

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
10:00 a.m. - 1:00 p.m.
FRIDAY, DECEMBER 3, 1982

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Russell): Order, please!

STATEMENTS BY MINISTERS

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

SOME HON. MEMBERS: Hear, hear.

MR. MARSHALL: Mr. Speaker, there is nothing more important - indeed more precious - than one's integrity or honesty. Every person jealously guards his or her right to be accepted by their fellow citizens as a truthful and sincere individual. Without that, one is held as being of no account and is held in distrust and in contempt. A person's reputation, Mr. Speaker, is a precious jewel and this is recognized and protected by society. Without it, he is indeed an empty shell.

This is perhaps even more important for the holder of the office of Premier or Chief Minister of a government in any democratically elected society. In a very real sense, the reputation of the Premier mirrors or reflects the repute of the society he represents. This being so, it is with deep regret that I comment upon the patent and obvious attempt by the Canadian Broadcasting Corporation to assail and tarnish the reputation of the Premier of the Province of Newfoundland and Labrador in the On Camera programme which was broadcast last night. In that programme I very much regret to note an attempt was made to brand Premier Peckford as a liar and an untruthful person not to be trusted.

The basis of this programme was an attempt to show the Premier had not spoken the truth when he indicated he had contacted one of the highest officials of Bowaters to urge postponement of the decision to close No. 7 paper machine at its plant in Corner Brook.

MR. MARSHALL: The programme based its allegations upon the fact that the Premier had alleged he had spoken to the Chairman of the Board of Bowaters International. The programme was obviously prepared to brand this statement as untruthful based upon a statement of Lord Errol of Hale stating he had not met with Premier Peckford. In actual fact, Mr. Speaker, the situation was as follows: At a dinner at the office of the High Commissioner in London on Friday week, the Premier was seated alongside Dr. Lenton, the Managing Director of Bowaters Coporation Limited at London, which is the grandparent of all Bowater companies. Throughout this dinner, the Premier pressed the Corner Brook situation and in particular requested time to investigate the possibility of formulating a proposal or counter-proposal. Subsequently, other calls were made to Dr. Lenton by the Premier. The Premier was under the impression that Dr. Lenton was Chairman of the Board of Directors of Bowaters International. In fact, he was the Managing Director.

MR. NEARY: Ha!

MR. SIMMS: Why do you not listen boy.

MR. MARSHALL: Perhaps the hon. gentleman might like to add pampers to his silly little shirt.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell): Order, please!

MR. MARSHALL: On Camera.

MR. NEARY: Shameful! Watergate all over again.

MR. SPEAKER: Order, please!

MR. MARSHALL: On Camera, Mr. Speaker, seized

upon this not only to conclude the Premier had not contacted the chairman of the board, but indeed implied he had not been interested enough to contact Bowaters on the Corner Brook situation and in fact had been untruthful. This allegation was even more serious when one considers it was made in the context of the Premier's discharge of his duty in a profoundly grave and serious situation affecting the Province.

Now this was done without affording the Premier, Mr. Speaker, the basic, ordinary right to respond. Had it done so it would have found he had contacted Dr. Lenton, the chief operating officer. Those responsible for the programme did this without having first informed me, when I appeared for the programme, before it commenced that they had contacted Lord Errol of Hale and asked me simply if there might be some confusion. It would appear they were not interested, Mr. Speaker, they were not interested if there was any legitimate confusion, only in branding the Premier as being untruthful.

At the end of the programme the interviewer stated to me, when I was protesting the way she was conducting the interview, that time had run out. Yet, Mr. Speaker, you will note they had time to broadcast Lord Errol's denial, but they did not have the time, nor the apparent interest, to relay the Premier's version.

MR. MARSHALL: I trust the press, which fully exercises its undoubted right to criticize and express opinions, will recognize the rights of others to question the way it reports. This I do now in the case of CBC's programme On Camera which was televised last night. When they received the information from what they styled as "sources in Bowaters", surely it must have been apparent that there might have been a simple mistake to which there might have been a simple answer. It must also have been evident that it was only the Premier himself who could have supplied that answer. This being so, I ask the CBC why the On Camera staff did not contact the Premier before the programme was aired? Surely the gravity of the implications which On Camera was obviously intent on conveying dictated this. Had they done so, they would have obtained the perfectly plausible answer. The interviewer could perhaps have found a few more seconds on her programme and have had the chance to press her button on her tape recorder with the same relish with which she gave a recording of Lord Errol's voice - with the explanation of the Premier. This would have shown that the Premier had merely placed the wrong title upon the Bowater's official to whom he was talking. She might even have liked to have observed that in most corporate structures the Managing Director

MR. MARSHALL: is the Chief Operational Officer and carries more weight and responsibility than the chairman of the board. Instead of doing this though, Mr. Speaker, those responsible for On Camera chose not to be interested in whether there was an explanation but seemed content to imply that the Premier had fabricated his story that he had contacted Bowaters. And this is the only implication, Mr. Speaker, and I feel that all fair minded people will join me in asking the question, Why? When CBC finally presented the Premier's version it was at 11:30 last night. One might ask why they waited until then. Is it not a basic right of any person accused to at least have the chance of an immediate response? After broadcasting the Premier's version of the situation on the late night news, the CBC hoped to dispose of the situation by concluding that the Premier had thought he was talking to the Chairman of the Board but in actual fact he was talking to another representative of the Board.

Mr. Speaker, the government of this Province, the colleagues of the Premier, and I feel the fair thinking people of Newfoundland and Labrador are not going to be content to allow it to be dismissed or made light of in this manner. The reputation of the chief representative of the people has been unjustly assailed and no words of amelioration can address it except an unequivocal apology by the Canadian Broadcasting Corporation.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

I call upon the CBC to make the apology in the name of fairness and decency. If they are unprepared so to do, I call upon the C.R.T.C. to investigate their operations in Newfoundland and to

MR. MARSHALL: determine the reasons for their presentment of the Premier before the public in the manner they did without affording him the basic right of reply or explanation when the programme was aired.

To those who may wish to diminish the gravity of the situation by alleging that the freedom of the press is being attacked, I say with every right, Mr. Speaker, there is a duty and the press is not immune from this basic relationship. It must be recognized that this can never be used to unjustly assail the reputations of persons in the society in which it operates. Otherwise the very freedom which it so often champions is an empty allusion. One indignant caller to CBC last night told me that the response received was we must report the news as we see it." I say they have a sacred duty to report the news as it is.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: An apology or explanation is due as to why CBC felt that news 'as they see it' last night did not afford the basic right of response to the person whose reputation it assailed in such a base and unfounded manner.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Russell): The hon. Leader of the Opposition has five minutes to respond.

MR. NEARY: How many minutes, Sir?

MR. SPEAKER: Five minutes.

MR. NEARY: I will be responding outside the House too, Mr. Speaker, to this because this is a very, very, frightening statement and if anybody should apologize to the people of this Province, especially the people in Corner Brook, it should be the hon. gentleman who misled this House, Mr. Speaker.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Russell):

Order, please! Order, please!

The hon. the Leader of the Opposition, or any hon. member, is not allowed to say that any hon. member misled this House, and I would ask the hon. the Leader of the Opposition (Mr. Neary) to withdraw that remark.

MR. NEARY:

Mr. Speaker, I withdraw that remark. But we have telegrams, and we have statements in Hansard made by the hon. gentleman in this House, one that was made by the hon. gentleman when he was condemning me, trying to focus attention on me. Here is what the hon. gentleman said: "I can refer them to the response with the head of Bowaters International made to the Premier this morning -

MR. WARREN:

Now!

MR. NEARY:

- when the Premier called him in a last ditch effort to have the announcement postponed. The chairman's response was words to this effect: 'What do you mean? The decision has already been made public.'

Now, Mr. Speaker, that was untrue. The Premier had not even spoken to the chairman of the Bowater International Corporation. He was sitting having dinner with some gentleman who happened to be associated with Bowaters - he did not know his title. We were led to believe by the hon. gentleman in this House that before the Premier went to Europe on this ban on the seal products that he had arranged meetings, he had prior arrangements with Bowaters officials to discuss the Bowaters situation in Corner Brook and now we discover that is not true, not an ounce of truth in it.

MR. NEARY: So, Mr. Speaker, the privileges of this House have been breached. But I will deal with that, Mr. Speaker, and I want to put the hon. gentleman on the opposite side under notice that I am not sitting on my rights as far as that item is concerned. I have not completed my research yet, Mr. Speaker, and I am giving notice now that I am not sitting on my rights to raise that as a matter of privilege in this House.

What we have seen today is a cowardly, low, sneaky, rotten attack on the news media of this Province. Mr. Speaker, I watched that programme last night, and what this House should be doing, instead of condemning the CBC, is we should be passing a resolution in this House congratulating the CBC and thanking God - the people of Newfoundland should have thanked God last night that we had the CBC or the truth would have been suppressed.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker, this has been the second or third time in the last year that the media have been attacked by the government, especially the CBC. I think it is the second time they have raked the CBC over the coals, unjustifiably so, just because they got caught in an embarrassing situation. Mr. Speaker, it is shameful, what we have heard in this House today is shameful. We did not hear about things like this happening even under the Hitler regime in Germany. Even Hitler did not do that. Mr. Speaker, these are Hitlerite, Mussolini tactics.

MR. S. NEARY: The CBC were merely doing their job and the other media in this Province were doing their job as investigative journalists, investigative reporters. In the process of carrying out their job and their responsibility as the eyes and ears of the people of this Province, they caught the Premier in a lie - or they caught somebody in a lie. Somebody lied, Mr. Speaker.

MR. WM. MARSHALL: Mr. Speaker.

MR. SPEAKER (Russell): Order, please! The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, it is entirely out of order for anyone to impute that a member of this House has told a lie in the course of his duties and I ask the hon. the gentleman be asked to withdraw that.

MR. SPEAKER: Order, please! The point of order raised by the President of the Council (Mr. Wm. Marshall) is well taken and I think it is certainly unfair for any hon. member to my right or to my left to impute that another hon. member of this House lied. I would like for the hon. the Leader of the Opposition (Mr. S. Neary) to withdraw that.

MR. NEARY: Well, I withdraw it, Mr. Speaker, but somebody lied and we intend to find out who it was. We have a Watergate type of situation on our hands here, Mr. Speaker.

MR. SPEAKER: Order, please! When I recognized the hon. the Leader of the Opposition, I informed him that he had five minutes to respond to the Ministerial Statement. His five minutes has expired.

ORAL QUESTIONS

MR. S. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, in connection with this shambles, with this mess, with this lie, would the hon. -

SOME HON. MEMBERS: Oh, oh!

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

MR. SPEAKER: Order, please! The hon. the President of the Council.

MR. MARSHALL: Your Honour has already made a ruling with respect to that. If the hon. gentleman wants to question in the House he can certainly question, but he does it within the rules of the House.

