especially in a matter like the SIU or some other application before the board. The hon. gentleman certainly would never take sides.

MR. SPEAKER: The hon. the Minister of Labour and Manpower.

MR. DINN: Well, Mr. Speaker, I do not know if the hon. member has something to -

MR. NEARY: No, I am asking the hon. minister.

MR. DINN: Well, I mean, I do not know. I have had hundreds of communications with the Labour Relations Board. And certainly, you know, the odd time I expressed concerns. If people tell me their concerns then I express those concerns to the Labour Relations Board.

MR. NEARY: A supplementary, Mr. Speaker.

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

MR. NEARY: Well, Mr. Speaker, perhaps I am not making myself clear. I am asking the hon. gentleman if he would ever take sides - if he has ever taken sides in a matter like the question I have been putting to the hon. gentleman about the SIU and other applications. Certainly the hon. gentleman would never take sides, that is what I am asking. Or would he take sides? Or has he taken sides?

MR. SPEAKER: The hon. the Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, I do not know. I have had hundreds of communications with the Labour Relations Board in two years, over two years. I do not know what all of these communications have been.

MR. NEARY: But the hon. gentleman (inaudible).

MR. DINN: I have written letters to them, I have talked to them. You know, I communicate with them freely. I do not see any problem with that.

MR. NEARY: A supplementary, Mr. Speaker.

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

MR. NEARY: The hon. gentleman told us there about ten minutes ago when I first started asking him, he merely just said that he would communicate concern of somebody else to the Labour Relations Board. I am asking the hon. gentleman now if he himself, as minister, would take sides or try to influence the board. That is what I am asking the hon. gentleman.

MR. SPEAKER: Order, please!

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

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

MR. MARSHALL: Mr. Speaker, that question has been asked three or four times and it has been answered three or four times. I refer Your Honour to Beauchesne, Page 129, "A question may not multiply, with slight variations, a similar question on the same point."

I realize the Opposition, Mr. Speaker, has very little to ask, but at least they could try some other member rather than to have to suffer through the same questions over and over again.

SOME HON. MEMBERS: Hear, hear!

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

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

MR. STIRLING: Yes, Mr. Speaker, to the point of order, When you have a minister who is reluctant to give the information, you have sometimes to ask different questions to get to this point. This is now a new question. He has gone in variations, but this is a new question. And what the question was specifically, and if the Speaker would like to check Hansard, he will find, the question specifically was 'Have you tried to influence the board.' That is what the specific question was and it was a new question.

MR. SPEAKER: With respect to the point of order, in addition to the reference quoted by the hon. the President of the Council (W. Marshall), I would draw members' attention as well to sub-section b or paragraph 357 which says, in putting a question, "A question must not repeat in substance a question already answered or to which an answer has been refused." And I think that is the appropriate section

MR. SPEAKER (Simms):

and obviously the question was asked at least a second time and therefore it is out of order.

The hon. member for LaPoile.

MR. NEARY:

Maybe I will ask the Premier, what would the Premier think if his minister, if he did interfere with the -

MR. MARSHALL:

A point of order.

MR. SPEAKER:

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

MR. MARSHALL:

Mr. Speaker, Your Honour has made a ruling with respect to this particular question. It is the question that is out of order, it is not who it is addressed to. The hon. gentleman is multiplying with slight variations a similar question and addressing it to another member of the ministry; 'repeat in substance a question already answered.' Your Honour has drawn the hon. member to order and the hon. member should comply with the ruling.

MR. STIRLING:

To the point of order.

MR. SPEAKER:

To the point of order. The hon. Leader of the Opposition.

MR. STIRLING:

Mr. Speaker, the President of the Council is interpreting what the question is going to be. The member never asked his question. He said I have a question of the Premier and so before he could ask the question it was in anticipation. Now I know they are very sensitive about whether or not ministers are straying beyond what they should be doing and it is obvious that the Minister of Labour (Mr. Dinn) does not know what the answer is and therefore they are trying to get this ruled out of order. But there is no legitimate point of order, Mr. Speaker, The question has not even been asked.

MR. SPEAKER (Simms): I would agree with the hon. Leader of the Opposition. I would have to hear the question first to determine whether or not the question is out of order. But certainly one reference has been quoted and I would substantiate the point raised by the hon. President of the Council is that the matter refers to a question and therefore it must not repeat in substance a question already answered or to which an answer has been refused.

So if the hon. member for LaPoile has a new question.

MR. NEARY: All my question requires, Mr. Speaker, is a simple yes or no answer by the Minister of Manpower (Mr. Dinn). Did the minister ever interfere with matters before the Labour Relations Board?

MR. SPEAKER : Order, please! I do not have to rule the question out of order. It is the same question that has been asked and whether or not the member has received an answer - you know. I have already quoted the reference and I am sure the member is aware of it. The hon. member for Eagle River.

MR. HISCOCK: I yield.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, let me ask the Minister of Justice (Mr. Ottenheimer) a question. Does the Minister of Justice (Mr. Ottenheimer) think that it is a serious matter to interfere with the operations of the courts in this Province or to interfere, intercede or bring pressure to bear on a quasi-judicial body in this Province like the Public Utilities Board or the Labour Relations Board?

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

MR. SPEAKER: The President of the Council on a point of order.

MR. MARSHALL: I hope the hon. the Leader of the Opposition, who obviously does not listen to the member for LaPoile

May 25, 1981

Tape No. 1778

AH-3

MR. MARSHALL: (Mr. Neary) like a lot of people, heard that question. That question is obviously out of order. The hon. member is obviously toying with Your Honour and with this House. He has been ruled out of order and he should be required to refrain and take a seat and give the floor to some other member in the fervent hope on this side that there is an intelligent question to be asked from the other side to answer.

MR. STIRLING: Mr. Speaker.

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

MR. NEARY: What are your references (inaudible).

MR. STIRLING: Mr. Speaker, I think again -

MR. NEARY: It is only common sense.

Just because (inaudible).

MR. SPEAKER: Order, please!

MR. STIRLING: The test should be not the rantings of the member for St. John's East (Mr. Marshall). The test in this question should be would that be

MR. STIRLING: a legitimate question put at the beginning of Question Period to the Minister of Justice (Mr. Ottenheimer). And, of course, it has no reference at all to any of the specifics. It may be causing the member for St. John's East (Mr. Marshall) a lot of concern that the Minister of Labour (Mr. Dinn) has done something which he should not have done. That may be true, but that has nothing to do with this question. The question is a question dealing directly with the Minister of Justice, and I am sure he would have no problem answering.

MR. SPEAKER (Simms): The Chair is in a little bit of a difficult position here. I am looking for a reference and I cannot recall exactly what the question was. Maybe the hon. -

MR. NEARY: The President of the Council did not give a reference.

MR. SPEAKER: I beg your pardon?

MR. STIRLING: No, it was just to disrupt.

MR. SPEAKER: Would the hon. the member for LaPoile repeat the question then?

MR. NEARY: The question I am asking the Minister of Justice is if someone interfered with, brought pressure to bear on the courts in this Province, one of the magistrate's courts or the Supreme Court or a quasi-judicial group like the Public Utilities Board or the Labour Relations Board, would that be illegal or improper?

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

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

MR. MARSHALL: Since Your Honour wishes, I give Your Honour the same references that Your Honour has already quoted, 'repeat in substance a question already answered' with respect to the matter of the Labour Relations Board on which the hon. gentleman is flagrantly violating Your ruling. With to the other matter to which the answer is already known: Would the Minister of Justice interfere with a judicial decision?

May 25, 1981

Tape 1779

EC - 2

MR. NEARY: No, no, that is not the question.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: I refer, Mr. Speaker, to Item (g) on page 130.

MR. NEARY: That is not the question.

MR. MARSHALL: 'A question may not be hypothetical.'
If Your Honour wants a strict ruling, that is a strict ruling.
Now, Mr. Speaker, I am going on strict rulings, because I think the hon. member, as usual, is attempting to take the people's House on his back. He is out of order, he has been ruled out of order and he should be required to take his seat and give the floor to somebody else.

SOME HON. MEMBERS: Hear, hear!

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

MR. SPEAKER: Further to the point of order, the hon. the Leader of the Opposition.

MR. STIRLING: The member for St. John's East (Mr. Marshall) does this every time that he gets on shaky ground, he switches his references and then he just tries to use up Question Period. Mr. Speaker, it is not a valid point of order.

MR. SPEAKER: With respect to the point of order, I would rule it is a valid point of order because the quotation is there very clear, 'A question must not be hypothetical.' That is why I asked the hon. member to repeat it, so that I could understand it. It was ' hypothetical.

MR. NEARY: What was that -

MR. SPEAKER: 357, Subsection (g): 'A question must not be hypothetical.'

MR. HANCOCK: Mr. Speaker.

MR. SPEAKER: The hon. the member for St. Mary's -
The Capes.

MR. NEARY: Mr. Speaker.

MR. SPEAKER (Simms): If the hon. the member for St. Mary's - The Capes wishes to yield?

MR. HANCOCK: I yield, Mr. Speaker.

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

MR. NEARY: Mr. Speaker, I submit to the House that it is not a hypothetical question.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

I have ordered the hon. member's question out of order on the basis that it is hypothetical.

MR. NEARY: Well, maybe I can ask the specific question.

MR. SPEAKER: Well, sure, if the hon. member has a specific question.

MR. NEARY: Well, does the hon. the Minister of Justice have any evidence that his colleague, the Minister of Labour and Manpower (Mr. Dinn) ever intervened, brought pressure to bear or interceded with any decisions of the Labour Relations Board?

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

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

MR. MARSHALL: If the hon. member is going to be allowed to take the House on his back, let him take it on his back, but the hon. member has been ruled out of order on this line of questioning, not because he is out of order, Mr. Speaker, because in substance the question has already been answered and answered adequately by the hon. the Minister of Labour and Manpower.

MR. MARSHALL: Now, Mr. Speaker, if the hon. gentleman is going to be allowed to get up in this House when Your Honour says that a matter is hypothetical and say it is not hypothetical, which he did, which he did, Mr. Speaker, and he is going to be allowed to rephrase the question which in substance is exactly the same as the other, well, Mr. Speaker, perhaps we should give the House over to the hon. member for LaPoile (Mr. Neary) and let him run it.

MR. NEARY: A good idea.

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

MR. MARSHALL: And Mr. Davidson.

MR. NEARY: Haul out the dirt that is going on on the government side of the House.

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

MR. NEARY: (Inaudible) his life over this one.

MR. STIRLING: Mr. Speaker, the President of the Council (Mr. Marshall) should try to restrain himself. He knows full well that the -

MR. NEARY: We will find out now how (inaudible) you are.

MR. STIRLING: - the Speaker can only rule -

MR. NEARY: Do not talk about -

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

MR. STIRLING: - on a specific question. He cannot rule on the fact that the member for St. John's East (Mr. Marshall) does not like a line of questioning and so this is a separate specific question and Mr. Speaker will have to rule on that specific question. It is very specific and it has never been asked to the Minister of Justice.

MR. NEARY: I will pass it over tomorrow -

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

MR. MOORES: One more 'Brian', boy.

MR. SPEAKER: Well with respect to the point of order, as I understand the question it was to ask the hon. Minister of Justice (Mr. Ottenheimer) if he had information relating to a separate matter and it is a little different than the questions that were asked previously. The Chair cannot rule that one out of order.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: The Minister of Justice.

MR. SPEAKER: The hon. minister wishes to answer.
The hon. Minister of Justice.

MR. THOMS: Just answer in one word.

MR. OTTENHEIMER: To my knowledge, I have absolutely no knowledge of any improper - anything improper done by the hon. minister with respect to any representations he may have made to the Newfoundland Labour Relations Board, or any other board, absolutely, I have total confidence that he has done nothing whatsoever improper in anything.

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

MR. NEARY: Mr. Speaker, let me ask the hon. Minister of Justice now then, if there was interference in the Public Relations Board would the hon. gentleman consider that to be improper or illegal?

SOME HON. MEMBERS: Oh, oh!

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

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

MR. MARSHALL: On a point of order.

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

MR. MARSHALL: The hon. member is allowed,
Mr. Speaker, if - if asked for something in the future, the
answer is obvious, we could give it but it is hypothetical. It
is out of order and again I refer to page 130, paragraph (g).
Now, Mr. Speaker, this is just a charade and if the hon. gentleman
is to be allowed to continue on in this vein, the hon. gentleman
is going to be allowed to take this House on his back as he loves
to from time to time, but he is not going to do it while this
government is the government, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

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

MR. NEARY: To that point of order -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. NEARY: the hon. member who just made that
point of order, which is not a valid point of order, Mr. Speaker,
knows full well that another rule of this House is that you
cannot lie to the House. And the only way that we can bring out
information is to keep asking questions. And, Mr. Speaker, the
hon. Minister of Justice there, in a very co-operative way -

MR. MARSHALL: A point of privilege.