MR. SPEAKER: Order, please! Again I have to remind the hon. the Leader of the Opposition (Mr. S. Neary) that he is not permitted to impugn that another member of this House lied. If this line of questioning continues I shall have to rule the hon. the member out of order.

MR. NEARY: Mr. Speaker, I did not accuse anybody of lying. I said, 'In connection with this lie.' I am not accusing anybody of lying.

SOME HON. MEMBERS: Same thing! Same thing!

MR. NEARY: The whole situation itself is a lie and I do not know who is responsible for it, Mr. Speaker.

MR. L. SIMMS: That is not true.

MR. NEARY: It is not true?

MR. SIMMS: No!

MR. NEARY: But it is true.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. NEARY: Now, let me ask the Government

MR. S. NEARY: House Leader (Mr. Wm. Marshall),
who did the Premier meet? Was there prior arrangements
made with anybody in Bowaters before the Premier left this
Province to hold meetings in London in connection with the
layoffs and the shut down of the Bowaters mill in Corner
Brook? If prior arrangements were made, would the hon.
gentleman care to table the documentation in this House?

MR. WM. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: Mr. Speaker, as I indicated, the
Premier met with Dr. Lenton, who is the Managing Director
of Bowaters Corporation of London. He met with Dr. Lenton
at a dinner that had been - now over in Britain they call
it dinner in the middle of the day -

MR. NEARY: Ha, ha, ha!

MR. MARSHALL: Ha, ha, ha!

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: Mr. Speaker, at a dinner tendered
by the High Commissioner in London, Mrs. Wadds, that on the
right or left hand side of the Premier was Dr. Lenton, who
was the

MR. MARSHALL: representative of Bowaters at the time, the major person having conduct of the affairs of Bowaters. He was the person the Premier talked with, Mr. Speaker, he was the person that the Premier phoned. And, Mr. Speaker, he was also the person who on Wednesday of this week informed the Premier, when the Premier was making representations to him in a last-ditch effort to have the Bowaters decision not made public, he was the person who indicated to the Premier that it had already been made public, and of course it was made public through the instrumentation of the hon. member there opposite who did the work of Bowaters for them.

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

MR. NEARY: A supplementary, Mr. Speaker.

The hon. gentleman will not get away with that remark when I get a chance to raise my point of privilege in this House. The hon. gentleman now is trying to weasel his way out of it, It was not the Chairman of the Bowaters Corporation as he led this House and the people of this Province to believe.

Now let me ask the hon. gentleman this, The main part of the question that I put to the hon. gentleman was about whether or not there had been prior arrangements made to meet with Bowater officials in Europe before the Premier left this Province, or was it just a pure accident that the Premier happened to be invited by the Canadian High Commissioner in London to a dinner that had nothing to do with Bowaters, it had to do with a reception-

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: -Mr. Speaker, it had to do with a reception for the Canadian delegation that was in Europe on the seal ban, a dinner was held for the Canadian delegation who were over there on the seal fishery. Is this the truth of the matter? Are these the facts, that this dinner was being

MR. NEARY: held for the Canadian delegation and the Premier just happened to be sitting down by a Bowaters official and incidentally brought up the Bowaters situation in Corner Brook?

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

MR. MARSHALL: Mr. Speaker, just like last Friday when I came back to the House and informed the House that the Premier had met with the representatives of Bowaters who the Premier had thought was the Chairman of the Board and I advised the House accordingly and the hon. gentleman got up and said, Ah, ha! They got together because of the questions he asked a few minutes earlier in the morning .

MR. NEARY: Yes, that is right.

MR. MARSHALL: I say that obviously the Premier and the Chairman of the Board did not get together and meet by chance as if they were at MacDonald's or they were at Whimpy's or they were going out to the A and W or somewhere like that. They obviously met a dinner at the High Commissioner's in London.

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: Mr. Speaker, one does not wander in to the London High Commissioner and sit around the table and meet people by way of chance.

SOME HON. MEMBERS: Hear, hear!

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

MR. NEARY: Thank you, Mr. Speaker.

Mr. Speaker, in other words what happened was that the Canadian High Commissioner was having a dinner for the Canadian delegation over on the seal fishery from Canada, and they were having a few beers together -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: - Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell):

Order, please! Order, please!

The hon. Leader of the

Opposition (Mr. Neary) is entering the realm of debate and

I would ask him to be more direct with his question.

MR. NEARY:

Mr. Speaker, let me ask the

hon. gentleman is it a fact , is this what happened, that they

were having a few beers and having a chat over a roast of

pheasant and champagne and the matter of Bowaters just happened

to come up?

MR. NEARY: Is that the truth of the matter?
Is that actually what happened? Why does not the hon. gentleman admit that is what happened, that the Bowater's thing was merely incidental -

MR. TULK: And tell the truth.

MR. NEARY: - and tell the truth?

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

MR. MARSHALL: Mr. Speaker, that does not warrant a question. The hon. gentleman is trying to subterfuge now and cloud the whole issue. The issue that is here and the issue that is plain and clear for everyone to see is like yesterday, unfortunately, on the On Camera programme the reputation of the Premier was assailed without giving the Premier the basic right of responding at the particular time. And that is the matter of real concern. I realize that maybe the hon. Leader of the Opposition (Mr. Neary) does not care too much about the reputations of anyone, least of all the reputation of the Premier of this Province but, Mr. Speaker, the government does and I feel most fair minded people in this Province do as well.

SOME HON. MEMBERS: Hear, hear.

MR. NEARY: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. Leader of the Opposition.

MR. NEARY: Mr. Speaker, what does the hon. gentleman have to say about this telegram that he rushed into the House with the other day and read for the House? And I will quote from the telegram: "The matter of Corner Brook is being dealt with at the highest level both by the ministers in Newfoundland and myself in meeting I have held in London". What meetings? Could the hon. gentleman tell us - this is a telegram from the Premier dated November 29th, 1982 - what meetings? What meeting is the Premier talking about? Is he merely referring to this dinner where he just happened to

MR. NEARY: sit down - it could have been the janitor, Mr. Speaker, it could have been anybody? When he got off the plane at Heathrow Airport, the first person he met was associated with Bowaters, did he chat about the Bowaters' situation then?

SOME HON. MEMBERS: Question! Question!

MR. SPEAKER (Russell): Order, please!

MR. NEARY: How did he know, he could have been talking to the janitor in Canada House in London? What meetings? Let the hon. gentleman get up man-fashion and tell this House what meetings the Premier had and who arranged the meetings, tell the House the truth for a change?

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

MR. MARSHALL: Mr. Speaker, I tell the House the truth all the time.

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

MR. MARSHALL: What I am complaining about is that On Camera did not pursue their investigative reporting to the extent that they ought to where they would have had the truth.

Now, Mr. Speaker, obviously the hon. gentleman knows the answer to that question. I have given the answer to that question. There was a meeting of the Premier with Dr. Lenton at the British High Commissioner's. There were calls to Dr. Lenton that have already been recounted. There were meetings from the point of view of meetings of ministers down in South Carolina when the Premier was in contact with them with respect to that. There had been meetings with the government here by way of telephone with the Premier. The Premier has been on top of the situation at all times.

MR. NEARY: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. Leader of the Opposition.

MR. NEARY: Mr. Speaker, could the hon. gentleman provide even the tiniest shred of evidence for this House that meetings were arranged by the Premier before he left this Province or indeed after he went to London on this seal expedition? Could the hon. gentleman provide the House with one shred of evidence? Because if the hon. gentleman cannot, he knows that the administration is in trouble and somebody did not

MR. NEARY: tell the truth. So would the hon. gentleman provide that little shred of evidence?

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

MR. MARSHALL: Mr. Speaker, you know, that is ridiculous. I have already given my answer to the hon. gentleman. I mean the hon. gentleman's questioning is reflective of their attire here this morning. The only thing that is missing, Mr. Speaker, are the short pants or maybe the Pampers.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: The hon. gentleman can try to distract from the real issue all he wants, Mr. Speaker. Now let me ask the hon. gentleman another question. In view of the facts that have come to light in the last twenty-four hours in connection with the government dereliction of duty in connection with the Bowaters situation, would the hon. gentleman now tell the House if he intends to apologize to the people of Corner Brook, and the people of this Province, for the way that they have been misled in this Province in the last two or three days? Is the hon. gentleman going to apologize for misleading statements that he made, for providing wrong facts to the House, and for misleading the people of this Province?

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

MR. MARSHALL: There have been no misleading facts presented to this House or to the people of the Province, Mr. Speaker. The apology which is due is from the hon. gentleman there opposite -

SOME HON. MEMBERS: No way.

MR. MARSHALL: - who was not prepared last Friday to come over and ask me as to the situation that I would have confirmed to him. Instead, Mr. Speaker, I am sure the people

MR. MARSHALL: of Corner Brook, you know, are pretty annoyed with the hon. gentleman that he chose to do Bowaters work. But despite the hon. gentleman's indiscretion and what he did, Mr. Speaker, that is not going to daunt this government from using everything it possibly can in taking every possible effort, which it is doing, to see what it can do to alleviate and mitigate that very unfortunate situation in Bowaters, as well as we have pressing concerns with respect to Burin, we have pressing concerns all over Newfoundland as a result of the fragility of the economy of the Province of Newfoundland. And nothing that the hon. gentleman is going to say or do in this House, or outside, Mr. Speaker, is going to detract us from this aim and desire.

SOME HON. MEMBERS: Hear, hear!

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

MR. NEARY: Mr. Speaker, could the hon. gentleman tell the House why the Premier had to wait to get an invitation from the Canadian High Commissioner to attend a dinner at Canada House? Why did the Premier not arrange meetings with Bowaters and meet them in their office, or meet them in the Premier's hotel? Why did he have to wait for an invitation from a Canadian diplomat in London who was just merely trying to be courteous and show a little hospitality to the Canadian delegation that was over the seal hunt ban? Could the hon. gentleman tell us why the Premier could not have gone to Bowaters offices, or invited the Bowaters officials to come to his hotel room or they could have met in some other office in London? Why did the Premier not do that?

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

MR. MARSHALL: Mr. Speaker, I do not know where the Premier met with the officials of Bowaters. The fact of the matter is he met with officials of Bowaters. He met them at the Canadian Embassy. I say to the hon. gentleman that the Canadian High Commissioner's is not like MacDonald's, or A & W, or Wimpy's or what have you, that people just

MR. MARSHALL: wander in off the street and get their meals, so obviously the Premier knew he was attending a function of the Canadian High Commissioner in London and at that meeting he met with a high officer of Bowaters. I do not see the significance of the hon. gentleman's question. I mean, the main thing is that the Premier did meet with the highest chief operational officer of Bowaters.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: It is very significant and very important, Mr. Speaker. Is the hon. gentleman aware that on November 26th in this House the hon. gentleman made the following statement, is he aware of this, that 'the Premier was meeting with the Chairman of Bowaters organization, the world-wide organization' this morning in London. Now was that true? The hon. gentleman did not meet with the Chairman of Bowaters organization on any morning in London. He met around lunch time, the hon. gentleman told us, for dinner.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. NEARY: And, Mr. Speaker, is it not a fact, does the hon. gentleman have the courage to stand in this House man-fashion and tell the people of this Province that what happened was that the Premier was invited to this luncheon and just bumped into the Bowaters official who happened to be an invited guest. Is this in actual fact what happened?

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

MR. MARSHALL: Mr. Speaker, when it is 10:30 in Newfoundland it is 10:00 in Nova

MR. MARSHALL: Scotia, it is 9:00 in Ontario. When you go in that direction you get more time down the line, so when I said in the morning that the Premier was meeting this morning, this morning was this morning, but this morning was this afternoon in other places.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: That might be hard for the hon. gentleman to understand but, you know, if the hon. gentleman wants to pursue this line of questioning that is fine. All I can say is that the Premier met with Dr. Lenton. The matter that is of grave concern to the government and I think all fair minded people of this Province today is that unfortunately On Camera for one reason or another decided to give the unfounded impression that the Premier had fabricated the story which he gave to them without doing him -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell): Order, please!

MR. MARSHALL: - the courtesy of having called him up and asked, where they would have got the most simplest explanation that would have satisfied everybody, Mr. Speaker, except the hon. the Leader of the Opposition.

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

MR. NEARY: Mr. Speaker, the On Camera programme last night was a magnificent and superb job of professional journalism and the hon. gentleman should feel ashamed of himself, Mr. Speaker, for trying to cover up -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order, please!
I would ask the hon. the Leader of the Opposition to direct a question.

MR. NEARY: Mr. Speaker, is the hon. the Government House Leader (Mr. Marshall) aware that unless this matter is cleared up, is the hon. gentleman aware that unless they can put documentation on the table of this House that is just even a shred of evidence, that the government are going to be under a dark cloud for a long time to come and will never be trusted, and their credibility and their believability will be severely battered unless the hon. gentleman is prepared to lay some documentation on the table of this House to prove -

MR. TOBIN: Ask the question, boy.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker,
I am asking the hon. gentleman a question.

MR. SPEAKER: Order, please! Order, please!
I would request hon. members to my left to let the hon. the Leader of the Opposition be heard in silence, and I would request the hon. the Leader of the Opposition to refrain from debating and making a speech, and ask a question.

MR. NEARY: Mr. Speaker, what I am asking the hon. gentleman is if the hon. gentleman is prepared

MR. NEARY: in the interests of the administration ever being believed or trusted again in this Province, is the hon. gentleman prepared to bring into this House - and we do not have to close the House today, it is up to the hon. gentleman; we are prepared to wait for a few days - bring into this House some documentation to prove, some facts to prove, not just rhetoric, not just words, as the hon. gentleman just issued in his statement to try to smear the CBC and undermine the credibility of the people who did that programme, is the hon. gentleman prepared to produce the evidence, the documentation, the facts for this House? Otherwise, Mr. Speaker, the government are going to be under a dark cloud and will never be believed again in this Province.

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: The press could not see the hon. gentleman. When he was asking the question, he was almost laughing.

MR. NEARY: Is that so!

MR. MARSHALL: Yes, he was, really, a big smile on his face and he was laughing.

MR. RIDEOUT: Yes, it is all a joke. Still no concern for the people of Corner Brook.

MR. MARSHALL: Perhaps we should give them short pants and a playpen out here in the middle of the House, it would be much more in character.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MARSHALL: But, Mr. Speaker, if the hon. gentleman wants any verification, I suggest that he ask

MR. MARSHALL: people whom I know he will believe, unless he wants to assail them as well, no less personages than the hon. Mr. DeBane and Mr. Rompkey and Mrs. Wadds, you know, they were there. I mean, if he does not believe us, he can get verification from them and perhaps he could tell us whether he would believe them. I tell the hon. gentlemen, we certainly are prepared to.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, in view of the fact that we have on the public record - and I have two Hansards here in front of me and I have a telegram from the Premier in reply to a telegram that I sent the Premier - in view of the fact that the record now has to be

MR. NEARY: set straight there is a breach of privilege of this House that I will be dealing with later, does the hon. gentleman intend now to apologize to the House to set the record straight for the misleading statements that are in Hansard, two copies of Hansard that I have in front of me and a telegram that the hon. gentleman read in this House? Is the hon. gentleman prepared to apologize to the House for these gross and misleading statements that the hon. gentleman made on two or three occasions in connection with the Premier's meetings with Bowaters?

MR. TOBIN: Withdraw misled the House.

MR. SPEAKER (Russell): Order, please! Order, please!
The Chair feels that the hon.

Leader of the Opposition is really making an accusation that another hon. member has misled this House. I am sure the hon. Leader of the Opposition is aware that is not a proper thing to do. Would the hon. gentleman care to withdraw that?

MR. NEARY: Yes, I will, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Speaker, again I have to come back to the Government House Leader (Mr. Marshall).

MR. TOBIN: Rephrase it.

MR. NEARY: No, I am not going to rephrase that question, I will deal with that under the privileges of the House. But let us come back, let us get the scenario straight again.

MR. TOBIN: Question!

MR. NEARY: The Premier of this Province left, went up to Ottawa and was briefed on the trip they were going to make to Europe in connection with the seal ban.

MR. NEARY: Then they arrived in Europe. Now would the hon. gentleman tell the House - the Premier knew on November 18 that Bowaters were going to lay off and shut down their mill for eight weeks and all the other disasterous things that were going to happen to Bowaters - now when the Premier left this Province, did he merely hope to bump into a Bowater official in Heathrow Airport - it could have been the janitor or anybody in Heathrow Airport - or did he pre-arrange, before he left this Province, meetings with Bowaters? Now would the hon. gentleman inform the House of that, answer that question truthfully and honestly? And if he did, would the hon. gentleman care to lay documentation on the table of this House?

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

MR. MARSHALL: Mr. Speaker, I am not going to allow the hon. member to attempt to becloud the gravity of this particular situation in what is involved in it by attempting to state that, you know, the House was misled. In the statement today I indicated quite clearly that when the Premier was talking with Dr. Lenton he was under the impression that Dr. Lenton was the Chief Executive Officer of Bowaters. It turns out that Dr. Lenton was the Managing Director, who is really the Chief operations officer of Bowaters.

So the hon. gentleman is not going to becloud the issue. The issue that is straight, four flush, before the House today and before the people is the fact that the First Minister of this Province was in effect accused of fabricating a story which he gave concerning a very grave -

SOME HON. MEMBERS:

True! True! Hear, hear!

MR. MARSHALL:

- matter affecting the welfare of the people of this Province. And this was done in the name of -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Russell):

Order, please!

MR. MARSHALL:

- investigative reporting without affording the Premier the opportunity of calling him out and directly asking if there was any explanations. And the explanation was simple, the simple explanation that I had given him in the statement ; I have given in the Question Period and I have given in the response to this question here now.

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. NEARY:

The hon. gentleman referred to the fabrication of the story. Is it not true,

MR. S. NEARY: is the hon. gentleman not aware that the hon. gentleman, who is the acting Premier or Deputy Premier or whatever you want to call him, speaking for the government was providing the interviewer with facts about the Premier's meetings with Bowaters, and in the process of doing that that the hon. gentleman misled the interviewer - is that not what happened? - and did not tell the truth? Now, maybe it was not the hon. gentleman's fault, maybe the hon. gentleman -

MR. T. HICKEY: Mr. Speaker, a point of order.

MR. SPEAKER (Russell): Order, please!

MR. NEARY: - was given the wrong information by the Premier.

MR. SPEAKER: Order, please! Order, please!
The hon. the Minister of Social Services.

MR. HICKEY: Mr. Speaker, the hon. gentleman cannot continuously accuse people of lying.

MR. NEARY: Yes! Yes!

MR. HICKEY: Yes. Sure, yes, You know all about lying, boy.

MR. NEARY: That is not a point of order,
Mr. Speaker.

MR. SPEAKER: Order, please!

The hon. the Leader of the
Opposition.

MR. NEARY: Now, as a result of that programme last night, is the hon. gentleman considering resigning for allowing himself to be manipulated and used in the way that he was used? Is the hon. gentleman considering giving up his position as acting Premier because he can no longer trust the man who gave him the information? The hon. gentleman will never again be able to trust the Premier and will never know whether he is getting factual information or whether it

MR. S. NEARY: is fiction or a figment of the Premier's imagination.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell): Order, please!

MR. NEARY: Is the hon. gentleman considering resigning and apologizing to the CBC and to this House and to the people of this Province?

MR. WM. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: Mr. Speaker, I can say with respect to the interviewer herself, I did not mislead the interviewer. As a matter of fact, I really feel that the interviewer, who brought up, if you will, cold turkey to me that they allege that sources say that they never met with an official, but I think she used the word, 'Chief Executive Officer' or 'Managing Director' -

MR. T. RIDEOUT: That is exactly what she said.

MR. MARSHALL: - because we have a tape and it will bear this out. But the point of the matter is that was presented to me on the programme without even beforehand indicating anything about it. If you have a statement like that I think that one might have said, 'You know, we have heard this and the Premier has said that, so there must be some mistake or confusion. Is there some response?' They were not interested in that. They were interested in bringing it out. So that is the first thing. Now, as to resigning because of trusting the hon. the Premier, Mr. Speaker, I am very proud to be associated with the hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: The Premier of this Province has established a government of integrity and honesty -

SOME HON. MEMBERS: Hear, hear!

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MR. WM. MARSHALL: - which everybody recognizes.

Unfortunately, Mr. Speaker - and this is an opinion I am expressing - I think certain people in the area that I referred to this morning do not particularly think that this should be so and they are putting themselves in the place of the Opposition and they making imputations and implications which are not there, and that is the very reason why, Mr. Speaker, that I think that they acted in this way and the very reason why

MR. MARSHALL: as well that they owe an apology. If there is anything that this government is doing wrong, it is fine, it is all right to investigate it, bring it out publicly. But when things are done like that and you assail unfoundedly a reputation, the fact of the matter is it is abominable, it is without any excuse whatsoever and it requires from decent people a response that I hope we will get-an apology.

In the meantime, I can assure the hon. House, and the hon. Leader of the Opposition (Mr. Neary), that I am very proud to serve with the Premier who has brought honesty and integrity to Newfoundland and established a government that can manage the affairs in very, very difficult and trying times, not made any the easier by the type of questioning and the type of conduct of a person who is supposed to be responsible like the Leader of the Opposition as he indicated last Friday.

SOME HON. MEMBERS: Hear, hear!

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

MR. NEARY: So much, Mr. Speaker, for honest and open government in this Province.

Now, Mr. Speaker, is the hon. gentleman aware - I was just listening to the what the hon. gentleman said about the title, he lays a lot of emphasis on the title of the person in Bowaters that the Premier just happened to be passing the caviar to at this dinner - is the hon. gentleman aware that he made this statement? The hon. gentleman who just took his seat, is he aware that he made this statement to the House? He said when the Premier called him - no, "Half an hour ago I can refer them to the response which the head of Bowaters International made." Is the hon.