MR. SPEAKER: Order, please! A point of
privilege, the hon. President of the Council.

MR. MARSHALL: A point of privilege of the House.
The hon. gentleman got up in this House and he has said that you
cannot lie to the House.

MR. NEARY: That is right. You cannot. The
rules -

MR. MARSHALL: Okay,

MR. W. MARSHALL: you cannot lie to the House, that is granted. Neither, Mr. Speaker, can you accuse anyone of lying and you cannot say indirectly what you cannot say directly. And I refer, since we are full of authorities today, Mr. Speaker, to page 130, item i, 'A question may not contain imputations'. I would submit to Your Honour that a question such as this, as the hon. gentleman loves to do and he casts aspersions on anybody here or anybody, contains imputations. And the hon. gentleman should be required to withdraw those -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. W. MARSHALL: - not only to refrain from that question but to withdraw any imputation that he has made.

MR. STIRLING: To the point of privilege.

MR. SPEAKER: To the point of privilege, the hon. Leader of the Opposition.

MR. L. STIRLING: The President of the Council (Mr. Marshall) has really got carried away. He knows that this is not a point of privilege. What he is trying to do is he is trying to stall so that they will not have a repeat of somebody getting up and being absolutely assured that a minister is telling the truth only to have to come in sometime later and say, 'Well, I was misled'. Now what the President of the Council is doing is he is stalling for time to let the Minister of Labour and Manpower (Mr. Dinn) check out and not get himself hooked into this kind of situation. It is not a question of privilege, Mr. Speaker. If the member for St. John's East (Mr. Marshall) loses his cool I can assure him that the Speaker has this House under control and he would not let any of that sort of thing happen. We have absolute confidence in the Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): I will hear one final submission.

The hon. President of the Council.

MR. W. MARSHALL: On that point, the hon. gentleman talked about misleading the House. The record will show that the hon. gentleman there opposite referred to lying, which is entirely different. It has been the bent of certain members on the opposite side from time to time to use those words, but at all times it calls for the prompt interference and interjection by the Speaker to call the person to order. Otherwise, Mr. Speaker, what we are going to have is a complete derogation of this House itself. There is no member in this House who is allowed to accuse any other member of lying or to say indirectly what he could not say directly.

MR. SPEAKER (Simms): Order, please!

With respect to the point of privilege, the Chair's role in determining whether or not there is a point of privilege is to determine whether or not there is a prima facie case. In this particular case I do not consider that there is a prima facie.

With respect to the original point of order, there is a legitimate point of order. The question is out of order because it was hypothetical. And in addition to all of that the time for Oral Questions has now expired.

I would like to, while I am standing, welcome to the gallery on behalf of all hon. members a former member of this hon. House and a former Minister of the Crown, Mr. Jim Reid.

SOME HON. MEMBERS: Hear, hear!

NOTICES OF MOTION .

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

MR. G. OTTENHEIMER: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The Judicature Act".

Orders of the Day

MR. MARSHALL: Committee of Supply.

MR. L. STIRLING: A point of order, Mr. Speaker.

MR. SPEAKER: A point of order, the hon. Leader of the Opposition.

MR. L. STIRLING: The government with a great deal of fanfare earlier this year, Mr. Speaker, brought in through the public media, not through the House, what they considered a change in rules. And they were being done to speed things up and make sure that the people were heard.

MR. STIRLING: Well, one of the things that was announced was that budget would be brought in on Mondays. First it was cut back from Monday and Tuesday to Mondays. And we are now in a position where, apparently in their panic, they are changing the rules again. Now, do they intend not to let us get back on the budget, Mr. Speaker?

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: First of all, that is not a point of order. Mr. Speaker, the fact of the matter is, when we announced - we try to have this House on an orderly basis - the first two days were for financial matters, the last two days of the week were to be used for legislative matters, that was in our desire, Mr. Speaker, to have an orderly flow of business and to make the House of Assembly as relevant and as workable as possible.

In case the hon. gentleman there opposite does not understand, as perhaps he does not, Committee of Supply very much relates to financial matters. And, Mr. Speaker, also, the hon. gentleman should understand as well that we are co-operating as much as we can with the Opposition, but he must also know that it is the government which is charged with calling the order of business and that is exactly what we are doing today, and we will do tomorrow, and we will do in the following weeks and years to come as well.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: So much for the rules.

MR. SPEAKER: With respect to the point of order, my understanding is that the intention as stated earlier by the government was an intention of the way they wished to conduct, or would carry on business, but, however, it is not a point of order because the Standing Orders certainly determine or indicate that it is the government which

MR. SPEAKER (Simms): determines the order of business except on Wednesdays, and in the Chair's opinion they can call whatever matter they wish to call. Therefore, we have now dealt with the point of order so we are on Committee of Supply, Order 2.

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

COMMITTEE OF SUPPLY

MR. CHAIRMAN (Butt): Order, please!
I should like to point out to all hon. members the time remaining on the estimates is three hours and twenty-seven minutes.

AN HON. MEMBER: How long?

MR. CHAIRMAN: Three hours and twenty-seven minutes.

When we last met we had under consideration Head 1, Consolidated Fund Services, most of which is statutory and does not require a vote. The hon. the member for Grand Bank (Mr. Thoms) was speaking and he had about six minutes left.

Shall 105-02-02 carry?

SOME HON. MEMBERS: Carried.

MR. NEARY: 105-0 what, Mr. Chairman?

MR. CHAIRMAN: 105-02-02.

MR. NEARY: Oh, yes.

MR. CHAIRMAN: Well, that is the only subhead that requires a vote, so shall Head 1, carry?

On motion, Head 1, Consolidated Fund Services, carried.

Motion, that the Committee report Head 1, Consolidated Fund Services, without amendment, carried.

MR. CHAIRMAN: Shall Head II, Legislative, carry?

MR. NEARY:

Head what?

MR. STIRLING:

Legislative.

MR. NEARY:

Ah, let her go.

MR. STIRLING:

Mr. Chairman, I have one short question. In the office of the Parliamentary Commissioner, who is the Ombudsman, it appears from the conflict of interest guidelines -

MR. CHAIRMAN(Butt):

Yes. On Head II, the hon. the Leader of the Opposition.

MR. STIRLING:

- it appears from the conflict of interest guidelines that the office of the Ombudsman is now being brought under those guidelines, and those guidelines are all-inclusive. Is it the intention of government -

MR. MARSHALL: A point of order, Mr. Chairman,
I hope a gentle point of order.

MR. Chairman (Butt): A point of order, the hon. the
President of the Council.

MR. MARSHALL: Since the parliamentary ombuds-
man is 203 - is subhead 203 - 01, and I think what we should
do for the sake of calling the business in an orderly
manner is start 201 - 01 and go down through and then when
we come that then the hon. Leader of the Opposition could
effectively, more effectively I think, comment on the parl-
iammentary commission.

MR. STIRLING: I have no objection. It is just
that we have had all of the debates for the last three hours
on the general heads.

MR. MARSHALL: I am trying to keep the Opposition
in order.

MR. STIRLING: I realize what you are doing to the
Opposition. You set the rules and we will follow them.

MR. MARSHALL: I am trying to show you -

MR. Chairman; Is it agreed you will call the
heads then, under Head 11 Legislative.

On motion, headings 201 - 01
through 202 - 01, carried.

The hon. member for LaPoile.

MR. CHAIRMAN: The Auditor General.

The hon. the Leader of the Opposition.

MR. STIRLING: The Auditor General has indicated,
the new Auditor General, in a public statement has indicated
that he would be bringing in some recommendations. All that
we want to say is that from this side of the House, since the

MR. STIRLING: Auditor General does report to the House of Assembly, we would look forward to receiving his report, and I hope that it will be in a report form to the House of Assembly, and I presume that the government does not have any requests that are outstanding from the Auditor General that have been turned down. I would like to ask a specific question on this. Have there been any requests of the Auditor General that have been refused under these subheads?

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

PREMIER PECKFORD: Mr. Chairman, I do not know if there is any specific correspondence that the former Auditor General - I do not imagine there is any the present Auditor General which has been specifically turned down. I am not sure. What usually happens, as the hon. the Leader of the Opposition knows, is that the Auditor General makes a report to this House. It is received by this House and then the Public Accounts Committee and the House itself deals with the report of the Auditor General and the government deals with it. And this year for the first time, I guess I do not know of any other government ever in Newfoundland's history has at the same time as the Auditor General's report has been tabled that the government also tabled simultaneously with the Auditor General's Report their own report responding to the concerns of the Auditor General. And we did that this year for the first time. That takes a fair amount of work to put that into operation because as each year goes by, the Auditor General and his staff do their different audits of the various departments and tell the departments where they think a tightening up and administrative arrangements need to be changed and we have to try to respond to each department.

So, we did for the first time this year in writing respond to the Auditor General, at the same time that his report was brought down. I am not aware of any

May 25, 1981

Tape NO. 1783

EL - 3

PREMIER PECKFORD: specific requests of the Auditor
General. Now, there might be different requests to Treasury
Board from

PREMIER PECKFORD: request the Treasury Board from time to time that I am not specifically aware of dealing with staffing and so on and space and that sort of thing, that will come up from time to time. There is, within the fraternity, I guess, within the fraternity of , I suppose, a CA fraternity and the Auditor General across Canada a fair amount of flux between what the Auditor General's role should be, whether it should be expanded, whether it should be contracted, what exactly the Auditor General's role should be, if anything, beyond what it is now. And I have read a number of books on that recently and some of the former Auditors General of Canada have not been what you would call totally consistent in the way they would like to see it done. I am not aware of specific things dealing substantively with the office of the Auditor General to which we have not responded.

MR. CHAIRMAN (Butt): The hon. Leader of the Opposition.

MR. STIRLING: Mr. Chairman, I yield to the hon. President of Treasury Board.

DR. COLLINS: Mr. Chairman, perhaps I could elaborate on that just a little more. What the hon. Premier says is perfectly correct, the ongoing requests from the Auditor General, of course, have to be processed through Treasury Board. There was one item under salaries where the Secretariat suggested there might be a reduction but that reduction was not accepted by Treasury Board and subsequently not accepted by Executive Council. And that was the only possible reduction that was entertained. In all other respects the requests of the Auditor General for the various items were as he requested.

MR. STIRLING: Mr. Chairman, I missed part of that.

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

MR. STIRLING: Would you mind repeating that and be a bit more specific?

MR. CHAIRMAN: The hon. Minister of Finance.

DR. COLLINS: Under all subheads except salary there was not suggestion at Treasury Board level there would be any reduction on the request. Under salaries, that would be 201.01, the Secretariat of the Treasury Board suggested there was a reduction option there, but that reduction option was not accepted by the board itself, as opposed to the Secretariat of the board, nor was it accepted by Executive Council. So I am just emphasizing that there were no reductions from the request made by the Auditor General.

MR. STILRING: Including salaries?

DR. COLLINS: Including salaries.

MR. NEARY: Mr. Chairman.

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

MR. NEARY: Just a quick question to the Premier in connection with the Auditor General's department - or the Minister of Finance (Dr. Collins) but I prefer to get the answer from the Premier: as the hon. gentleman knows, the Auditor General every year when he is doing his investigations and doing his audit of various government departments, he submits what they call 'management letters' to various departments of government. Up until now the House has not been able to get access to these 'management letters'. Would the hon. Premier agree that the Public Accounts Committee, if they send - that may be more important now than, Mr. Chairman, what we are talking about - for these 'management letters' that the ministers responsible for various departments should make these 'management letters' available to the Public Accounts Committee?

MR. CHAIRMAN: The hon. the Premier.

PREMIER PECKFORD: Well, Mr. Chairman, I could not give a direct answer to that question just off the top of my head here like that. I do not know what is involved, I do not know if in the hon. member's day - well, I do not suppose there was an active Public Accounts Committee when the member was a minister, unfortunately there was not, there was not in his day so

May 25, 1981

Tape No. 1784

SD - 3

PREMIER PECKFORD:

that therefore I guess -

MR. NEARY:

There was provision for it but

it was not there.

PREMIER PECKFORD:

yes, it was not set up, the government you were part of did not really move to set up the Public Accounts Committee in that day.

PREMIER PECKFORD: Apparently for some reason you did not want to get into it but that is history. We are talking about it today , we are talking about a new government -

MR. NEARY: There was no skulduggery, there was no need of it.

PREMIER PECKFORD: - although in the hon. member for LaPoile's (Mr Neary) day, they did not want a Public Accounts Committee.

MR. NEARY: No, there was no need of it.

PREMIER PECKFORD: This government wants a Public Accounts Committee and have established one and it is working.

MR. NEARY: The Auditor Generals reports were always clean.