MR. NEARY: gentleman aware that he made this statement?

MR. BARRETT: Where is the question?

MR. NEARY: Mr. Speaker, if we could keep the lapdog from St. John's West (Mr. Barrett) quiet over there for a few moments.

Mr. Speaker, is the hon. member aware that he made this statement -

MR. BARRETT: You do not know what a head of an organization acts like.

SOME HON. MEMBERS: Hear, hear!

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

MR. NEARY: - "And I think the hon. gentleman there opposite might be interested to know that, at the very time when I was speaking to the Premier, the Premier was meeting with the Chairman of Bowaters."

And is the hon. gentleman aware that he made this statement to the House on November 26th., "over there meeting with the Chairman of Bowaters and he is very much concerned with affairs, and that is not to say one way or another, I am not going to comment any further."

That is three statements, plus the telegram. And is he also aware, on the next page, that the hon. gentleman made this statement, "He happens to be talking to the Chairman of Bowaters. Also, this House might like to know he is talking this afternoon to the heads of certain oil companies."

Now, Mr. Speaker, having made all these statements to the House, and having read the Premier's telegram in reply to a telegram that I sent the Premier - and I have to ask the hon. gentleman if he is aware of what is in

MR. NEARY: this telegram, "The matter of Corner Brook has been dealt with at the highest level both by my ministers in Newfoundland and by myself in meetings I have held in London" - now having made all these statements, does not the hon. gentleman feel that the honourable and decent and manly thing to do, unless you are a mouse, unless you are less than a mouse, Mr. Speaker, is it not the honourable and decent -

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

The hon. Leader of the Opposition (Mr. Neary) has made a rather lengthy speech in the Question Period.

MR. SPEAKER (Russell): if he does not ask a question directly I will not permit him to continue.

The hon. Leader of the Opposition.

MR. NEARY: Is it not a decent thing for the hon. gentleman to do - and we will deal with the Premier when he comes back to the House - to turn in his badge, to admit that he misled the House and misled the people of this Province and do the hon. thing and go down to the Lieutenant-Governor and pass in his resignation?

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

MR. MARSHALL: Mr. Speaker, the hon. gentleman is quite well aware that he referred to the Chairman of Bowaters. You notice how the hon. member skirted away from the quote? He read the quote and said, 'The head of Bowaters International; he pushed that aside and then he went over, you know, to 'Chairman'.

I am well aware, Mr. Speaker, that I referred to the Chairman of Bowaters. I gave an explanation for that, a perfectly plausible one, to the House today. I would that, Mr. Speaker, On Camera had accorded the same courtesy to the Premier and you would not have this particular situation today. So, Mr. Speaker, the Premier of this Province was speaking, yes, to the head of Bowaters International at that period of time. The head of Bowaters International is the Chief Operational Officer, who is the general manager. That is the fact whether the hon. gentleman, you know, wishes to accept it or not. I cannot make him accept it but that is the situation.

SOME HON. MEMBERS: Hear, hear.

MR. LUSH: Mr. Speaker.

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

MR. LUSH: Mr. Speaker, I have a question for the Minister of Culture, Recreation and Youth (Mr. Simms).

MR. LUSH: I wonder if the minister can indicate whether he has yet received a copy of this report by the Newfoundland and Labrador Youth Advisory Council relating to the social and psychological correlates of youth unemployment in Newfoundland and Labrador? So the question is whether he has received this report, whether he has read it and inwardly digested the contents of this report?

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

MR. SIMMS: Mr. Speaker, yes, I have received the report. I received it on Wednesday, some 200 pages, and we have not yet had an opportunity to digest it. I have had a briefing from the Chairman of the Council, Mr. Daley, and I would like to take the opportunity to commend the Youth Advisory Council for the tremendous job they have done on this particular report.

SOME HON. MEMBERS: Hear, hear.

MR. LUSH: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. member for Terra Nova.

MR. LUSH: If the minister, Mr. Speaker, had just done a very casual purusal of this document, he realizes that there are some pretty stark statistics in this document, some pretty eye-opening statistics. So in view of that I wonder if the minister could indicate -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

MR. LUSH: - what action he contemplates taking, what action the government contemplate taking in order to come to grips with the pretty stark statistics, with the revealing statistics, Sir, and I might say, surprising statistics revealed by this report?

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

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MR. SIMMS:

Mr. Speaker, it is my intention
to have the report analysed by officials of my department.

I also intend

MR. SIMMS: to have arrangements made for the Youth Advisory Council to meet with my colleague, the Minister of Labour and Manpower (Mr. Dinn) next week to have a discussion on this. I will also be taking the analysis of that report to my colleagues in Cabinet for further discussion and seek further avenues to address the problems as outlined in that particular survey and that particular report. I should also point out that the activities undertaken in this particular regard are in really two parts because the Youth Advisory Council themselves will be sending out this report to their regional councils throughout the Province and asking them to submit recommendations and solutions and observations, and we will be dealing with the Youth Advisory Council on a regular basis and in fact will encourage them to pursue the work that they are doing. And I should point out as well that the government is very pleased with what they have done and it is for that reason, of course, that we in the first place provided the operating funds for the Youth Advisory Council to undertake such issues as this to try to determine the priority concerns of the youth of this Province so that they can be addressed by the government of this Province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Russell): Order, please! The time for the Question Period has expired.

ORDERS OF THE DAY

MR. MARSHALL: Motion No. 2 Bill No. 74.
But I wonder if the hon. gentlemen would permit as well, that is the Committee of the Whole to consider certain resolutions to the imposition of tax on insurance premiums, that when the

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MR. MARSHALL: committee is constituted perhaps we could at the same time run through committee the bills that are there on the Order Paper.

Thank you.

On motion, that the House resolve itself into Committee of the Whole to consider certain resolutions, Mr. Speaker left the Chair.

COMMITTEE OF THE WHOLE

MR. CHAIRMAN (Aylward): Order, please!

Bill No. 74.

The hon. the Minister of Finance.

DR. COLLINS: Mr. Chairman, I am struck by the garb of the members opposite. I wonder if I could make a request: I would love to have one of those as a Christmas present. I wonder if they have one of those beautiful blue shirts that I could have for Christmas?

MR. NEARY: Mr. Chairman, I will gladly let the hon. gentleman have one. As a matter of fact, I brought one along for the hon. gentleman. And let me describe now this campaign -

MR. CHAIRMAN: Order, please!

The hon. the Leader of the Opposition is well aware that exhibits are not permitted in the House.

MR. MARSHALL: But the hon. Leader of the Opposition has been here for twenty years, Mr. Chairman.

MR. NEARY: I have an envelope - I am going to send this over to the hon. gentleman - but I have an envelope addressed to the Minister of Finance (Dr. Collins). These T-shirts, you tear off the

MR. NEARY:

sleeve and it says, 'I protest the 12 per cent sales tax.' The sleeve is off this one and I am going to give it to the hon. gentleman as a Christmas present and I am going to send the sleeve over to the hon. gentleman as the first official protest using this novel idea of taking a sleeve off a T-shirt; and you can give the hon. gentleman his T-shirt. There is a note inside for the hon. gentleman, and I think it is my colleague's sleeve. I hope the hon. gentleman will wear it. He will not feel very proud of it, Mr. Chairman. I am sure the hon. gentleman will not feel very proud of it. I hope that he will wear it because this is a fad that is likely to take off in this Province. The hon. gentleman is likely to get a lot of torn shirts, sleeves off shirts, like this. He is likely to get old collars off shirts and old sleeves off shirts with 'I protest the 12 per cent tax.' And I challenge the hon. gentleman now to go out and put it on and come into the House and wear it.

Now, Mr. Chairman, this is a novel idea that has been undertaken by a gentleman I met for the first time yesterday, a gentleman by the name of Jackson, who has his own company - he is president, vice-president and janitor of the company, he operates it out of his own house. The gentleman is a landed immigrant in this Province, he is a renowned entertainer, a very enterprising gentleman who believes in the private enterprise system, and I am sure that the hon. gentleman is going to do well with these sweat shirts. He is going to do extremely well. There will be a big demand for these shirts because people will want to get their -

MR. TULK: 'Steve', what are we going to do with this? Do we send this over?

MR. NEARY: Yes, hon. gentlemen should send their torn off sleeves over to the Minister of Finance (Dr. Collins) with 'I protest the 12 per cent sales tax' on them.

This is a novel idea, Mr. Chairman, and I am sure that the hon. -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Chairman, could I have silence please?

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

MR. NEARY: It is a novel idea and it is going to start to snowball and steamroll in this Province and I would think that the Minister of Finance (Dr. Collins) is going to be swamped and

MR. NEARY: beseiged with dirty shirts
and dirty sleeves and discarded nylons and old neckties.
People should, instead of marching on Confederation Building
like I heard they were going to do, instead of marching on
Confederation Building or sending petitions in they
should send their old socks that are half worn out and
I would suggest, Mr. Chairman, if they are going to send
them to the Minister of Finance (Dr. Collins) they should
not be washed. I would suggest that they send them in holes
and all into the Minister of Finance.

MR. TOBIN: Show us your receipts where you
paid for the T-shirts.

MR. TULK: We do not have to show you
anything.

MR. NEARY: But, Mr. Chairman.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Chairman, I wonder if it is
possible to keep the lapdog for Burin-Placentia West (Mr.
Tobin) quiet over there?

MR. CHAIRMAN (Aylward): Order, please!

MR. TOBIN: Did you ever see a lapdog from
Burin?

MR. NEARY: The lackey from Burin.

MR. CHAIRMAN: Order, please!

MR. NEARY: Is it possible to keep the lapdog
quiet?

MR. CHAIRMAN: Order, please!

MR. NEARY: The coattail member, is it possible
to keep him quiet, Mr. Chairman?

 But anyway, Mr. Chairman, I am
not going to belabour the point. The fact of the matter is -

MR. YOUNG: (Inaudible) all right.

MR. NEARY: Mr. Chairman, could you keep
that other lapdog quiet, another coattail rider.

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

MR. NEARY: Mr. Chairman, I hope that the Minister of Finance (Dr. Collins) will wear it and I hope that this gentleman, this free enterprise private entrepreneur will do well in his endeavour. I do not know what the price of the shirts are, but I can tell the Minister of Finance that he has a vendor's licence and will collect the retail sales tax.

MR. TULK: \$10.07 tax.

MR. NEARY: And the hon. gentleman might generate a little bit of revenue through this great promotion, this great idea by this gentleman who has now become a Canadian and proud to become a Canadian, this landed immigrant.

Now, Mr. Chairman, one other matter that I want to refer to before I take my seat, when I get another ten minutes I want to deal with that dastardly statement that was made by the Government House Leader (Mr. Marshall) this morning, that mischievous statement, I will deal with that in my next ten minutes, his attack on the CBC and on the media of this Province.

I want to deal with a statement that was made by the hon. Jean Chretien last evening. Now, Mr. Chairman, one of the Premier's favourite excuses for not negotiating the offshore agreement is that he does not think that he wants to give away our future. Well it is time, Mr. Chairman, that the Premier of this Province opened his eyes; the future is here now. We heard an example of that this morning from the Youth Commission Report on unemployment. The children of the men who have no hope in Burin, they are our future, Mr. Chairman. The children of the miners in Labrador West who have no hope, they are our future. The children of

MR. NEARY:

men who have no hope in
Buchans, they too are our future, Mr. Chairman. And the
children who have no hope in Corner Brook, they are also our
future, Mr. Chairman. The future is here. And the Premier
should stop bleeding from every pore.

MR. NEARY: The future, Mr. Chairman, now needs the offshore oil and gas. And the Premier is refusing to give it to the people of this Province.

Mr. Chairman, if we had a cure for cancer, would you wait until all the copyright documents were signed before you used it? Well, Mr. Chairman, you can compare that kind of situation to what we see happening in this Province now. This Province now has an economic cancer and the Premier of this Province is withholding the cure. The cure is to negotiate an offshore agreement and carry out the mandate that this administration was given on April 6th.

Last evening, Mr. Chretien extended again the hand of friendship. He practically said publicly that the federal government is prepared to alter their position, review their position, on two items that are barring a negotiated agreement - one, revenue sharing, and the other management or control of the resource.

Mr. Chretien was practically on his knees. I was tempted to call him this morning and say, "Look, come on down and spend a couple of days in St. John's and while you are here go up and knock on the Premier's door and see if you can get him in a room to negotiate an agreement on the offshore.

Mr. Chairman, the offer is there. Why is the Premier being so stubborn and refusing to negotiate? Well, Mr. Chairman, after what we heard yesterday and today, and the day before in this hon. House, I would suspect that the believability and the credibility of this administration has been so severely battered that we cannot believe the Premier anymore when he says, "I do not want to negotiate because we might have to give something away."

MR. S. NEARY: I think that the people who say that the Premier is playing politics with the offshore and is waiting for the next federal election to use this in the federal campaign, I would think that these people are in the majority, these people are right. These people are right, Mr. Chairman. That is the real reason the Premier of this Province will not agree to sit down and negotiate with Mr. Chretien. They are afraid that Mr. Chretien with his charm might be able to sway them around to signing an agreement.

DR. J. COLLINS: He is a man who does not speak out of both sides of his mouth.

MR. NEARY: Oh, Mr. Chairman.

DR. COLLINS: He said that himself.

MR. NEARY: I knows he says it, but he must be hurt when he hears that statement made. He must feel a little bit bad about it when he hears a statement like that made. Mr. Chairman, how could the hon. gentleman stoop so low?

DR. COLLINS: He is a charming fellow.

MR. NEARY: Yes, he is a very charming individual.

MR. B. TULK: Just think about the charm of the President of the Council (Mr. Wm. Marshall).

MR. NEARY: Yes, Mr. Chairman, here is the problem. You see, therein lies the problem. "It is the hon. gentleman," as he keeps saying to us, 'It is the hon. gentleman there opposite.' It is the hon. gentleman there opposite, I believe who is the stumbling block, who is the road block in the way of getting these negotiations going. The hon. gentleman has tremendous power and sway in the Cabinet and he is using his influence over the Premier and he is carrying out his spite and revenge and his anti-Canadian and his anti-

MR. S. NEARY: Confederate campaign by using and manipulating the Premier. And I am not sure in this CBC fiasco and this Bowaters fiasco who is manipulating whom I always thought the hon. gentleman was a truthfull gentleman. I have heard it said that he is honest and he is truthful, but can we ever believe another word he says, Mr. Chairman? Can we ever believe another word the Premier says?

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

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

MR. MARSHALL: The least I care about, Mr. Chairman, is condemnation from the hon. gentleman because I regard that to be the exact opposite, commendation. But the rules of the House are the rules of the House. I could not care one wit what the hon. says, but the rules of the House do not allow one to state that a member of the House is not truthful. I happen to be a member and so is the Premier.

MR. NEARY: Mr. Chairman.

MR. CHAIRMAN: Order, please! To that point of order, the hon. the Leader of the Opposition.

MR. NEARY: That is not what I said. That is not a point of order, Mr. Chairman. I did not accuse the hon. gentleman of being untruthful but I did ask a question: How can we ever again believe the hon. gentleman or how can we believe the Premier? Now, that is fair ball, Mr. Chairman.

MR. W. CALLAN: No, it is not.

MR. NEARY: Oh, and that is what it is. I would say there is no point of order, Sir.

MR. CHAIRMAN: To that point of order, I was reading over the Order Paper at the time it was mentioned

MR. CHAIRMAN (Aylward): and I did not get the exact phrase, I will consult Hansard and rule on it in a few minutes.

MR. S. NEARY: Thank you, Mr. Chairman.

So, Mr. Chairman, I do not know what else the federal government or Mr. Chretien can do. Now, I can say this without contradiction, and I can say it with the backing of my caucus, that we are not happy on this side of the House with the management clause as it presently exists. I think I have stated that already outside of this House, I have stated it loud and clear, that the management of the resource clause has to be changed. But if you look at the provincial

MR. NEARY:

proposal and the federal proposal there is room for common ground. I would like to see the management of the resource clause changed to allow two federal appointees and two political appointees to elect a Chairman.

MR. CHAIRMAN (Aylward): Order, please!

The hon. gentleman's time has elapsed.

MR. NEARY:

Thank you, Mr. Chairman.

MR. CHAIRMAN:

The hon. member for Bellevue.

MR. CALLAN:

Mr. Chairman, I wanted to make a few additional comments on this bill, Bill No. 74, "An Act To Amend The Insurance Premiums Tax Act".

One of the questions that I must ask, Mr. Chairman, is why was it necessary to impose this particular tax and, of course, to raise the retail sales tax by an additional one per cent? There is no question about it, Mr. Chairman, that this Province is undoubtedly - if there was ever any question about it there is none now - that this Province and the people of this Province are the most highly taxed people in all of Canada. And this is just another example, and the retail sales tax, Mr. Chairman, is just another example. But when you think of the regressive school tax authorities and the way they bring poor people into courts and force them to pay a school tax, especially, Mr. Chairman, people who have their families raised, who already paid the price when their children were going to school, they were paying for their education all the way through and now you have men and women fifty and sixty years of age who are still compelled to pay the very regressive school tax. They have to pay it even though they paid for their own children's education now they have to continue to pay for the education of other people's children.

Mr. Chairman, the question I would like to put to the Minister of Finance (Dr. Collins) is

MR. CALLAN: why do we have to bring in these additional taxes? Why did not the Minister of Finance (Dr. Collins) use a little bit more imagination? For example, there are people in this Province who have been saying for a while now that gambling in this Province should be taxed. Obviously there will be some people who will speak against that, who will say, you know, how dare you tax our church bingo or our service club bingo and so on. But that is not necessarily, Mr. Chairman, the kind of gambling that I am talking about.

MR. CALLAN: Number one, we know that in the very near future the Minister of Justice (Mr. Ottenheimer) tells us that gambling will be legalized, and will be monitored and that is long overdue.

DR. COLLINS: It will not be legalized.

MR. CALLAN: Pardon?

DR. COLLINS: It will not be legalized because it is actually a Criminal Code offence.

MR. CALLAN: Well actually the government is being very hypocritical about it now. They are turning a blind eye to it.

These Nevada tickets, Mr. Chairman, which are sold out of practically every retail outlet, any store can sell them, you know, even if there was a tax on these alone imagine how much money that government would take in on the sale of these Nevada tickets alone. Because they are sold all over the Province, in every retail outlet.

DR. COLLINS: It is something that was looked at, to be quite honest with you, but you see you could not do it because really it is an illegal act.

MR. CALLAN: Well, that is what I am saying. Well, why do you not stop being hypocritical? Legislation is not even necessary, I understand; legislation is not even necessary, it can be done by Cabinet, an Order in Council can legalize or make it illegal, whatever the government decides to do, with the various gambling that is going on around the Province, whether it be Bingo in the Lion's Club or whatever.

MR. CALLAN: I think, Mr. Chairman, given a choice, I think the taxpayers of this Province, if they were given a choice, let the sales tax remain as it was but tax gambling, given a choice I am sure that the majority of people in this Province would say, "Do the other thing. We cannot afford to pay 12 per cent."

Mr. Chairman, a few days ago I talked to two town councils in the district of Bellevue, two town councils. One town council, Mr. Chairman, as a result of the measures brought in, in consultation naturally with the Minister of Municipal Affairs (Mrs. Newhook), and one of the town councils in order to balance their budget now this year, this fiscal year coming up, will have to increase their tax by 90 per cent.

MR. WINDSOR: They cannot be paying very much now then.

MR. CALLAN: Mr. Chairman, these good people who work for nothing, unlike the councillors in Paradise, these good people who work for nothing, go to council meetings week after week and so on, and care about their town and work voluntarily, these good people, Mr. Chairman, are going to resign. Because it will be they who will be blamed when the tax is imposed. It will not be the Minister of Municipal Affairs, it will not be the government of this Province, it will be the town councillors who will be blamed when these taxes are forced to be increased.

That was one town council in my district, And another town council, Mr. Chairman, they just resigned.

MR. CALLAN: I venture to guess, Mr. Chairman, I venture to say that before the next municipal elections roll around in three years time that 90 per cent of the councillors who were elected last year around this Province in the 310 municipalities - I would say 90 per cent of them will have brand new faces, because the ones who were elected will be resigning one at a time, en masse and so on over various issues, as the Minister of Municipal Affairs (Mrs. Newhook) tightens the belt and says to these town councils, 'I am sorry, I cannot give you this,' and 'I cannot give you that.'

I talked last week, Mr. Chairman, about the town council in Sunnyside and how they were given their water and sewer and then it was taken away again. The same thing happened in my own home town. Imagine the Premier, Mr. Chairman, during the by-election - I do not mind the Minister of Municipal Affairs as much, she is a nice lady - but imagine the Premier having the gall during the Bellevue by-election and again last Spring, having the gall to walk into the town council office, a beautiful building in Norman's Cove, with his hands in his pockets, 'How are you getting on, boys?' - the way he gets on, you know, because he is a Newfie, that sort of thing. But anyway, imagine him having the gall to walk into a beautiful building, a municipal building that was built totally out of federal money, as most of the town council buildings around this Province are; they were built through Canada Works or LIP, as it was called a few years back. Beautiful fire halls, beautiful town council chambers all around the Province like the one that we have in Norman's Cove. Imagine the Premier

MR. CALLAN: having the gall to go in there when water and sewer was approved for that town in 1975 and was taken away again that same year after the election on September 16, 1975! Before the election it was approved, after the election, which was the first time that I got elected, on September 16, 1975, a month or so after the election the water and sewer was taken away again. And, on a list of priorities, the town of Norman's Cove, which has a population of about 1,200 people, you know, on a list of priorities, I would say the civil servants down in the Department of Municipal Affairs would have Norman's Cove well up towards the top, but when it goes to Cabinet, it soon ends up down towards the bottom. So imagine the Premier having the gall to walk into that building which was built by federal tax money after what he, as a member of the Moores Cabinet and, of course, as a former Minister of Municipal Affairs did, to have the gall to go into the building at all.