PREMIER PECKFORD: (Inaudible) so one can see a good difference between PC and Liberal, I suppose, just in that one little action. But whether in fact these management letters, as the hon. member for LaPoile (Mr. Neary) uses them, are meant as an exchange between the department and the Auditor General as it relates to concerns that he might have and whether they should be made available to the Public Accounts Committee, I would have to take under advisement. I could not answer it directly. But I will take the matter up to see whether in fact that could be done because I guess one would have to consult with the Auditor General too on that as well as with the departments before , you know, some kind of an answer could be given. But that is a matter that I will have to take under consideration.

MR. CHAIRMAN (Butt): The hon. Leader of the Opposition.

MR. STIRLING: Mr. Speaker, everybody on

MR. STIRLING: that side - I do not know, they must have gotten some bad news today in Cabinet or a bad Cabinet meeting. They are so nasty and touchy today. What started off to be a very routine, innocent question, brought out the worst in the Premier and he stumbled into saying how important the Public Accounts Committee is. The Public Accounts Committee made a recommendation - four people from that side, three from this side - a unanimous recommendation, the Public Accounts Committee. The only time that the Premier has had a chance to test his integrity and concern and his method of dealing with the Public Accounts Committee, a unanimous report came in. The first year, the Chairman, who is now on the other side, the Chairman of the Public Accounts Committee tried to arrange to have the Public Accounts Committee Report debated. And maybe this is as good a place as any to get some commitments. In the light of the comments made by the Premier, can we get a commitment? Because as the Premier knows, and if he were on the other side as he may be for a term or two, it is very important that you have peers from both sides looking into the Public Accounts. And there should be no information none, Mr. Chairman, there should be no information that the Public Accounts Committee cannot get. Now there may be some information that the Public Accounts Committee cannot release to the public, if the Public Accounts Committee were to get a copy of a piece of information, an exchange of information, a concern expressed by the Auditor General. Mr. Chairman, the Premier will remember that this whole investigation into the payment by the government of the political poll and the convention in Gander, that whole thing came out in a memorandum from the Auditor General to the Premier. The Premier considered it for some time and discussed and debated and was not prepared to accept that it

MR. STIRLING:

really was a political poll.

And it was only after the Auditor General then made his position clear that the Premier came into the House and released that information otherwise, that information might not have been available to the Public Accounts Committee. Now, Mr. Chairman, there can be no two ways about it.

You cannot say, as the Premier just said, well, I will have to take a look at it and see what kind of information comes out in a management letter. There should be no information, absolutely none if we are going to act in a forthright and clear-cut manner. The Premier knows better than anybody else the suspicious nature that most people have about politicians and what is happening. And to protect the integrity of this House of Assembly, of members in his Cabinet who are sworn to secrecy,

MR. STIRLING: the twelve, for example, who served in the former administration, all of those who were members of the Cabinet and were part of the Devine problem, all of those people, in order to be given full clearance, must have all the information made available to the Public Accounts Committee. And that is why the Public Accounts Committee, Mr. Chairman, in this House, should be treated as a most sacred Committee. It is the highest court, the highest judge, a committee made up of this House of Assembly.

Mr. Speaker, the Premier cannot bring out in theory a set of guidelines and then the next moment take the Public Accounts Committee is unanimous recommendation and say, well, in his opinion there was just a difference of opinion.

First of all, the first opinion was that of the Auditor General. He felt that the member had contravened the Public Tendering Act, broke the law. If a fellow did that with a moose licence or a rabbit licence, he would be taken to court and there would be a penalty. But there is no penalty. There is now no penalty, there is no proposed penalty in the Public Tendering Act. So, Mr. Chairman, the Auditor General has to be untouchable and has to have complete co-operation. But the Public Accounts Committee Report should be such an important report, Mr. Speaker, that we should have it debated in this House.

I would ask the Premier, in the context of good government, I would ask the Premier if he would think about it as if he were on this side of the House in looking at good government, would he agree that provision be made for an adoption of the Public Accounts Committee Report and a debate on the Public Accounts Committee Report? We have had excellent reports but they have never been debated in this House, Mr. Chairman. The rules are such that we could only ask questions in Question Period and we have all seen how restrictive those

MR. STIRLING:

rules are.

We should have this Public - and even if it is brought in by a private member on the other side, it should be a government piece of legislation, a bill provided for, proper discussion, open disclosure, then, Mr. Chairman, we would get an opportunity to see that there is some real meaning when we talk about acting in an open and responsible manner. And I suggest that now when the Premier has the opportunity - I would ask him to confirm that we will have a debate on the report of the Public Accounts Committee.

MR. SPEAKER (Butt):

The hon. the Premier.

PREMIER PECKFORD:

An interesting few comments.

Sometimes one gets the impression when you hear the Leader of the Opposition speak that the only thing that matters is the conduct and actions and work of ministers. The hon. the Leader of the Opposition tends to forget what the public of Newfoundland look at is the actions and work and manoeuvrings of hon. members of this House, and there is a big difference. We are all legislators and we are all leaders, and whilst it is incumbent upon the government, through the powers vested in a given portfolio or ministry, to perform their duties in a certain way - and I have taken, as leader of that government, certain specific actions

PREMIER PECKFORD: to ensure that the proper conduct and conflict of interest provisions are tightened, to ensure that things are done properly and aboveboard at all times, that there is a strong responsibility on hon. members. And as the hon. Leader of the Opposition (Mr. Stirling) points fingers at individuals on this side, by the same token it can be easily done in reverse if anybody, Mr. Chairman, wanted to take the time to do it.

So let us not - people in glass houses should not throw stones - so let us not suddenly try, as the Leader of the Opposition (Mr. Stirling) has tried over the last week or so and continues to do, to pursue a line of attack which seems to indicate that there are one or two individuals who, because of an Auditor General's Report, or whatever report, has done a certain thing, or has not done a certain thing in a job some years ago, that that suddenly, for some strange reason, means that that person is unable to perform duties in the future and that suddenly that other hon. members of this House do not have some responsibilities to act and perform their duties as legislators, and members of the House of Assembly, and members for districts, in a proper and real manner.

So I do not think we should start throwing stones back and forth on that kind of situation. Various situations as they come up, the Leader of the Opposition (Mr. Stirling) has to respond to his caucus members, whether they stay in the caucus or whether they do not stay in the caucus. From time to time a number of Leaders of the Opposition over the last couple of years have had to make some hard decisions as it relates to some of the members opposite. It is not for me to say, I am not going to question the Leader of the Opposition on those, these are decisions that are made in the privacy of one's own mind, in consultation with all the facts and with the people involved and that is where it stands. And then you judge somebody on what they do and what they say and how they perform their duties from there on. And there are no easy answers when you get into the grey

PREMIER PECKFORD: area on that. And the Leader of the Opposition is fully aware of that.

Now, whether in fact we can get into the - the hon. Leader of the Opposition (Mr. Stirling) said The Public Accounts Committee should have everything and whether then everything becomes public or not will be up to them to decide. Well, I have got to, you know - the Leader of the Opposition said that in response to this question of management letters and so on. I mean, I cannot here today, given that I have not spoken to the Auditor General, nor spoken to other people in our Public Service, and who deal with this matter, I cannot give a definitive answer to that question just like that. And you know, the motherhood statements of 'give the Public Accounts Committee notwithstanding everything, notwithstanding', you just cannot do it. There is more entailed and you cannot do it without going and asking and talking to the Auditor General and his staff about it as well.

The whole question of the Public Accounts Committee Report, you know, and the whole question of government and government's operations, Mr. Chairman, I challenge anybody to show me a government in this Province, in the history of this Province that has been any more open than this government, that has been anymore straight than this government has been. I challenge the Leader of the Opposition or anybody listening to my voice, or who will read what I am now saying, to find me a government in Canada that is anymore reform minded, progressive and open in its dealings than this government is. I ask the members opposite to name me the government, to show me the government that has initiated in two years in office any more progressive reforms, and tried to be as fair and open. On the whole question of a debate on the Public Accounts Committee, the whole question there is - I noticed, for example, last Thursday

PREMIER PECKFORD: that the Opposition last week in all the questions they had during Question Period, did not have one matter to debate when it came up for Thursday. They lost a half an hour, the Opposition lost a half an hour in which they could have debated various issues. That gives you an idea of how little the Opposition has to say about this government. They could not find as a part of the Late Show, as we call it, 5:30 to 6:00 o'clock last Thursday, could not

PREMIER PECKFORD: find anything to debate. So one has to question the responsibilities of the Opposition members there. They did not have anything to debate. And as we get near - as May sort of elapses now, we see the attendance of members on the other side. Just look over there now, Mr. Chairman, and you will see. Here on this our attendance has been twice as good. Here are the Opposition - every year now, every Summer as May wanes and June begins the Opposition begin to see their numbers less.

But as far as the Public Accounts Report is concerned, itself, there is the Throne Speech debate, there is the Budget debate, in which these things are debated, there is Private Members' Day on Wednesday for members of the Opposition, there is the Late Show five thirty every Thursday afternoon, there are thirty minutes of Question Period every single day. The members of the Opposition have all kinds of opportunity in which to debate that. There is a Public Accounts Committee which is active and working on which there are members of the Opposition. So here you have all of these opportunities for the members of the Opposition to get their teeth into the Public Accounts Committee Report, into the Auditor General's Report, into the Budget Speech, into the Throne Speech. So there is ample opportunity, in my view, for the members of the Opposition, if they want to take their job seriously and not let a Thursday go by when there is no Late Show, for them to use their time and to use their research in providing good opposition to this government and its policies and its programmes as we go down the road from here today. So I say we have not seen yet, from the Opposition, them use all the time that has been at their disposal and yet they are asking for more time. So how can you justify - that

PREMIER PECKFORD: seems to be an inconsistency. The Opposition are not using the time they have now and yet they are asking for more.

There is, as I say, ample time for these reports to be debated. They have gotten a lot of public debate over the last two or three years and rightly so. And I hope that that kind of debate continues because it is healthy and it is good in this kind of a democratic society. And I implore the Opposition to continue to use all the time at their disposal to debate and discuss these many recommendations that come out of these various committees that the House sets up or are set up by statute, like the Auditor General's Report.

MR. CHAIRMAN (Butt): The hon. Leader of the Opposition.

MR. L. STIRLING: Mr. Chairman, I think we just saw a good example. If somebody will go back through Hansard and see the kind of comment, both a government that is supposed to govern, a government that is supposed to have the responsibilities of this Province, a government that is supposed to take initiative, a government that comes in and says, 'Well, boy, I am not speaking for your crowd so you should not speak for our crowd'. What a weak, pathetic answer for doing nothing about the Public Accounts Committee Report. And he wants to try to back away from the fact that it has been found that a minister now serving in his Cabinet - as awful as that may be - it has been found by people on his own side - now, not ministers but backbenchers - it has been found that he did contravene the Public Tendering Act and the Premier let him off with it.

MR. L. STIRLING: He just said, 'Oh, well, that is just a difference of opinion', (a) with the Auditor General; (b) with four members for that side and; (c) three members for this side. And to say now, 'You had better not start casting stones.

Mr. Chairman, that is the whole point of it. I am interested in the future of this Province and the conduct and the standard. But I am not interested in phoniness, Mr. Chairman, I am not interested in public relations posturing, I am not interested in the kind of thing that says, 'I am bringing in conflict of interest legislation' when in actual fact, Mr. Chairman, what has been brought in is the creation of a dictatorship, a creation of a true conflict, a creation that says that the Minister of Development (Mr. Windsor) can have any interest that he wants

MR. STIRLING:

in the offshore, the Minister of Mines and Energy (L. Barry) can have a little development company on the side. And what is the penalty if they do that? -Expulsion from the Cabinet? No. A fine? No. A jail term? No. What is the - the only question is whether or not these ministers go to the Premier and the Premier says, boys, that is okay. The same standards as used to judge a minister that was found by seven people in the Public Accounts Committee, and the Auditor General, contravening their sacred Public Tendering Act.

What we are looking for, Mr. Chairman, is to find out: is the judgement going to be any better? Is the judgement going to be any better in this conflict of interest situation or are you creating a set of circumstances in which you can have corruption of the highest order? You have taken the responsibility away, Mr. Chairman. The collective responsibility of Cabinet is no more. By this dictatorship that is now coming about, no minister is part of having any collective responsibility because individually they all answer to the Premier. And so nobody can question the Minister of Labour and Manpower (J. Dinn) because the only one that he answers to is the Premier. The Premier sets the standards.

Now, the last time - it was an unfortunate case but the last time that the Premier got up here and said, 'look, I can tell you, I assure you, I have looked into this. I give you my word that the information I am giving you is correct.', subsequently had to come in and say, 'well, I did not really check.' I gave my word and I should not have given my word.

MR. STIRLING:

This is the phoniness, Mr. Chairman.