MR. CHAIRMAN (Aylward): Order, please!

The hon. member's time has elapsed.

MR. CALLAN: Perhaps I will get back to it next year, Mr. Chairman.

SOME HON. MEMBERS: Hear, hear!

MR. TULK: Mr. Chairman.

MR. CHAIRMAN: The hon. the member for Fogo.

MR. TULK: Mr. Chairman, this bill, as I was saying yesterday,

MR. TULK: again points out a very good principle in this Province and the principle is , of course, as I said yesterday, that Tory times are hard times. And now, Mr. Chairman, it is not very hard to see after what we saw happen with Bowaters recently, the latest episode being this morning, it is not very difficult to see why it is necessary, why this government believes it is necessary to increase taxes, why they have to increase taxes. We saw again this morning the examples of mismanagement that put the economy of this Province in the mess that it is in.

Mr. Chairman, let us run through that whole episode with Bowaters. I saw the President of the Council (Mr. Marshall) rise in his place and indignantly go after CBC again.

MR. WINDSOR: You are going to get it wrong again. You have not got it right yet.

MR. TULK:
On November 18th, Mr. Chairman, the President of the Council , the acting Premier, and I suppose the Premier of this Province knew that Bowaters were thinking of a partial closure and eight weeks down time in the first quarter of 1983. On November 26th the Leader of the Opposition (Mr. Neary) raised the question in this House. And we heard the President of the Council yesterday and for the last week - it is only a week today, I suppose, that the Opposition Leader raised it - we heard the President of the Council go on about the irresponsibility of the Leader of the Opposition and that he should have, once he had gotten this information, run over to the Premier or run over to the President of the Council and said that he had this information and would the

MR. TULK:

Premier like to act on it.

Now let us ask them the question in reverse. Why on November 18th when the President of the Council (Mr. Marshall) and the Premier and the government knew that Bowaters were going to close, if indeed there were negotiations going on, which I do not believe there were, but if there were negotiations going on, why did not the Premier come across this House, if they were delicate negotiations,

MR. TULK: why did not the Premier come across this House on November 19 or the 20 or 21 at the first opportunity -

MR. HODDER: As he has done before.

MR. TULK: - as he has done before, -

MR. HODDER: Right.

MR. TULK: - and say to the Leader of the Opposition (Mr. Neary) would you keep this quiet, as he did with his security guards? Mr. Chairman, that was kept quiet because it was in the interest of the Premier himself, a personal interest to do so. That was kept down. Why did he not give a secret briefing - as we had the former Minister of Energy do on the offshore -

MR. HODDER: He told us about Nickerson's.

MR. TULK: - as he did with Fishery Products last July, when the rumour was out that Fishery Products were about to go bottom up? Then he came over and said to the Leader of the Opposition that this is going to happen, the same thing was true of Nickerson's. Why not? No, Mr. Chairman. The answer is obvious, why not.

The Premier, the government wanted the announcement to be made by Bowaters and then they had somebody to blame the whole shemozzle on. That was it. That is the real reason.

MR. WINDSOR: You mean we sucked you in?

MR. TULK: No, no.

Mr. Chairman, the Leader of the Opposition did a real service to the people of Corner Brook.

MR. WINDSOR: Oh, yeah!

MR. TULK: He did a real service to the people of Corner Brook by bringing this matter out in the open and letting them know what actually was going on that the Premier knew and was sitting on the information. He did the

MR. TULK: people of this Province, Mr. Chairman, a service by letting them know that we have a government in this Province that sits on information, that tries to weasel its way out of certain things, that is prepared to blame anybody for something that happens. Mr. Chairman, that is the real story.

We get the President of the Council (Mr. Marshall) this morning standing up and again going after CBC about what went on in London. He tried to make this House believe and this Province believe, he tried that, Mr. Chairman, either knowingly or unknowingly, I do not know which, but it is either, one, incompetence or, the other one, you are not allowed to say in this House and I do not intend to, Mr. Chairman, the whole truth is, the truth seems to be at this point that the Premier, who was on a mission with the federal government, with the Federal Fisheries Minister (Mr. De Bane) who was on that mission, the real truth is he that he happened to bump in, he was probably sitting down by the side of him having a meal and found out -

AN HON. MEMBER: A few beers.

MR. TULK: Do not say a few beer, He may have been having a few beer, there is nothing wrong with having a few beer, or caviar or whatever, But he was sitting down having a meal and all at once he probably realized that the guy sitting next to him was a person from Bowaters. Mr. Chairman, is it not a shame that the Premier did not know - how important the meeting was? Let us say he did not know, let us give the President of the Council the benefit of the doubt and say, no, he did not know: But is it not a shame that he did not even know the title of the gentleman that he was sitting with. He did not even know what his title was, whether he was the Chairman of Bowaters, with this crisis on his hands.

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MR. TULK:

How much work had he done
in preparation for the meeting? Absolutely none. The meeting
was accidental. It was not planned, Mr. Chairman.

MR. TULK: So we get the President of the Council (Mr. Marshall) running out last Friday, telephoning the Premier. The matter of Bowaters has been raised in the House. Where else should it be raised but in this House? Unless the Premier had come across this House and said to the Leader of the Opposition (Mr. Neary), 'Look, we have a problem with Botaters. There are very delicate negotiations going on. Would you please, if you get this information, be quiet?' That would have happened, no problem. I gave example after example. But in any case, Mr. Chairman, it was raised and was said in the House by the President of the Council.

Let me go on to reconstruct what I believe to be the scenario. The President of the Council rushes out, phones the Premier in London and says, 'We just had the question of Bowaters raised in the House'. And the Premier was very fortunate - I am not sure that he was; it may be unfortunate for him in the long run; it may be unfortunate for the government - he was very fortunate to have an excuse, to say, 'Yes, I have met with the Chairman of the Board of Bowaters.' 'The Chairman of the Board' were the words that were used repeatedly in Hansard, the Chairman of the Board, Mr. Chairman. He was not the Chairman of the Board as we find out later, he was the Chief Operational Officer, I believe the President of the Council called him.

MR. RIDEOUT: The hon. gentleman is not using his correct title either.

MR. TULK: Mr. Chairman, ask him to be quiet over there.

MR. CHAIRMAN (Aylward): Order, please!

MR. TULK: He was very fortunate in that he had the opportunity to be able to say, 'I have met with him. You can go back in to the House and tell the people of

MR. TULK: Newfoundland and tell the House that I have indeed met the Chairman of the Board of Directors of Bowaters. That is who I have met.'

Mr. Chairman, we find out from CBC, and rightly so, who have been told in this House repeatedly, all the press have been told in this House repeatedly by the President of the Council (Mr. Marshall) that the Premier had met with the Chairman of the Board of Bowaters -

MR. TULK: what else were they to believe but that he had?- so the question was put to him: "Did the Premier meet with the Chairman of the Board? Did he meet with anybody?" Because they knew he had not. Through their investigation they found out that he had not met with anybody.

Mr. Chairman, what this government has to have, it has to have somebody to blame. As the member for Terra Nova (Mr. Lush) said yesterday evening, "This group has been responsible for nothing in four years. They have not taken any responsibility for anything. Somebody always has to be the scapegoat for them."

MR. CHAIRMAN (Aylward): Order, please!

The hon. member's time has elapsed.

Motion, that the Committee report having passed the resolution and a bill consequent thereto, without amendment, carried.

DR. COLLINS: Order 26.

A bill, "An Act To Amend The Deferred Pensions Act." (Bill No. 33).

MR. CHAIRMAN: The hon. Minister of Communications.

MR. DOYLE: I am informed, Mr. Chairman, that there is an amendment to this act; section 2 (1) as set forth in clause 3 of this bill is struck out and the following is substituted: -

MR. CHAIRMAN: Order, please!

Before the hon. member brings it in, as a matter of form we have to carry clause 1 first.

On motion, clause 1, carried.

MR. CHAIRMAN: Shall clause 2, carry?

MR. CHAIRMAN (Aylward): The hon. Minister of Communications.

MR. DOYLE: Mr. Chairman, "An Act To Amend The Deferred Pensions Act," there is an amendment to it; section 2 (1) as set forth in clause 3 of this bill was struck out and the following substituted" 2 (1), "This act shall be read with the Civil Service Act, The Education (Teachers' Pensions) Act, the Memorial University (Pensions) Act, The Public Service (Pensions) Act, and The Uniformed Services Pensions Act." The second part, paragraph (d) of clause 5 of this bill is amended by striking out the words, "The Constabulary (Pensions) Act," and substituting the words, "The Uniformed Services Pensions Act."

DR. COLLINS: Just for clarification that is merely because Bill 66 was put in and it just changed the name of that Act. Bill 66 changed the name of The Constabulary Act to the Uniformed Services Act, and it is just

DR. COLLINS: to make that consistent, that is all that is to it.

A bill, "An Act To Amend The Deferred Pensions Act," (Bill No. 33).

On motion, amendment carried.

On motion, clause (3) as amended, carried.

Motion, that the Committee report having passed the bill with amendment, carried.

MR. MARSHALL: Order 27, Bill No. 58.

A bill, "An Act To Amend The Pension (Auditor General) Act, 1968." (Bill No. 58).

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL: Order 28, Bill No. 66.

A bill, "An Act Respecting Pensions For The Members Of The Royal Newfoundland Constabulary And The St. John's Fire Department And The Staff Of Her Majesty's Penitentiary." (Bill No. 66).

On motion, clauses (1) and (2), carried.

On motion, clauses (3) through (16), by leave, carried.

MR. CHAIRMAN (Aylward): Shall clause (17) carry?

MR. MARSHALL: Mr. Chairman, I have an amendment I would like to propose to that, that clause (17) of this bill be amended, (a) (1) by striking out the commas, words and figures subject to subsection 3, and (b) in subclause (2) by striking out the commas, words and figures subject to subsection 3, and (c) by striking out subclause (3). This is just to tidy up the drafting aspects of it, Mr. Chairman.

On motion, clause (17) as amended, carried.

On motion, clauses (18) through (22), carried.

On motion Clauses (23) to
(31), by leave, carried.

Motion that the Committee report
having passed the bill with amendment, carried.

MR. MARSHALL: Order 29, Bill No. 13
A bill, "An Act To Amend The
Grand Falls Hospital (Management) Act, 1961". (Bill No. 13).

Motion, that the Committee
report having passed the bill without amendment, carried.

MR. MARSHALL: Order 30, Bill No. 6.
A bill, "An Act To Amend The
Cancer Treatment And Research Foundation Act, 1971", (Bill
No. 6).

Motion, that the Committee
report having passed the bill without amendment, carried.

MR. MARSHALL: Order 31, Bill No. 35.
A bill, "An Act To Repeal The
St. John's Memorial Stadium Act, 1974", (Bill No. 35).

Motion, that the Committee report
having passed the bill without amendment, carried.

MR. MARSHALL: Order 32, Bill No. 18.
A bill, "An Act To Amend The
Newfoundland Industrial Development Corporation Act", (Bill
No. 18).

On motion, Clause (1) carried.

DR. COLLINS:

Mr. Chairman.

MR. CHAIRMAN (Aylward):

The hon. Minister of Finance.

DR. COLLINS:

Just a quick word, Mr. Chairman.

DR. J. COLLINS: The hon. the member for the Strait of Belle Isle (Mr. E. Roberts) asked for reports on the NIDC, the Newfoundland Industrial Development Corporation, last day and I said I would get the latest one available. I have to report that this corporation is reported in the Public Accounts it is not otherwise reported in the House. So it is in the Public Accounts, and the Public Accounts were tabled for 1980-81, and 1981-82 will be tabled shortly.

A bill, "An Act To Amend The Newfoundland Industrial Development Corporation Act." (Bill No. 18).

On motion, clauses (1) and (2) carried.

Motion, that the Committee report having passed the bill without amendment, carried.

MR. WM. MARSHALL: I move, that the Committee rise and report progress, Mr. Chairman.

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

MR. SPEAKER (Russell): Order, please!

The hon. the member for Kilbride.

MR. CHAIRMAN (Aylward): Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report that they have adopted a certain resolution and recommends that Bill No. 74 be introduced to give effect to the same, and they have also directed me to report Bills No. 58, 13, 6, 35 and 18 without amendments and Bills No. 33 and 66 with amendments and ask leave to sit again.

On motion, report received and adopted.

On motion, resolution read a first and second time.

A Bill, "An Act To Amend The Insurance Premiums Tax Act, 1978".

On motion, a bill, "An Act To Amend The Insurance Premiums Tax Act, 1978", read a first second, and third time, ordered passed and its title be as on the Order Paper. (Bill No. 74)

A Bill, "An Act To Amend The Deferred Pensions Act". (No. 33)

On motion, amendments read a first and second time, bill ordered read a third time, presently, by leave.

A Bill, "An Act Respecting Pensions For The Members Of The Royal Newfoundland Constabulary And The St. John's Fire Department And The Staff Of Her Majesty's Penitentiary". (No. 66)

On motion, amendments read a first and second time, bill ordered read a third time, presently, by leave.

MR. SPEAKER (Russell): Bill No. 58.

MR. MARSHALL: If I could, Mr. Speaker, that is fine, but what I was planning to do so there would be no confusion, I was planning with the Leader of the Opposition, (Mr. Neary) hopefully when we get the other bills passed Committee and second reading, on reading them all the third time so we will not have any confusion. Okay?

So perhaps I could call then, Mr. Speaker, the next one, which is Order 33, Bill No. 9, The Department of Finance Act. We debated that before.

Motion, second reading of a bill,
"An Act To Amend The Department of Finance Act," (No. 9).

MR. SPEAKER (Russell): The hon. Minister of Finance.

DR. COLLINS: Mr. Speaker, this act, as hon.
members know, was extensively debated in the Third Session
of the Thirty-Eighth General Assembly,

DR. COLLINS: and what it deals with really is administrative changes within the Department of Finance so that now there are two divisions in the department; there is one division under the Deputy Minister of Finance which deals with the general work of the department and things like debt management and pensions and that sort of thing, and then there is the other division, under the Comptroller General, which deals with taxation and audit and the Exchequer and so forth. And this is what it is. There are a few consequential things that flow from that in terms of ADMS and so on, but that is the essential nature of the bill.

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

MR. NEARY: Mr. Speaker, I appreciate what the hon. gentleman said about tidying up the various branches of the department as a result of bringing in a new act to set up the Comptroller General of the Public Treasury.

Mr. Speaker, this gives me an opportunity to raise a matter that I raised following the April 6th provincial election. I charged at the time that the administration was spending money without authority, without the authority of this House.

Mr. Speaker, I did not make any innuendoes or any accusations, I charged the administration with breaking the law. They have broken the statutes of this Province. And my charges were substantiated and confirmed by Senator Forsey and by Steven Scott, one of Canada's most outstanding constitutional lawyers. Both of these gentlemen agreed with me that the administration had spent money, from the time the election was called up until the time they got Interim supply here in the House, illegally. And then they came into the House and brought in an act to make it legal, retroactively, what they had done illegally.

MR. NEARY:

Now, Mr. Speaker, that does not make the situation right, by passing an act in this house making it retro-active to make something legal that has been done illegally. Mr. Speaker, it is against the tradition and it is against the Constitution of this Parliament. The fact of the matter is that the government had spent money illegally and not only that, they went to the Lieutenant-Governor and they had the Lieutenant-Governor sign warrants under false pretences. And I sent copies of the opinions that I had from Mr. Scott especially, who went into it in great detail, who researched it and took months to do it and in the process provided a great public service to this Province free of charge, knowing, Mr. Speaker, that we on this side of the House did not have the funds to hire a lawyer like Mr. Scott.

MR. STAGG:

Who is this philanthropist anyway?

MR. NEARY: I do not know very much about the gentleman except that I believe he was head of the law department or lectured at McGill University and -

MR. STAGG: He did it for nothing.

MR. NEARY: - he is now one of Canada's leading constitutional lawyers who did it free of charge, yes, no charge.

MR. STAGG: And he worked on it for months.

MR. NEARY: I wrote him, Mr. Speaker, last April or last May and I did not get a reply until sometime, I think it was, in August or September.

MR. STAGG: And he worked on it for months.

MR. NEARY: I do not know if he worked on it for months.

MR. STAGG: That is what you said, he worked on it for months.

MR. NEARY: He had it under advisement and under consideration for months.

MR. STAGG: What are his politics?

MR. NEARY: I do not know. As I say, I am not all that familiar with the gentleman.

MR. STAGG: You should investigate those things too, you know.

MR. NEARY: Oh, I should investigate those things. Mr. Speaker, we are very happy to get the help and assistance - I do not know what his politics are. He may be an NDP or he may be a Tory, he may be a Liberal, I do not know, But he is a constitutional lawyer. Senator Forsey is considered to be one of Canada's top constitutional lawyers and both of these gentlemen have said that the government broke the law. They spent money illegally.

MR. STAGG: Senator Forsey is not a lawyer.

MR. NEARY: No, but he is considered to be one of Canada's leading constitutional experts and so is Stephen Scott.

Now, Mr. Speaker, the point that I am making while we are debating this bill which involves the Comptroller General of the public treasury is that the Comptroller of the treasury, under the Financial Administration Act in this Province, told the government that they could not spend. We had letters tabled in this House from the Comptroller General of the treasury saying, "Do not spend the money. You do not have the authority." And the government told us that they got a legal opinion from lawyers in the Justice Department and they refused to table the legal opinion in this House which leads me to believe that they knew, Mr. Speaker, they knew that they were spending money illegally and without authority. That is a no-no under our system. If you do that you remove the power of the purse from the legislature. It is a no-no and it is a very dangerous precedent, one of the most dangerous precedents you could set in this hon. House. They use the clause under the Financial Administration Act to try to weasel their way around it. The clause they use, the interpretation of this particular clause had no bearing on the period we were talking about. The period we are talking about was the period after the end of the financial year when the only reason, the only

MR. S. NEARY:

authority the government would have to spend money after the end of the fiscal year was to bring Interim Supply into the House or to bring down a budget. That is the only authority they would have for spending. Otherwise, Mr. Speaker, under no circumstances could the government continue to spend money after the end of the fiscal year without the authority of this House. And the Premier had the opportunity to open the House and he did not do it, instead he went and got Lieutenant-Governor's warrants and overruled the Comptroller of the Treasury. He was overruled, he was told he was nothing, 'Look, you are nothing. Here, we have got an interpretation here, we have got a clause here, we can get around it. And any lawyer worth his salt, any two-bit lawyer - and I am not looking at the hon. gentleman in the gallery - any two-bit lawyer -

MR. T. RIDEOUT: I have heard your opinion on the gentleman.

MR. NEARY: A fine gentleman. I have heard the hon. gentleman's opinion on a lot of people in this House including the present Premier, and he is kissing his picture every day. I have heard the hon. gentleman's opinion of him.

MR. RIDEOUT: I heard you talking about the hon. gentleman's ability.

MR. NEARY: Yes, and I have heard the hon. gentleman talk about members of this caucus and members of that caucus, especially the Premier and the Government House Leader (Mr. Wm. Marshall) and now he is over there, he adores him and idolizes him.

MR. N. DOYLE: A very well respected member of our caucus.

MR. H. YOUNG: We were glad to get him.

MR. NEARY: Mr. Speaker, any two-bit lawyer,

MR. S. NEARY: any student of law knows that you cannot spend money without the authority of this House and yet they went ahead and ignored the protest and the objections of the Comptroller of the Treasury and they went spending money without the authority of this House. Now, Mr. Speaker, the reason I am raising it now is that I am hoping sometime in this current session of the House, or in the next session of the House that the Financial Administration Act will be amended and the Department of Finance Act will be amended to make it ironclad, to make it impossible for any government, and I do not care what the label is, Liberal, Tory or NDP, to make it virtually impossible for any government to spend money without the authority of the House.

MR. NEARY: I am still hoping that this matter is not closed yet, by the way - the incident that happened in April and May of last year - that matter is not closed yet. I am still hoping that people in authority will get the Orders in Council and that they will get the correspondence and the working papers and the opinions of the Finance Department and that they will carry out a thorough investigation to see if indeed anybody was duped in the carrying out of this procedure that the government used, this illegal procedure. I am hoping yet that the matter is still ongoing, Mr. Speaker, the investigation is still ongoing. I know that documents have been sent for, the Orders in Council and all the documents in connection with this. And I would hope, Mr. Speaker, that in future-and this is not a criticism of His Honour the Lieutenant-Governor - but we have had two occasions in this Province, we had one by Mr. Moores who went with a resignation of a member in his inside pocket at three or four or five o'clock in the morning and the Lieutenant-Governor agreed to allow the House to be dissolved on the basis of a resignation that Moores had in his pocket. And he did not even leave it at the Government House, he did not even leave a copy there. He just waved around, a bit of paper like this - 'I have a member's resignation' - and was able to get a dissolution of the House to have a general election.

MR. STAGG: It did not happen that way.