This is why it is important to debate the Public Accounts Committee. And what a cheap shot to say that the Late Show on Thursday did not have enough to keep it going, Mr. Chairman. The Late Show on most Thursdays, by almost mutual consent, has one or two people on it because the Late Show on Thursdays is simply for the sake of somebody making a point who did not get a satisfactory answer in Question Period. What a cheap shot to say that last Thursday we adjourned at 5:30.

Mr. Chairman, the government has the responsibility, the government exercised the responsibility this afternoon when the Premier said, 'Oh, there will be a budget debate.' When he got on television and radio and said, 'Here are these new rules to streamline things,' they did not talk about financial matters the first day, they talked in terms of the Budget or the Throne Speech. And now they have changed the rules.

We saw an example here of where the President of the Council (W. Marshall) took the whole of Question Period today to prevent my colleague from LaPoile (S. Neary) from asking some legitimate questions of a minister who was hedging. Now, what are we seeing? We are seeing a Cabinet that is now going into a little circle, defend themselves against the outside and let the Premier be the sole judge of conduct.

Mr. Chairman, there is now no collective responsibility on that side. Everytime that we start asking questions of a government taking initiative, a government taking responsibility, they say, oh, it is part of all of our jobs. Of course it is, Mr. Chairman. The conduct of this House of Assembly—and that is why under this subhead, discussing the Auditor General, the Auditor General has to be free, the Auditor General has to bring in a report. The Public Accounts

May 25, 1981

Tape No. 1789

EL - 3

MR. STIRLING: Committee it is not enough just to bring in the Public Accounts Committee Report and let it die. Because, Mr. Speaker, that is all that has been done by this government - to try to take the public relations portion of

MR. STIRLING: the public relations portion of it, to say, 'Oh, boy, we have a Public Tendering Act.' Twelve of the same people who were brought out in the Mahoney report as saying, 'This government had no intention of following the Public Tendering Act, it was forced down their throats by one man.' And that same one man is trying to insist now that the Public Tendering Act is being followed.

Mr. Chairman, this is just about the time now that the member for St. John's East (Mr. Marshall) jumps up on a point of order, because they do not like talking about this kind of thing. He came in to get his instructions, 'Should I try to cut this off?' Because he is not comfortable with it. The Mahoney report said that a government, twelve of them who are in the present Cabinet, had no intentions of following the Public Tendering Act.' Had no intentions - forced through by one man. One man forced it through, and now, Mr. Chairman, that same one man is up trying to stop Question Period. And the Premier then moves away and he will not come in and say, 'Yes, in this open government we will put some proof,' the first chance he has to show some proof of an open government. A member now serving in his Cabinet - it was found that he had contravened the Public Tendering Act - first test, what does this government do?

MR. THOMS: 'Knowingly' - there is a difference - 'knowingly contravened the Public Tendering Act'.

MR. STIRLING: Well, both ways.

The President of the Council and the Premier said, 'Oh, well, that is alright - misunderstanding, difference of opinion.' What is going to be the next test? The next test is the Mahoney report, the next test the Devine inquiry. We have had in this House the President of the Council -

MR. MARSHALL: We are going to have a Devine inquiry?

MR. STIRLING: Yes, and the Devine report, I presume we are. We have had two reports, we have had an admission. The RCMP said that six months ago the report came in. The President of the Council (Mr. Marshall) came in and said, 'That is not quite true, it was not six months ago.'

MR. MOORES: No.

MR. STIRLING: 'It was not six months ago. We sent it back for more information.' We now have two reports. And this deals with the Public Accounts. This deals with a government that knowingly used the Confederation Building, knowingly did a poll from the Confederation Building, knowingly spent the people's money. And, Mr. Chairman, only two or three days ago in the House, a copy of a piece of P.C. propaganda was brought up and the President of the Council stood up and said, 'Oh, well, that is being paid for by the member.'

AN HON. MEMBER: He was not sure, though.

MR. STIRLING: 'The individual member is going to pay for that piece of propaganda.'

Mr. Speaker, let me ask you a question.

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

MR. CHAIRMAN (Butt): On a point of order, the hon. the President of the Council.

MR. MARSHALL: It is very hard for the hon. the member to understand, but what I said was, the hon. member had paid for it. It was the hon. member's communication - not that he was going to pay for it, he had already paid for it, and I was responding to the question which is a normal type of question asked by the gentleman who asked it trying to smear the hon. member.

MR. CHAIRMAN: To the point of order. Obviously, it is not a point of order, but rather, the hon.

MR. SPEAKER (Butt): the President of the Council
(Mr. Marshall) took the opportunity to clarify remarks
attributed to him.

The hon. the Leader of the
Opposition has about one minute left to conclude.

MR. STIRLING: Mr. Speaker, maybe the President
of the Council or the Premier, in saying why we are not going
to debate the Public Accounts Committee, can tell whether or
not essentially this same material - which was not put out by
the member - but essentially the same material, is now in use
in all the liquor stores. All the liquor stores in Newfoundland
now have a little propaganda piece of -

MR. CARTER: Recipes.

MR. MOORES: Is that true?

MR. STIRLING: Yes, a little base in which all of
this propaganda, paid for by the government - not the same
piece but the same information, 'the three barrels' and 'the
fair chance' and 'the hang tough', all of that

MR. STIRLING: propaganda, all of that material is now in liquor stores. And maybe he can explain what that kind of propaganda, paid for by the people of Newfoundland, is doing in the liquor stores, being given away as a handout, essentially the same P.C. political propaganda. Maybe when the Premier explains that he will explain how much the people of Newfoundland have paid for it and whether or not he is going allow the Public Accounts Committee Report to be debated.

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

PREMIER PECKFORD: That is the most feeble attempt by a Leader of the Opposition, or an Opposition to try to deal with the Department of the Auditor General I have ever heard. The Opposition and the Leader of the Opposition (Mr. Stirling) for a number of days now are so obsessed with this idea that this government is trying to pass new laws and new legislation, trying to allow the Public Accounts Committee to work in all its totality, with all its independence, trying to allow for Committees of the House to be established - we are about, now, to establish a couple of more select committees of the House to allow the Opposition members as well as the government members to debate new legislation before it becomes law so that the people of Newfoundland have a chance, through these select committees, to do it.

Everything we have done since 1979, since June 1979, Mr. Chairman, brand new reforms that we have taken, the Leader of the Opposition is trying to throw under the table, and now he is trying to use some specious kind of argument. And as I say, I challenge the Leader of the Opposition, I challenge any member opposite to show another government in Canada that in two years has done more for open government, done more for reform than this government, I challenge them now to document it, to find me the government,

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

The Leader of the Opposition (Mr. Stirling), if you want to do your research, find me the government in Canada that has been more open, that has been more reform-minded than this government has been.

All they can do, Mr.

Chairman - they cannot be creative, Mr. Chairman -

MR. STIRLING:

I am talking about the (inaudible).

PREMIER PECKFORD:

Now, I was quiet while the Leader of the Opposition had the floor, I would like the same courtesy in return. I would like the same courtesy in return, Mr. Chairman, and I ask the Chair for that kind of protection.

MR. CHAIRMAN (Butt):

Order, please!

PREMIER PECKFORD:

Now, if the Leader of the Opposition would just be quiet and allow me - I am entitled to have a chance to speak also. All the Leader of the Opposition can do, Mr. Chairman, is not creatively come up with additional initiatives or alternatives that a government could take, but is to say in a destructively, critical way, 'Why does the government not allow the Public Accounts Committee Report to be debated?' when in actual fact, Mr. Chairman, that is their job in the Throne Speech, that is their job in the Budget Speech.

And it was not a cheap shot, Mr. Chairman. That Late Show, that is not a cheap shot, that is a pretty substantial shot. When the Opposition party cannot find in a week certain things to debate against the Ministry of this government, that is not a cheap shot at all, that is a heavy blow to the Leader of the Opposition. He has not got his troops organized good enough over there to use the time that the government

PREMIER PECKFORD: so graciously gave the Opposition. What is wrong with you? What is wrong with the Opposition that they have not got enough gumption in them and enough imagination to find things that the Ministry said last week on which they can debate? What is your problem? We will send a couple of backbenchers over with you for a couple of days to help you out if that is what you want.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: We will give you enough research if you cannot find enough. Cheap shot. Some cheap shot! Wasting the people's money on not meeting from five-thirty to six o'clock. What is wrong with the Leader of the Opposition? What is wrong with the member for Windsor - Buchans (Mr. Flight)? What is wrong with the member for LaPoile (Mr. Neary)? What is wrong with the member for Grand Bank (Mr. Thoms)? What is wrong with the member for Trinity - Bay de Verde (Mr. F.B. Rowe)? What is your trouble? Do you have a problem? You cannot use all the time and yet you are asking for more.

Mr. Chairman, this is unbelievable. Here we have - for years, Mr. Chairman, when I was in this House as a member in different capacities, I heard the Opposition complain and wail about the fact that individual members were not having enough to do in the House because the Question Period was being monopolized by one or two people. And so what did we do, Mr. Chairman? What did we do? We offered the Opposition two years ago the chance for the members to get involved through the Estimates Committees so every member, every member of the House then gets a chance to get involved in debate and questions as it relates to the way money is spent by the respective departments. And then we go further and we try to put out the select committee, as many issues

PREMIER PECKFORD:

as is possible. We have another, the member for Baie Verte - White Bay (Mr. Rideout) about ready to begin his Select Committee as it relates to non-renewable resources in the Province, to travel around the Province to receive briefs.

We will be beginning now, as we have already indicated to the Opposition, a select committee as it relates to two pieces of legislation. The principle, I am dealing with, and the principle is that this government has tried to consult and to bring in reforms and to operate an open government unlike any in the past and I challenge the Opposition to find me one in Canada that in two years has done more for open government than this government has done. And all the Leader of the Opposition (Mr. Stirling) can do in response, all he can do, is not creatively, as a Leader of the Opposition should, as members of the Opposition should, find other alternatives, other new things that they would - what is the point of bringing this Opposition into government sometime, what is the point of Newfoundlanders and Labradorians considering seriously whether this group should be given an opportunity to govern this Province if they cannot come up and create new legislative initiatives that this government here right now has not thought of. All they can do is not provide other alternatives but to say 'We want more time to debate the Public Accounts Committee Report' even though they do not use the time they now have at their disposal.

I would ask the Leader of the Opposition to examine his strategy very well because obviously it is losing action speaks louder than words, Mr. Chairman, put some alternatives in place. We have a legislative - and Mr. Chairman, the audacity of the Leader of the Opposition and the talk about the Public Accounts Committee, when this same Opposition over there debated the Financial Administration Act amendment for hours and hours on end when there were another

PREMIER PECKFORD: fifty or fifty-five pieces of legislation on the table to be debated some of which undoubtedly in their coy moves when they want to get out of the House, there will let go through with very little debate, when they would debate that to the extent that they did when the Public Accounts Committee itself had recommended these changes a couple of years ago in their report, the same public - and here was the Opposition trying to hoodwink members of this House and the public into saying, 'the Public Accounts Committee in this Financial Administration - this is terrible the government is looking for a blank cheque'. And the Public Accounts Committee recommended that change to the Financial Administration Act, the very Public Accounts Committee that the Leader of the Opposition is talking about. So you cannot have your cake and eat it too. You have either got to put up or shut up and I say to the Leader of the Opposition that he has the flexibility and time at his disposal and the Opposition does through a legislative committee, through Estimates Committees, through the Throne Speech, through the Budget Speech and here today and in the legislation that is coming forward, to debate the Public Accounts Report, the Auditor General's Report, the Budget Speech, the Throne Speech and all the other ones and I ask him to perhaps get together and use their time a bit more wisely. It seems to me that they do a very poor job now on the Question Period let alone as it relates to the Throne Speech debate and the Budget debate. If one is in the gallery looking down here at the way the Opposition, in this session especially, is handling the Question Period, it has been absolutely abysmal. The only member over there who does his homework on it or jumps up is the member for LaPoile (Mr. Neary) and everybody else cowers down in fear when the member for LaPoile gets up. The Leader of the Opposition himself wonders whether he should stand up or not when the member for Lapoile gets up

PREMIER PECKFORD: and four cheers to the member for LaPoile (Mr. Neary), But there is the member for Bellevue (Mr. Callan), he has questions to ask. I am sure the member for Eagle River (Mr. Hiscock) would like to ask some questions now and then, he seems to have a few clues. He seems like he knows what he is doing. The member for Lewisporte (Mr. White), I am sure the member for Trinity-Bay de Verde (Mr. F. Rowe) has not been here that much.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: The member for Twillingate (Mr. W. Rowe) is not here that much. The member for Grand Bank (Mr. Thoms) is here a lot, I am sure he would like to ask a lot more questions. The member for the Strait (Mr. Roberts) down there, I am sure he would like to ask some questions.

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

MR. CHAIRMAN (Mr. Butt): A point of order, the hon. Leader of the Opposition.

MR. STIRLING: I will give the Premier a chance to get settled down again, I do not want him blowing his mind again - and then -

PREMIER PECKFORD: Ah, ha!

MR. STIRLING: - with all these people after him - to settle down and do not get wild, do not get excited. He is not allowed, Mr. Chairman - I think the ruling has been made by yourself that you cannot make reference to whether or not a person is in attendance or not in attendance. It so happens that one of the people to whom he just referred is away because of sickness. But a member cannot get into that kind of debate. I think You have already ruled, at another time, that it is out of order for a member to refer to the attendance of another member.

MR. CHAIRMAN: Well, that is not a point of order.

MR. MARSHALL: Mr. Chairman, if I might just say -

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

MR. MARSHALL: If that is the only point of order the hon. member can come up with, is a sad one. No wonder the hon. member got a crick in his neck, looking back for approval at the member for LaPoile (Mr. Neary).

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: It is obviously not a point of order but one of explanation.

The hon. the Premier has about one minute left.

PREMIER PECKFORD: Mr. Chairman, my only point is this, that when the Leader of the Opposition, talking about the Auditor General's Department, and through the Auditor General's Department, the Leader of the Opposition starts talking about the utilization of time on various reports that come to this House from the Auditor General, and the Public Accounts Committee and so on. I am trying to make the argument, Mr. Chairman, that the Leader of the Opposition and his members have not in this session been able to, in my view, indicate that they are so well organized with the utilization of their time and criticisms of this government that additional time should be given for any given report that comes forward. In the Throne Speech debate, in the Budget Speech debate, in the Late Show, and in the Question Period, they have shown - and do not take my word for it, just listen to what some objective observers outside say -

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: - they say it is abysmal. So let the Leader of the Opposition and the Opposition as a group over there, do a better job on what is supposed to be their job and their function in criticizing government. Then if they start using the Budget Speech and the Late Show and all the rest of it, they might have some kind of a case. but you cannot

PREMIER PECKFORD: go asking for additional time for a given report when the existing time you do have now is used so abysmally by the other side.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (MR. BUTT): The hon. Leader of the Opposition.

MR. STIRLING: Yes, Mr. Chairman, it is a good thing to see what the Premier of this Province feels is his judgement. Now, just look at what he has tried to put off as an argument: Mr. Chairman, in a three week campaign, when he did his first act that he got away with, which was in the middle of a leadership campaign that we were having when he called his first election, and for three weeks went out and said to the people, 'Boy, things are going to be different. The way we want to grow, I am going to dig up all of the oil, I am going to put all of those Quebec people in their place, nothing is ever going to be unless I say so.' That is fine for three weeks.

MR. FLIGHT: Squatters' rights.

MR. STIRLING: But he has done nothing since the three weeks. Talking about challenges, Mr. Chairman. Let us look at some challenges. What has this government done to create any employment in this Province in two years, or in eight years? This government has not even

MR. STIRLING: sat down to negotiate a highroads agreement. Not even sat down to negotiate!

MR. HANCOCK: We do not know what roads programmes we have this year yet.

MR. STIRLING: The pathetic, feeble attempt on the news media to say, 'Oh, we are stepping in because DREE was not in and we are going to create the solution to all the construction problems with 30 kilometres of road up in the Jackson's Arm area. There is not enough construction work, Mr. Chairman, on the go this year to keep one construction company going. There are five or six construction companies in this Province who are going to have to go outside the Province to get enough work to survive this year. And the Premier has the gall to stand up here and say that we have the time to debate. Since we have started this Budget we have had two days on the Budget. He is trying to get - the fact of the matter is that it is the government's responsibility to bring in time for us to discuss the Public Accounts Committee, the Auditor General's Report, and for him to say in his judgement we have not used our time.

Well, Mr. Chairman, that is one area which is not in his judgement. He has gotten so used to saying to his ministers, 'I will judge whether or not you can take a helicopter or whether or not you are allowed to take the helicopter next weekend. I will judge whether or not you can get involved in a conflict of interest. You have to report to me if you get a job offer'. But one thing you cannot do at this stage, Mr. Chairman, is to say that the people on this side must report to him and in his judgement, do this, that or the other thing.

MR. STIRLING: Mr. Chairman, there are people unemployed in this Province who believed what this government had to say, who really believed that something would be happening in the offshore. There is not a fisherman, not a single, solitary fisherman in this Province who would like to see this government have control over licensing.

MR. MORGAN: Nonsense! That is why (inaudible) for your own riding.

MR. STIRLING: Mr. Chairman, the Minister of Fisheries (Mr. Morgan) went out in Bellevue and called a meeting in Bellevue, called a meeting of all fishermen, called a meeting of plant workers for a man who had been turned down for a processing license and had not appealed it, had not gone through the channels and in the middle of it, the Minister of Fisheries - now, I wonder if the Premier considers this an acceptable performance by a Minister of Fisheries in the middle of a by-election, who goes into a community, calls together the fishermen, calls together the fish plant workers and says, 'Look, I am the guy who can decide this. I am signing your processing' -

MR. MORGAN: (Inaudible).

MR. STIRLING: Right. Do you think any Newfoundland fisherman wants to put himself in that kind of position? The kind of mentality that will allow the Premier of a Province on a letterhead of the Premier of the Province, sending to everybody in a by-election that you either vote for nothing or you vote for me and my candidate and vote for a chance, there is not going to be an election for eighteen months or two years, what kind of thinking is that? What kind of clean, honest, open government is that? A minister who contravenes the Public Tendering Act, who is found in contravention of the Public Tendering Act, who goes out to Bellevue and says, 'Okay', in Bellevue, Mr. Chairman, 'I am going to give away a license, I, King Tut, can do it.'

SOME HON. MEMBERS: Oh, oh!

MR. L. STIRLING: And then he does not have the gall to go and face up to seeing his people in his own constituency in Bonavista. All the lodges - first time in the history, Mr. Chairman.

And this is the kind of government - because twelve of them were in the previous government, this is no new government, Mr. Chairman, this is somebody trying to put a fresh coat of paint, a fresh coat of paint on the same old faces and the same old distortion.

MR. STIRLING: Mr. Speaker, what we are talking about is now taking a look, taking a look and seeing what they are going to do about the Auditor General. Are they going to allow the Public Accounts Committee Report to be debated? The man who crossed the floor brought in the Public Accounts Committee Report - not this one, the one before. This one has to deal with the same people who did not understand that a political poll was being taken, did not know their names were in it, the man who was on the Treasury Board - the man who is now the Premier was on the Treasury Board that approved it, all of these things, and, Mr. Speaker, the fresh clean of paint and the brush to try to say it is all new. Well, Mr. Speaker, the handwriting is on the wall, the handwriting is on the wall. The fishermen, Mr. Speaker, the fishermen found out last year when this government sat on its hands through the whole Summer, through the whole Summer while the fishermen were out on strike, they did not do a thing, Mr. Speaker, and now the people on NAPE, the people on NAPE who were forced to go on a hunger strike in order to get some attention paid to their cause, Mr. Speaker, that was what happened to the people on NAPE. And now what about the teachers? What about the teachers, Mr. Speaker? The teachers had a situation, Mr. Speaker, in which they were threatened at the last minute, the last minute. The teachers had a situation in which they were given an offer and said unless you accept it, Mr. Speaker, there is no -

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

MR. CHAIRMAN (Butt): A point of order, the hon. the President of the Council.

MR. MARSHALL: Mr. Chairman, we are in Committee now and 'Mr. Speaker' - it is not 'Mr. Speaker', it is 'Mr. Chairman' by the way and 'Mr. Speaker' is Mr. Speaker in the Chair.

MR. MARSHALL: But Department of the Auditor General is under consideration. I think, Mr. Speaker, Mr. Chairman - the hon. gentleman has led me astray - but, Mr. Chairman, I think when we are considering items of expenditure like this, you cannot just wide-range debate like in the Budget debate. There will be plenty of opportunity for the hon. member in the Budget debate to speak, you know. There will be plenty of opportunity in the Address and Reply. There is plenty of opportunity, Mr. Chairman, at the Late Show. But the hon. gentleman, really, in this - I think when we are considering the various Heads of expenditure - I think he is roaming very widely.

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

MR. CHAIRMAN (Butt): To the point of order, the hon. Leader of the Opposition.

MR. STIRLING: Thank you very much.

I am one of those, Mr. Chairman, who has absolute belief and faith in the Speaker and the Chairman to conduct this in an orderly manner. I was using the same latitude that the Premier was using and if you would like to check Hansard and find the relevance of the comments made by the Premier, they were kicked off because he was embarrassed over the fact that he has not had a debate on the Public Accounts Committee Report, either the previous report or this report, and therefore he sidetracked it and talked about everything else, and I was responding in the same kind of comment as made by the Premier, Mr. Chairman. I have no problem with your ruling.

MR. CHAIRMAN: Well, to that point of order I must say that the Chair has allowed a fair degree of flexibility in debate on this subhead, Department of the Auditor General. I think it is also fair to say that some hon. members in their remarks were certainly skirting around the edges, if I might be

MR. CHAIRMAN (MR. BUTT): permitted to put it that way.
I think if we are going to , you know, get through this head
in a reasonable manner, I would ask hon. members if they would
confine their remarks to the particular subhead under discussion.

MR. MARSHALL: Well, let us carry it, 'John'.

MR. CHAIRMAN: The hon. Leader of the Opposition
has about thirty seconds left to conclude his remarks.

MR. MOORES: A good ruling, Mr. Chairman.

AN HON. MEMBER: Carried.

MR. CHAIRMAN: The hon. member for Grand Bank.

MR. THOMS: If you want to - go ahead.

PREMIER PECKFORD: (Inaudible) a point of order.

MR. CHAIRMAN: The hon. the Premier.

PREMIER PECKFORD: Mr. Chairman, when I had the floor
the last time I thought I was being extremely relevant and I am
astounded at the comments by the Leader of the Opposition that
he was following in my footsteps in being irrelevant and,
therefore, somehow that excused all the rules of the House.
What I was saying was that I wanted the Leader of the Opposition,
and I challenge the Leader of the Opposition when we are talking
about the Auditor General's Report, the Public Accounts Committee
and so on, I challenged the Leader of the Opposition to find me
a government that in the last two years has been more open
and more progressive and more reform-minded than this
government. And I am saying obviously the Leader of the
Opposition in his response, because he has ignored the challenge,
cannot find one.

Now, I will go on to indicate to the
Leader of the Opposition that he can bring up or try to bring
up things of another government, things of another day, try to
paint it on this administration, and it has been a tactic that
they have used for the last while, trying to prove me to be
a bad Canadian, trying somehow to paint me to be a bad Canadian,

PREMIER PECKFORD: to be a corrupt politician and all the rest of it.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: Mr. Chairman, I mean the facts speak for themselves.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN (MR. BUTT): Order, please!

PREMIER PECKFORD: Mr. Chairman, the facts speak for themselves. The actions that this government have taken to allow the Public Accounts Committee to work independently to do its work, to gain information, to produce its report, the Auditor General's Report, and, Mr. Chairman, for the first time in our history to respond in writing with our own report on what the Auditor General has been saying, done, done, done.

MR. STIRLING: A public relations job.

PREMIER PECKFORD: At the same time, Mr. Chairmar—and that was no easy task to do that and to respond substantively, but we did it. We had brought in conflict of interest legislation years ago, we have now tightened that up, and we will be amending it to bring in guidelines for ministers, and standards of conduct for all the senior civil service. And the Leader of the Opposition's comments notwithstanding, he is trying to indicate or again to say, that I am doing something here in Newfoundland as a Premier that is not being done by First Ministers or anything else. So he better disown his own Prime Minister because the Prime Minister and the Premier of Ontario, and the premiers of other provinces are handling guidelines in the same way as we are now handling those guidelines for ministers, no difference at all.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: So the Leader of the Opposition should do his homework and find out what is happening in other

PREMIER PECKFORD: jurisdictions.

MR. STIRLING: You are just copying the other guys.

PREMIER PECKFORD: Now, I was quiet when the Leader of the Opposition was speaking.

MR. CHAIRMAN (MR. BUTT): Order, please!

PREMIER PECKFORD: If he does not like what I am saying he has either to leave the House or shut up because I have the floor and I would like to develop my thoughts without the constant interjections of the Leader of the Opposition. Now, Mr. Chairman, can I have that protection?

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

MR. CARTER: Make him shut up.

MR. CHAIRMAN: Order, please!

I think it is everyone's right to be heard in silence.

PREMIER PECKFORD: So, you know, if the Leader of the Opposition has problems with those reforms, has problems with me trying to handle them in the way which has been consistent with the way of other First Ministers, I am sorry for the Leader of the Opposition. I am sorry that he feels that way about it. All I can say is that we will continue to co-operate with the Auditor General, to co-operate with the Public Accounts Committee, and to make changes as it becomes known that these changes are critical for the integrity of government in the same way as we have just done

PREMIER PECKFORD:

with the Mahoney report. We could not second-guess the Mahoney report, we had to wait for it to come in. But as soon as it did come in we were willing to respond in as positive a way as it was humanly possible. And we have by accepting the recommendations and to try to implement them as far as we can. And we will do that, we will live up to that and we will do it and we will do it on other matters. But there is no perfection - you know, let him who is without sin cast the first stone. And, you know, we have made changes where it has been pointed out to us legitimately that changes are needed and should be made.

Now, all I say to the Leader of the Opposition (Mr. Stirling) on his harangue a few minutes ago, which ranged over everything and obviously was, strictly and technically speaking, irrelevant from the Auditor General's Report - and then if I can respond in only a couple of minutes on what he said - I say to the Leader of the Opposition and the members opposite, let them, when they are talking about jobs, let them deal with the fishery in the way - our policy is clear. We do not know where the Opposition stand. We have not in the last couple of - let them deal with the offshore and if it is - the Leader of the Opposition cannot have it both ways. And you are stuck, I know you are stuck in a conundrum. I understand that. From a policy point of view you are stuck in a conundrum. You voted now against the offshore ownership question here in this hon. House just the other day. You have a problem. Because on the one hand you can say this government is not creating enough jobs to suit you, on the other hand you have got to try to say, 'I do not want them to sell out our resources'. Now, on the hydro issue and on offshore you have got to make up your minds as Newfoundlanders and Canadians. Where do you stand on us getting a fair deal before we sell away

PREMIER PECKFORD: our resources again?
Because to do a deal today, Mr. Chairman, that is what you have got to do. And I am not prepared as one Newfoundlander to do that.

MR. STIRLING: A point of order.

MR. CHAIRMAN (BUTT): A point of order, the Leader of the Opposition.

MR. STIRLING: The same point of order that the President of the Council (Mr. Marshall) raised. If it has to do with relevance, then let us deal with relevance. If we are going to have a debate on the offshore - we had a debate. We brought in a resolution, Mr. Chairman, on the offshore that called for a reassertion of our position on the offshore. The Premier knows about that. And it called for a continuation of discussion. Now, if you would like to have a debate on those matters then bring in something for debate. But in this particular case, if I am going to be ruled out of order, Mr. Chairman, then the same rule should apply to the Premier.

AN HON. MEMBER: To the point of order.

PREMIER PECKFORD: I have no problem with it at all, Mr. Chairman. May I continue, Mr. Chairman?

MR. CHAIRMAN: Well, you know, as the Chair said before the debate has been rather broad-ranging and I think hon. members on both sides have been guilty of straying somewhat from this Department of the Auditor General, Head 202. So I will just ask the hon. the Premier to -

PREMIER PECKFORD: Well, just let me sum up by making a number of points by way of summary. One, as I said, there is no government in the past and I challenge the Opposition to find me a government in Canada that is being any more open in the way it operates a government than this government is. That is number one and that deals directly with the Auditor General. Let the Opposition put the evidence on

PREMIER PECKFORD: the Table to show that we are not being open in trying to respond in a positive way to criticisms that come up which are proven to be legitimate by independent enquiry and whatever. And we will continue to do that.

Number two, let us as parliamentarians deal with the big issues. And the big issues are hydro power and offshore and the fishery. And you cannot hide behind spurious attacks upon individuals, or given other policies of government, to hide the fact that the Liberal Opposition in this Province today is bankrupt on how they are going to respond to those real issues to get us out of a conundrum into the 1990's.

SOME HON. MEMBERS:

Hear, hear!

May 25, 1981

Tape No. 1798

RA - 1

MR. CHAIRMAN(Butt): The hon. member for Grand Bank.

MR. L. THOMS: Mr. Chairman, I am going to try to be relevant and I am going to try to respond to some of the things that we have heard from the Premier this afternoon.

MR. MOORES: You are right on Mr. Premier. You are right on there, there is no question about it.

MR. L. THOMS: You know, he accuses the Opposition of not knowing where they stand on oil and gas. That is a lot of garbage. I think we have said it over and over, we have repeated it over and over in this House, exactly where this party stands on oil and gas.

MR. BARRY: Were you there when Mr. Trudeau insulted 'Len'?

MR. THOMS: I was there when Mr. Trudeau spoke at the Liberal Fund raising dinner, yes. I was one of those who gladly paid my \$150.00 to go and hear the Prime Minister of Canada speak to the people who gathered at the University yes, very proud, very proud to be there.

MR. BARRY: It is alright to put down your leader.

MR. L. THOMS: My leader can handle himself.

MR. MOORES: Get on with the Premier's points.

MR. L. THOMS: You do not have to worry about that.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

MR. L. THOMS: I would worry about your leader.

SOME HON. MEMBERS: Hear, hear!

MR. L. THOMS: But, Mr. Chairman, the Premier talks about what a feeble effort the Opposition has made in Question Period. Now, I believe that the record will show, Mr. Chairman, I believe the record will show that the Opposition has been more than successful in Question Period. We saw the Opposition

MR. L. THOMS: in Question Period. Ask the former Minister of Transportation how good the Opposition are in Question Period. Does he agree with the Premier that we have not been effective in Question Period? I understand the Minister of Manpower and Labour (Mr. Dinn) is out - sent to the drug store for more sleeping pills. He is going to have a hard time sleeping tonight.

MR. MOORES: Hear, hear!

MR. L. THOMS: Ask the Minister of Manpower and Labour what he thinks about the Question Period.

MR. MOORES: Ask the Premier.

MR. L. THOMS: I think the Question Period has been very, very successful.

MR. MOORES: Ask the Premier, he has had a

MR. L. THOMS: One of the problems is that the Premier of this Province is not prepared to act, he is not prepared to act. I have referred to the Minister of Transportation. Mr. Chairman. was it the Premier of this Province who acted in that case?

MR. CALLAN: No, definitely not.

MR. L. THOMS: Was it the Premier who acted?

MR. CALLAN: He covered up.

MR. L. THOMS: No, it was not, it was not. The minister himself resigned. He was not asked to resign by the Premier of this administration. The Public Accounts Committee, Mr. Chairman, the Public Accounts Committee is useless -

MR. CALLAN: Walter Carter was

MR. THOMS: - absolutely useless, the Public Tendering Act of this Province is useless unless we have a Premier who is prepared to act. The Premier has a duty; there is a duty to the people of this Province and he has a duty to the parliamentary system under which we operate.

May 25, 1981

Tape No. 1798

RA - 3

MR. THOMS: He has a responsibility but he has not been carrying out that responsibility. If he had been carrying out that responsibility and performing that duty, then the Minister of Transportation would not have had to submit his resignation. The Premier, as head of the Cabinet, would have fired him, would have thrust him out of the Cabinet, just like the Premier would have turfed out the Minister of Fisheries (Mr. Morgan) when the Public Accounts Committee

MR. L. THOMS:

came in and reported to this House that the minister had knowingly, knowingly contravened the Public Tendering Act.

So, Mr. Chairman, unless the Premier of this Province is prepared to act under the Public Tendering Act - and if the President of the Council (Mr. Marshall) will read the Mahoney Inquiry attentively, then he will - what Mr. Justice Mahoney is saying is that the Public Tendering Act is all right in its present form provided it is made to work by the Premier of this Province, and when he finds a minister in his Cabinet contravening the Act, that he will act accordingly. The problem is and the problem has been and the problem is becoming more evident, that we do not have a Premier who is prepared to enforce the recommendations of the Public Accounts Committee or is prepared to enforce the provisions of the Public Tendering Act. So, consequently, if you have a weak Premier you have a weak Public Tendering Act, you have a weak Public Accounts Committee -

MR. S. NEARY: What? What is that?

MR. L. THOMS: I am saying that if you have a Premier who is not prepared to act on the recommendations of the Public Accounts Committee, then you have a weak Public Accounts Committee -

SOME HON. MEMBERS: You have a weak House.

MR. L. THOMS: - or useless Public Accounts Committee. It is just like the Public Tendering Act; unless the Premier is prepared to move and to act when a minister contravenes, knowingly contravenes the act, then the Public Tendering Act is useless, it is no good.

MR. W. MARSHALL: If you have no Public Tendering Act, then you have no Premier either.

MR. L. THOMS: That logically may follow as far as the President of the Council is concerned. But I say this, if you do not have a strong Premier - I can certainly be relevant now - if you do not have a strong Premier, then you are not going to have a strong Public Accounts Committee and you are not going to have a strong Public Tendering Act. This is where it is going to fall down, Mr. Chairman. I will congratulate the Chairman on his elevation to Chairman of the Committee. It is nice to see somebody on this side of the House getting ahead every now and then.

But, Mr. Chairman, it is just like the Freedom of Information Act which we passed second reading a while back. That will not work, that Freedom of Information Act will not work unless the ministers in the administration want it to work. Now, I saw something come across my desk today; it was a letter from the Association of Registered Nurses in this Province asking the Minister of Health (Mr. House) for some information in connection with the hospitals. Clipped to that copy of the letter from the Registered Nurses Association was a copy of a letter from the Minister of Health.

MR. D. HANCOCK: Could not provide it.

MR. L. THOMS: And the Minister of Health could not or would not provide the information because - the big reason was that the

MR. THOMS: Freedom of Information Act had not yet passed the House, it had not yet passed the House. Now technically, I suppose, the Minister of Health (Mr. House) is absolutely correct, that it has not gone through Committee stage, it has not gone through third reading, therefore it is not a fait accompli as far as the act is concerned. But, Mr. Chairman, that is a lot of tommyrot to me. The act has gone through second reading, it has been approved in principle. There is absolutely no reason why the spirit of that act could not have been adhered to by the Minister of Health, no reason at all why it could not have been adhered to. But no, he took the easy way out and he said, 'Well, the act has not gone through Parliament yet. Therefore -

MR. HOUSE: Did you read the full letter? The Act is available for public information. Did you read it all?

MR. THOMS: Yes, I read it all. Now, Mr. Chairman, this is what I am trying to point out to the House, that the Freedom of Information Acts, Public Tendering Acts, Public Accounts Committee Reports, they are all useless unless you have a strong man at the top, a strong captain at the helm. And everything that we have seen since this person became Premier of this Province has been a weakness. He has not once acted on his own initiative. When excuses were needed it was excuses we got.

The Premier in his remarks said that the Leader of the Opposition (Mr. Stirling) should put up or shut up. Well, I think the Premier of this Province should either put up or shut up. It is as simple as that, either put up or shut up. Because after all, he is the one that owes a duty to the people of this Province. He is the one who owes the duty to the people of this Province. He cannot be faulted for one of his ministers going astray. Maybe he needs to be

MR. THOMS: more careful in who he puts
in the Cabinet. But he cannot always be faulted for one
of his ministers going astray. But what he can be
faulted for, Mr. Chairman, is when something like that
happens and he comes before this House and the people of
this Province with a lame excuse and refuses to act. And
unless we have a Premier who is prepared to act, then
you can take your Freedom of Information Acts, you can
take your Public Tendering Acts, you can take your Public
Accounts Committees and it is all a farce. Thank you,
Mr. Chairman.

PREMIER PECKFORD:

Mr. Chairman.

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

PREMIER PECKFORD: I get a great charge out of what the various members say because they all have their varying descriptions of me as the Premier of the Province. From one day to the other you hear some of them saying that I am ordering ministers around or members around, in other words, perhaps, acting too strongly and words like dictatorial and everything are used on the airwaves and around the Province to try to persuade people that somehow or another I might be somewhat less than a consensus maker when it comes to being Premier and so on. Now you hear the member from Grand Bank (Mr. Thoms) sort of taking a different approach to it altogether, that as a member of the Opposition he is saying I am a weak Premier, you are not acting, you are not doing what you should be doing. Now, we are having some fun here, this is getting rather interesting, Mr. Chairman. I like these varying descriptions and so on. I do not know if some other hon. members should get up on this Auditor General's estimate thing and give me another description, because this is getting fascinating now as one sees the nuances of different members or the idiosyncrasies of different members as they describe me as Premier and how I am not doing this or should be doing that or should be doing something else. Well, all I can say to most hon. members opposite is that they should run for the Leader of their party, win it, have an election and become Premier, so that they can do what it is they want to do. I mean, that is the system.

MR. THOMS: (Inaudible).

PREMIER PECKFORD: Yes, the hon. member for Grand Bank - I was coming to that - has tried to give the man credit, and he has had a slight setback and, I suppose, one can easily look to the future and say that he might have another stab at it seeing he is only a relatively young man.

PREMIER PECKFORD: So we will leave that for him, but that is interesting. I just want to reiterate again, Mr. Chairman, that we take, as leaders or as premiers or hon. members, everybody takes certain positions and actions in their term in office, whatever that office happens to be, and then in the political way of things you are adjudicated by the people of Newfoundland and Labrador. And I have no fear of being adjudicated by the people of Newfoundland and Labrador. I have acted, I have made certain decisions, I have made certain judgements, I have pushed certain bills, and the Cabinet ministers have, as a group, done the same thing. We have passed new regulations and new laws on a, b, c and d, on freedom of information, on privacy, on a whole bunch of things. Ultimately the answer to it, of course, lies in the electorate who elected us and we will then go to the electorate with our platform for another term and then get elected or get turfed out, whatever the case may be. That is the power of democracy, that is the power of the whole thing. But within the confines of the little tête-a-tête that is going here this afternoon as it relates to whether this government is trying to perform under the Auditor General's guidance and through the Public Accounts Committee in a fair and reasonable way, as I said, Mr. Chairman, if you will look at all the legislatures of Canada and all the governments of Canada, I think you will find that this government, in its dealings with the Auditor General's Report, in its dealings with the Public Accounts Committee, has been fair, even-handed and reasonable, and is trying as each day goes by and as each week goes by to bring in legislative changes, to make changes to regulations which are fair and reasonable and responsive to what the majority consensus is in the marketplace -

MR. STIRLING:

(Inaudible).

PREMIER PECKFORD: - and we have - now, here we go again, Mr. Chairman, as I begin -

MR. CHAIRMAN (Butt): Order, please!

PREMIER PECKFORD: - to develop my point, the Leader of the Opposition again - let him learn one thing today that I was quiet while he spoke but he was not quiet while I spoke.

MR. CARTER: He has got no manners.

PREMIER PECKFORD: So, Mr. Chairman, I would ask for your protection.

So that is where it is, that is where the great debate lies. The Opposition party makes its points against the government and the government initiates

PREMIER PECKFORD: acts, does what it thinks is right and responds where it can and then ultimately the people of the Province or the people of that jurisdiction decide on how we are going to perform or who is going to be the government thereafter.

I will come back to something that nobody has really taken up at all, Mr. Chairman. And, you know, one would think that in the course of events the Opposition would. They say, for example - I mentioned it two or three times now this afternoon when we responded as a government at the same time as the Auditor General's report came out. Now, I thought that was a good move on behalf of government because it tries to respond right away. The Opposition never picked that up at all.

MR. L. STIRLING: You gave Ministerial Statements last time.

PREMIER PECKFORD: Yes, but I refined it this time and I thought it was much, much better. Now, I thought it was also better from this point of view, Mr. Chairman and this deals directly -

MR. STIRLING: (inaudible).

PREMIER PECKFORD: Here we go again - it deals directly under the Estimates and it is this: that if I were in the Opposition and the government did that -

MR. F. HISCOCK: I hope you will be some day and some day soon.

PREMIER PECKFORD: Well, if you can dream and not make dreams, your master, if you can think and not make thoughts your aim, if you can meet with triumph and disaster and treat those two imposters just the same, you will be a man my son.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (Butt): Order, please!

PREMIER PECKFORD: But if I were the Opposition - this is where they lost the great - what I am talking about, where the Opposition sort of failed was: with that kind of information provided in writing by the government in response to what the Auditor General would say, it does not take a very smart or wise legislator to start comparing notes and look at where the government has not responded in the substantive way that might be necessary in the minds of the members of the Opposition. And I think that that would provide a good study for a couple of members to do and after a week or so studying that, there could be a number of very, very good questions arise from the benches of the Opposition on those two reports, to look at them very closely.

So on the one hand the government, in the first instance, might through that kind of thrust, because it did take a lot of work and a lot of it was substantive - at the same time it did provide the Opposition with additional substance and information on which they could base pretty, pretty good questions as a result of seeing both reports at the same time and where the discrepancies lay and what should be then done in the way of asking questions.

By the same token, Mr. Chairman, I am proud that we are able to do that and we have set a new standard. Because years ago, you know, the Auditor General's Report got two or three days study or response from the government and that was it and different things might have come up. And I guess one would have look at the other Provinces to see what happens there. I do not know exactly how the Auditor General's Report is received and the response that government makes to it. I notice in the Government of Canada, for example, and the Govern-

PREMIER PECKFORD: of Canada is something else and I suppose, it makes no difference what political party is there, but if you look at the absolutely millions and millions of dollars that go out with no public tenders of any consequence, large contracts, small contracts, all kinds of them, it is absolutely incredible.

MR. S. NEARY: (Inaudible)

PREMIER PECKFORD: And like I say political parties notwithstanding, I mean, all of them would be perhaps alike. I am just saying the government is so big that Richard Gwyn and

PREMIER PECKFORD: Geoffrey Stevens and a few more of them, and Charles Lynch, are so busy on other things, and you can only get so many things into the newspaper a day, and then it is a new day with new events, that these things do not get covered. But a couple of years ago I did my own little analysis of it on the Supply and Services Department, I think, was up there. It was absolutely astounding the amount of money - and if you look, for example, today at the amount of money the Government of Canada is doing in advertising, absolutely stupendous amounts of money they are spending on television advertising, they have increased it again this year, it is way over \$10 million, \$15 million, \$20 million, just a tremendous amount of money going out to one firm, and it would be the same way if the other party was in. Now on the Supply and Services side, as the Auditor General has pointed out and I have taken the Auditor General's Report in Ottawa and gone through it and seen where you had not \$1 million or \$2 million, or \$10 million or \$15 million, but hundreds of millions of dollars that are actually going out under a process which this Province, provincially would not stand for at all, and the size of the government bureaucracy up there allows a lot of these things to go on.

Now, I suppose, the larger the Province the more you enter into that. But it seems to me, as we look at our Public Accounts Committee and our Auditor General's Report and the Report of the Public Accounts Committee and the way it operates, it operates far, far more democratically and effectively than most of the Public Accounts Committees in most of the other provinces. And I think that is good and should continue that way.

So we for our part, Mr. Chairman, are proud of what the Auditor General's Department is doing,

PREMIER PECKFORD: And, by the way, on that score, one of the great problems we have had in the Auditor General's Department is on the municipal side where the Auditor General's Department is trying to keep up and do the audits of a lot of the municipal authorities. And that is being a real problem in trying to do that, that takes up a lot of the Auditor General's time. And so it has meant an enlargement of the Auditor General's office, to a large extent, to get that done.

But we have responded, in our view, very positively to many of the things that the Auditor General has said, and we, for our turn, have even taken additional initiatives beyond those that have been recommended or what the Opposition has said. So we can stand proudly on all these issues, Mr. Chairman.

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

MR. NEARY: I have listened very attentively to the various comments back and forth across the House, to the debate which has taken place in the last hour in the House, and I must say I am completely bewildered, I do not -

MR. MARSHALL: (Inaudible).

MR. NEARY: Mr. Chairman, I do not know what all of the fuss is about, to be honest with you. I believe, Mr. Chairman, as far as the attendance issue is concerned, I think that the Premier may regret getting into these matters. Now, as hon. members know, attendance in the House is something that you really do not say too much about. There are other -

MR. CARTER: (Inaudible) out of your mouth.

MR. NEARY: I beg your pardon?

MR. CARTER: It is every second word out of your mouth.

MR. NEARY: No, one thing I have never done, I have never questioned a member's attendance in the House.

MR. NEARY: Mr. Chairman, I challenge the hon. gentleman now to show me when I stood in this House and questioned the attendance of members in this House. I think it is a little beneath -

MR. CARTER: How many times (inaudible)?

MR. NEARY: It is beneath contempt, in my opinion, and beneath the Premier of this Province to raise such trivial matters.

Now, I would be the first to complain if members were drawing their salary in this House and not turning up for some of the proceedings of the House.

MR. NEARY: I would be the first to complain about it. I have not done it so far. I have not seen the necessity to do it. Because members, like all other occupations, Mr. Chairman, members could be away for various and sundry reasons. It could be because of illness. It could be because of travel to their districts. You are on the honour system in this House. I mean, just listen to who is talking about attendance in this House, the member for St. John's North (Mr. Carter) who, as soon as the fine weather sets in, as soon as the fine weather comes, if it is not raining out, the sun is shining, where will you find the hon. gentleman? Up in his savoury patch.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Oh, well, I did not bring it up.

MR. HOUSE: You referred to him being in the savoury patch a number of times.

MR. NEARY: Well, that is right. But I did not bring it up.

MR. MARSHALL: You never heard it before.

MR. NEARY: No, never heard it before.

Mr. Chairman, I did not complain about the hon. gentleman's attendance in the House. I merely looked out, saw the sun shining, the hon. gentleman interrupted me and I said, 'Oh, oh. How come the hon. gentleman is in his seat today? The sun is shining.' But I am not complaining about the hon. gentleman's attendance and I never will or anybody else's attendance.

MR. WHITE: He has good attendance at the PAC.

MR. NEARY: He certainly has got good attendance at the Public Accounts Committee meetings. And, Mr. Chairman, so I am not going to belabour that point. The

MR. NEARY: Premier brought it up.

I believe it is something -

MR. CARTER: It is out of order.

MR. NEARY: Well, it may be out of order, yes. Maybe Beauchesne may say it is out of order. But it is not right to bring it up anyway. Now, hon. members are on the honour system and they should earn their keep. And whether or not they earn their keep is up to themselves. They are on the honour system. Let their conscience be their guide. They have to answer to their constituents and to the people of this Province.

MR. CARTER: How about those who have no conscience?

MR. NEARY: Well, Mr. Chairman, I do not know if we have any Communists here in the House or not. The hon. gentleman is about as -

MR. CARTER: Those with no conscience.

MR. NEARY: No conscience.

MR. CARTER: (Inaudible) you had a conscience.

MR. NEARY: Mr. Chairman, I will not even comment on that. But I believe the least said about a matter which is so trivial, in my opinion, especially for the Premier to make a major point out of it - and the other thing that he chose to hang his hat on, as far as the Opposition is concerned, is the Late Show on Thursdays. Well, Mr. Chairman, I suppose I participated in more Late Shows in this House than any other member, probably all the other members put together. But I find it is getting awfully discouraging. We keep asking the government questions, we keep making points and all the government do is defend themselves. They never answer the questions, all they keep doing is putting up smokescreens.

For instance, let me give the House an example: I have on the Order Paper at the

MR. NEARY: present time, I would say, about eighty written questions that I took the trouble to sit down, research and write.

MR. CARTER: All frivolous.

MR. NEARY: Well, they are not all frivolous. Maybe the government may think they are frivolous. Some of the minister may think they are frivolous. The Premier may think they are in poor taste or they are frivolous. But I took the trouble

MR. NEARY:

to do my homework, to research the information and to ask questions.

MR. BARRY:

It would take about two years to prepare an answer to one of them.

MR. NEARY:

Mr. Chairman, let me take that remark by the Minister of Mines (Mr. Barry) and cultivate it. Let me cultivate that remark a little bit. One of the questions that is unanswered on the Order Paper this session of the House, one of the questions has to do with the Premier's private dining room. Now, is the hon. gentleman telling me that it is going to take two years to get the answer to that question?

MR. BARRY:

It will if you ask questions like, how many times were peas served in the Premier's dining room.

MR. NEARY:

Mr. Chairman, does it take two years to find out how much toilet paper is used in the private dining room? Does it take two years to find that out? I would assume, Mr. Chairman, in the Department of Public Works or in the Department of Finance, there is an account for the Premier's private dining room, there is an account for the Premier's house.

AN HON. MEMBER:

There is neither toilet in it.

MR. NEARY:

I beg your pardon?

MR. BARRY:

There is no toilet in it.

MR. NEARY:

There is no toilet in the private dining room. Well, Mr. Chairman, maybe they need one. Maybe that is what happens when they come up to the House from the private dining room, they are all bloated and that is why they are half asleep and not listening to what goes on in the House. But that is just one example. The remark made by the Minister of Mines and Energy, 'It takes two years to get the answers'.

MR. NEARY: Does it take two years to get that answer? Does it take two years to get the answers to the questions I asked about the takeover of the Churchill Falls Corporation? The hon. gentleman refused point blank to give me the answer to a question involving the interest on the loan.

MR. BARRETT: He gave it to you.

MR. NEARY: No, the hon. gentleman did not give it to me. What the hon. gentleman said was this - and he should just stop for a moment and think what he said - he said, 'All the hon. gentleman has to do is to find out the interest rate at that time and he can work out his own figures on the amount of interest'. That was the answer he gave me. Was that the answer to my question?

MR. BARRY: Of course.

MR. NEARY: Of course it was what?

I do not know.

MR. BARRY: All you had to do was (inaudible) addition and subtraction, multiplication and division.

MR. NEARY: Well, if the hon. gentleman would give me the amount and give me the interest rate at that time, give me the amount of interest paid to the bank.

MR. BARRY: You know what the interest rates are.

MR. NEARY: All the hon. gentleman has to do is to give me the amount borrowed from the bank, the interest paid to the bank, the rate of interest paid to the bank over what period of time and then -

MR. BARRY: You have all that.

MR. NEARY: I certainly do not have all that. You see, Mr. Chairman, one of the frustrating parts of our job is that we only get half answers. In a lot

MR. NEARY: of cases we get no answers at all. I have put about seventy-five or eighty questions on the Order Paper this session and I have no more than eight or ten answers so far.

MR. BARRY: You have to be more specific. You are taking a shotgun approach, you are just on a fishing expedition. You give me so much garbage that you cannot see the good answers.

MR. FLIGHT: All we get is garbage.

MR. NEARY: Mr. Speaker, I put some questions to the Minister of Manpower (Mr. Dinn) today. And I have got Hansard here in front of me. I am going to read it tonight to see what the hon. gentleman said.

MR. HANCOCK: Or what he did not say is more important.

MR. NEARY: Or see what he did not say.

MR. DINN: You did not listen to the answers.

MR. NEARY: There are no answers.

AN HON. MEMBER: You did not listen to the answers.

MR. NEARY: Well, not only did I listen to the answers but I am going to take Hansard home tonight and study the answers. But the President of the Council (Mr. Marshall) thought that he had to come to the rescue to protect the Minister of Manpower. The Minister of Manpower was digging a hole for himself and the President of the Council decided on a number of points of order that he had to come to the rescue of the Minister of Manpower.

MR. DINN: The Speaker ruled you out of order.

MR. NEARY: I beg your pardon?

MR. HANCOCK: The Speaker ruled you out of order, he said.

May 25, 1981

Tape No. 1805

IB-4

MR. NEARY:

Mr. Chairman, the only thing that I can say to the Minister of Manpower is this, that if the hon. gentleman was

MR. NEARY:

telling the truth in the House today he has nothing to worry about. He does not have a thing to worry about. But if he in any way misled this House, deliberately or otherwise, if indeed -

MR. MARSHALL: Now, on a point of order,

Mr. Chairman.

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

MR. MARSHALL: One is not allowed to say indirectly what one may not say directly, we know that. The hon. gentleman has said that if the hon. member has misled the House either deliberately or otherwise - and it is here in Beauchesne, Mr. Chairman - it calls for a retraction by the hon. member.

MR. CARTER: Absolutely.

MR. MARSHALL: It really does, you know, it really does. Come on now, you are making such a statesmanlike speech.

MR. CHAIRMAN: The hon. member for LaPoile (Mr. Neary) is fully aware, I am sure, that he cannot say indirectly what he would not say directly and, therefore, I would ask the hon. member to withdraw.

MR. NEARY: I withdraw, I withdraw, Mr. Chairman, and I carry on with my few remarks.

MR. CHAIRMAN: Well, the hon. member has about -

MR. NEARY: Oh, give me a break there, 'Len'.

MR. CHAIRMAN: - really his time has run out.
The hon. the President of the Council.

MR. MARSHALL: I would just like to have a few words, Mr. Chairman, about some of the things the hon. gentleman said this afternoon about the Auditor General, which we are on now. The Auditor General in this administration has justifiably, and I underline the word 'justifiably', has had more exposure than at any other time in the history of this Province. The government, this government and its

MR. MARSHALL: predecessor moved in the initial stages, when they were reforming the rules of the House, to constitute the Public Accounts Committee as a Standing Committee of the House, which it was not before. It was an inoperative committee before; it never really met. I mean, I know members - I do not particularly want to go back in history because thank heavens that is over, but the fact of the matter is the Public Accounts Committee just did not exist before. It did exist on a few occasions but the Chairman of the Public Accounts Committee in those days was a minister of the government which is totally foreign to any kind of practice. Now, we started this off and we appointed the Opposition, as it should be in all cases, as Chairman and did everything we possibly could to foster it and to give the Auditor General, through the Public Accounts Committee, a high profile. And this is what the previous government and this government continues to do.

I think the Public Accounts Committee has, by and large, done a good task. I am going to be very interested to see what the report of the Public Accounts Committee is going to be like when it examines this year's public accounts on the accounts of this administration for the first time, because I think it has to be drawn to the attention of the public from time to time that there was nothing in this Public Accounts Committee pertaining to this administration in any way that would merit the high profile type of investigative procedures that were implemented with respect to the prior Auditor General's accounts - and that brings up another subject - that being so, and recognizing when the Auditor General makes findings like he has in the past without going into them that it is appropriate, of course, for the Public Accounts Committee to put a high profile on that investigative part of its function, I would urge and I would suggest to the Committee that the time has

MR. MARSHALL: now come and, certainly, the climate has been set, the stage has been set by this administration, for the Public Accounts Committee to, also, now go into its other roles that the Public Accounts Committee should have and does in other jurisdictions. And that is to look into in a very real way the manner in which the administrative arm of government is operating, not from a point of view of trying to have an investigation to find that there is something cloudy under the table and what have you, as has been done in the past, but from the point of view of making some realistic and good recommendations as to the better and proper functioning of government itself. I think that the Public Accounts Committee this year, if it is to do its job as I know it will and to do it in a manner which is most effective, will be concentrating on that end, but if it goes, Mr. Chairman, into the area that has been evidenced by some of the questioning in the House in trying to just have a search to see if they could find something seamy or something untoward with respect to the operations of the political arm

MR. MARSHALL:

of government, I do not think that this year's report will be too effective because there is nothing. In effect, the Auditor General has not brought in these things. So I will invite - I do not know what the hon. member for LaPoile (Mr. Neary) is going to do, he is going to be bored stiff with the Public Accounts Committee. I predict the member for LaPoile will, in effect, boycott the Public Accounts Committee the same way as he did the last few years, the Estimates Committee, even though I see that he did appear a few times this year. But the member for LaPoile has nothing to do this year, I am going to predict, I want to predict that the member for LaPoile will end up resigning from the Public Accounts Committee this year because there is nothing for him to dig into .

SOME HON. MEMBERS:

Oh, oh!

MR. MARSHALL:

There is no dirt, Mr. Speaker, for him to dig up. He can dig as much as he wants to, but he will not find it.

SOME HON. MEMBERS:

Oh, oh!

MR. MARSHALL:

As to some of the other things that have been talked about this afternoon, I would regard the hon. -

DR. COLLINS:

(Inaudible) ask the hon. member about (inaudible).

MR. MARSHALL:

The hon. gentlemen opposite have been talking about the effectiveness of the Auditor General's Department, the Auditor General's findings, the Public Accounts Committee and what have you, and I would draw to the attention, it has been drawn time and time before, that all of the items that they - when you talk about debating the report of the Auditor General, there is ample opportunity every day, Mr. Chairman, to debate the report of

MR. MARSHALL: the Auditor General in the Question Period that has been provided, and the Late Show that has been provided on Thursday afternoon, if the hon. gentlemen there opposite wish to. Any of the things that titillate their fancy in the Auditor General's Report, or the finding of the Public Accounts Committee or what have you, could, because it is entirely under their control, constitute the whole half hour on Thursday afternoon.

But the fact of the matter is, Mr. Chairman, they do not use it. They have not used it, I think, during this particular sitting of this session of the House if there is any singular characteristic about it that will be remembered, I think it should be remembered that there have been many afternoons when there have not been any questions at all. Other afternoons there may have been one question that has been subject to debate. So all of these things that they profess to be dissatisfied with, they could debate not in the Committee but in the House and they have not used it.

So, Mr. Chairman, their protests ring hollow. This government has, and continues and will continue in the future to, has done more to foster the effective operations of the House and the Committees of the House than has ever been done before and we will continue into the future.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: As stated, I look forward this year to the Public Accounts Committee under the present Chairman, and I look forward to the Public Accounts Committee, then, having the time, now, to be able to make investigations and come in with positive findings with respect to the Auditor General's report, which positive findings the scene for, of course, has been set

MR. MARSHALL: by this particular administration.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (MR. BUTT): Shall .2-02-01 carry?

SOME HON. MEMBERS: Carried.

MR. NEARY: Mr. Chairman.

MR. CHAIRMAN: The hon. member for LaPoile.

MR. NEARY: Mr. Chairman, a few moments ago

I was talking about the remarks made by the Premier earlier this afternoon and I had disposed of the attendance, the remarks he made about attendance. I might say, just for the benefit of members, that that is out of order, by the way, to talk about members attendance. The only requirement, as far as I know, for a member to collect to his sessional indemnity, is just to attend a sitting of the House, he could just come in for thirty seconds and leave and qualify for his pay.

Now, Mr. Chairman, that brings

me to the matter of -

MR. MARSHALL: (Inaudible) one page when somebody (inaudible).

MR. NEARY: No, there was never, ever a case -

MR. ROBERTS: (Inaudible) a man who (inaudible).

MR. NEARY: There was never, ever a case, as far as I know, where somebody was paid for not attending - who never attended a session of the House.

MR. BARRY: There was one case.

MR. NEARY: No, there was no case.

I knew of a man who was semi-retired or retired and living in Florida, and he used to fly back once a year, come in and sit down for a few minutes in the House and get his paycheque and go back to Florida again.

MR. ROBERTS: What about Bill Saunders' case?
MR. NEARY: No, he did not get paid. He got his pension -
MR. ROBERTS: He did not get paid by the House.
MR. NEARY: He did not get paid by the House.
No, that is right.

So, Mr. Chairman, I hope I have disposed of that matter. But it raises a very interesting point, Mr. Chairman. I believe that instead of the Premier turning his position, the Premiership, his office, into a very personal affair, I believe it would be far better if he sat down with the Opposition and worked out a code of ethics for members of the House, not only for ministers but for private members on both sides of the House. Because what is happening now is that the Premier has made this a personal matter, and I believe that is where he is getting into trouble, because he is the judge and jury, one man is the judge and jury -

MR. HANCOCK: It is a one man show only.

MR. NEARY: It is a one man show. I believe that if we are going to have a code of ethics, if we are going to have rules and regulations for ministers, that it should be written into the conflict of interest legislation, that what we have to do is beef up that act. What we have to do is lay down a code of ethics for ministers and members of the House and if they do not follow it, there should be severe consequences. There should be a jail sentence. There should be a jail sentence for a minister -

MR. CARTER: (Inaudible).

MR. NEARY: - for a minister who breaks the rules, No fine, he should be jailed, in my opinion, a minister

MR. NEARY: who interferes, for instance, with a judicial body. If the Minister of Justice (Mr. Ottenheimer) interfered with the proceedings of the court, or if the Minister of Justice interfered with the workings and the procedures of the Public Utilities Board which is a quasi judicial agency, Well then, the minister should resign. Not only should he resign, but he should be charged and put in jail because that is about the worst thing that a member can do, to interfere with the proceedings of the Public Utilities Board.

DR. COLLINS: (Inaudible).

MR. NEARY: I beg your pardon?

MR. DINN: (Inaudible) judicial reports are (inaudible).

MR. NEARY: Mr. Chairman, if the Minister of Manpower (Mr. Dinn) when he said here in this House today, "I do not think I have ever interfered in any way, shape or form with the rulings of the Board." Indeed, I think that would be appropriate. Well, if the minister feels that, and evidence should be uncovered, say, six months from now that that is not true, that that was a false and misleading statement, incorrect statement made in this House, if that is true, then the minister has no choice but to resign. And not only should he resign, but he should be charged.

AN HON. MEMBER: You would like that would you not?

MR. NEARY: Not only would I like it but, Mr. Chairman, it would be not improper, it would be illegal, absolutely illegal. And if the - Mr. Chairman, I move the Committee rise, report no progress and ask leave to sit again.

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

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

MR. BUTT: Mr. Speaker, the Committee
of Supply have considered the matters to them referred and
reports that it has passed without amendment Head 1,
Consolidated Fund Services, and made progress on Head II
Legislative.

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

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

MR. MARSHALL: Mr. Speaker, I move the
House at its rising - so that the Opposition, Mr.
Speaker, before will know what we are doing tomorrow,
in the spirit of co-operation, we will, Mr. Speaker, be
getting back into Committee of Supply tomorrow. We are
trying to do things in an orderly flow, you see. We
go into Committee of Supply. That is Finance, by the way,
the first two days. And then we will get into concurrence
debates and then we will get into the Budget Speech. And
we will have everything all done in a real orderly fashion.
And I do hope that the hon. members there opposite will
address themselves to the programme we have set and will
keep themselves relevant to the matters and we will proceed
with the public business.

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

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