MR. NEARY: It did happen that way, it certainly did. Mr. Speaker, I am one of the people who went and asked for a copy of the resignation and it was not on file at Government House. It was not even on file in the Speaker's office. It was in the pocket of a Clerk of this House in downtown St. John's. This resignation was waved around and they did not even have the courtesy to leave it with His Honour or to leave a copy of it there. And the same thing happened,

MR. NEARY: Mr. Speaker, with these Lieutenant-Governor's warrants when the government was spending money without authority. I am not criticizing His Honour, I have no intention of doing so. As a matter of fact, under our Oath of Office in this House there are three things we are not allowed to do; we are not allowed to criticize the Queen, the Queen's representatives or judges of the Supreme Court.

Mr. Speaker, that situation involving the resignation will always be a black mark on this Province.

MR. NEARY: I would hope, Mr. Speaker, that in future as a result of the experience that we have had with this administration and the way their credibility and believability has been damaged in the last several weeks -

MR. CALLAN: And tarnished.

MR. NEARY: - and tarnished, Mr. Speaker, that nobody ever again will be able to trust this administration, that I hope His Honour in future will look rather askance at ministers and the Premier, the Minister of Finance (Dr. Collins) especially, when he comes with his Lieutenant-Governor's warrants and asks to have warrants signed to spend money that they have no approval or no authority of this House to spend. That will be a proud day, Mr. Speaker, when His Honour says no to the Minister of Finance and to the administration: 'No, you are not following the right procedure. Open the House and get authority to spend this money. I have no right to give you the authority even though I am the Queen's representative. I have no right to give you authority to spend money that you have not had approved by the House.'

I am still hoping that this matter will not be closed, Mr. Speaker, that by this experience we will learn and that the investigation will be ongoing. Because the real damage that was done by this continuation of spending without authority is that it was one of the real causes and contributed heavily to the financial mess that we are in in this Province at the present time. Honourable gentlemen should think about that, that the wild and wreckless spending and spending without authority are the reasons we are in the financial mess we are in this Province at the present time.

Honourable gentlemen have to realize also, Mr. Speaker, that individually and collectively they are responsible for breaking the law, for doing something illegal, individually and collectively. If they break the law they could be charged in a court of law. If I had my

MR. NEARY: time back, Mr. Speaker, if I had only known, if I had a little more legal training at the time, if I had , Mr. Speaker, I would have taken the matter to the Supreme Court of Canada, and I would have won the case, and I would have blocked, I would have gotten an injunction to block this spending without authority. If I only had my time back.

There was about a two week period , ten days to two weeks, that

MR. S. NEARY: we had gone over the end of the fiscal year and government could not spend without the authority of this House. It did not make any difference, Mr. Speaker, what excuses they gave. If I had my time back I would have employed a good lawyer and I would have gotten an injunction and I would have stopped, barred that indiscriminate spending, that illegal spending by the administration and I would have charged the Premier and the ministers and taken them to court. Mr. Speaker, it was a very, very serious thing that they did and a very dangerous thing that they did, and there is no excuse for it, they could have had the House open. They could have gotten interim supply and the public servants could have been paid, the nurses could have been paid and the teachers could have been paid salaries and wages and essential welfare officers and essential services could have went on, Mr. Speaker, but they did not elect to do that.

So, Mr. Speaker, that is why I am glad to be able to take advantage under this bill to raise this matter, as I really think that we need to have an ironclad Financial Administration Act and amendments made to the Department of Finance Act so that when the Comptroller of the Treasury says no, that is it, he is speaking for this House. Are hon. gentleman aware that we have set up this act establishing the position of the Comptroller of the Treasury to protect the Public Treasury against the very thing that this crowd did? The Comptroller of the Treasury answers to this House. He is our only safety valve in the department, he and the Auditor General; the Auditor General after the fact, the Comptroller of the Treasury dealing with current events and current affairs and things that come up on the spur of the moment. And the Comptroller General, when he spoke and wrote the administration and said, 'No, I protest. I object to

MR. S. NEARY: you spending this money', he was overruled. The Lieutenant-Governor in Council, which is the Premier and the Cabinet, overruled him. And we hear this talk about Treasury Board - I hope hon. gentleman realize that Treasury Board is a sub-committee of Cabinet - so it was the Cabinet that overruled a servant of this House and we should resent that, Mr. Speaker, we should be highly indignant over it. And I hope, Mr. Speaker, that it will never happen again, but we have to somehow or other erase that incident from the record and, as I

MR. NEARY: said a few moments ago, I hope that the investigation is ongoing and I hope that people in authority, if they feel that they have been had or conned or misled by this administration, as they were, that they will send for the documents and that they will examine them and they will get legal and constitutional advice so that never again in this Province will anybody put a signature to a document or to a warrant that will approve the spending of public money, of taxpayer money, without the authority of this House.

DR. COLLINS: Mr. Speaker.

MR. SPEAKER (Aylward): If the hon. gentleman speaks now he will close debate.

The hon. Minister of Finance.

DR. COLLINS: Mr. Speaker, in closing the debate I just want to have a few words on the hon. Leader of the Opposition's comments.

The hon. Leader of the Opposition (Mr. Neary), of course, is riding a hobbyhorse that he has ridden before and this has been brought up before and it has been answered before. The point is that there is no inhibition on the Premier calling an election whenever he wants. If that happens to interfere with the fiscal year, the Financial Administration Act has in it very clearly a mechanism for dealing with it. And the mechanism is laid out there, the mechanism was followed. The essence of it is that if there is not Interim Supply the Lieutenant-Governor is approached for a special warrant. If he feels that it is proper for him to give it, he will give it; if he does not feel it is proper for him to give it, he will not give it. In this instance he did give it. He felt it was proper to give it. Because the fiscal year had run out when the warrant was presented to the Department of Finance, the Comptroller General, as is his duty, made a protest, objected to expending

DR. COLLINS: money because the year had run out. His objection is forwarded to Treasury Board; Treasury Board considers his objection, goes by the Financial Administration Act and, if it feels it proper, will overrule his objection. That is what Treasury Board did; it considered his objection, it overruled it and gave authority for the spending to go ahead. The requirement is then laid upon the Comptroller General to report all this to the House and to report the expenditures that did take place after the fiscal year had ended and before an Interim Supply bill was brought in. The Comptroller General did exactly that, and then it is up to this House, the ultimate authority is up to this House to validate that whole procedure, and this House did validate the whole procedure. So there is nothing strange, weird, wonderful about it and that is the way it went. And if the same occasion arises in the future, it will go that way and the Financial Administration Act gives us the authority for so doing.

So with those few explanatory words, I move second reading.

On motion, a bill, "An Act To Amend The Department Of Finance Act," read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 9).

MR. MARSHALL: Order 36, Bill No. 25. Motion, second reading of a bill, "An Act To Amend The Municipalities Act," (Bill No. 25).

MR. SPEAKER: The hon. Minister of Municipal Affairs.

MRS. NEWHOOK: Mr. Speaker, Bill No. 25 contains a number of amendments which are of a housekeeping nature and are intended for clarification purposes arising out of

MRS NEWHOOK: problems of interpretation that have occurred during the administration of our Municipalities Act. Other amendments are proposed to deal with concerns which have developed as a result of the practical application of this piece of legislation. And just commenting very briefly, Mr. Speaker, on some of the other maybe more major amendments, one ensures that accumulated surpluses or deficits may be carried forward in the following year of the budget of any municipality or can be spread over a period of years, and that a surplus can be created for a specific purpose. Also the amendments cover that it will not be compulsory to give a commitment to the implementation of the real property tax where the request for water and sewer system services covers less than 50 per cent of the residents of a town. Also that the property tax exemption now applicable to productive farmland can be extended to any buildings used in connection with productive farming on that land. Another permits councils to make regulations relating to lot sizes. They make regulations now regarding buildings but they can now regulate the minimum size of a lot. And these amendments also give permission for councils to make regulations respecting the use of pellet and air guns. This has been requested. And also, just one more that may be a little bit important, is it gives community councils the right to hold elections the same as regular councils and that they can increase their members from five to seven.

SOME HON. MEMBERS: Hear, hear!

MRS NEWHOOK: Other amendments, Sir, just deal with conflicts of interests, requirement for public hearings and the election procedures.

I propose this bill, Sir.

MR. NEARY:

Mr. Speaker.

MR. SPEAKER (Aylward):

The hon. Leader of the
Opposition.

MR. NEARY:

Mr. Speaker, I regret to have
to say that this is a heavy piece of legislation. I think
the Government House Leader (Mr. Marshall) is rushing to
close the House and he should have left this on the
Order Paper. There are so many items under this bill,
Mr. Speaker.

MR. MARSHALL:

Look what is in it.

MR. NEARY:

'Look what is in it,' the hon.
gentleman says. It is a major piece of legislation.

MR. NEARY:

Every item of this bill should be thoroughly discussed and we cannot do it in the time that we have, Mr. Speaker, But if the Government House Leader (Mr. Marshall) insists and he wants to ram it through the House, there is not much we can do about it, There are only eight of us over here and forty-four over there; they can do what they like with it. But I would have preferred myself to see this bill hang over for either continuation of this current session, stay here until Christmas Eve, or open the House early in the New Year and then debate this bill, leave it on the Order Paper for a new session of the House.

But right now, Mr. Speaker, with the time that we have at our disposal we cannot do justice to this bill.

On motion, a bill, "An Act To Amend The Municipalities Act", read a second time, ordered referred to a Committee of the Whole House presently by leave.

MR. MARSHALL: Order 40, Bill No. 22.

Motion, second reading of a bill, "An Act To Amend The Minerals Act, 1976", (Bill No. 22).

MR. SPEAKER (Aylward): The hon. Minister of Development.

MR. WINDSOR: Mr. Speaker, this is basically a minor amendment to the Mineral Act, basically putting back into place wording that was changed in 1980 and which apparently has not really worked out to the satisfaction of the mining industry, in fact has been looked on by some companies as being a deterrent to exploration, and certainly that is not the intent of this administration. So we are changing the wording back in accordance with the request of industry generally.

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

MR. NEARY: Mr. Speaker, it is nice to see a minister stand up for a change and admit that he was wrong,

MR. NEARY: to see the Minister of Development (Mr. Windsor) admit that the act, when it was amended, the wording was ill-conceived. The procedure was bad, was poor, it was discouraging exploration and mining development in this Province. And we support, Mr. Speaker, the bill, and we are happy to see it at long last. I think we raised an objection to this at the time, I remember speaking on this bill myself. So, Mr. Speaker, we are glad that the minister is forced to go back to putting this clause back the way it was in the act. And I have no doubt, Mr. Speaker, if you did your research that you would discover that this act was brought in by a Liberal Government and this clause was written and brought into this House and approved, passed by a Liberal Administration.

MR. SPEAKER (Aylward): If the hon. minister speaks now he will close the debate.

The hon. Minister of Development.

MR. WINDSOR: Mr. Speaker, first of all I am not forced to admit that I was wrong because I certainly was not Minister of Mines when this was put into place in 1980.

MR. NEARY: Well, the administration was wrong.

MR. WINDSOR: But certainly what we were doing is ensuring as much as possible that exploration in this Province will stay at a high. And I just note, Mr. Speaker, that the Mineral Imposition Tax Act that has been brought into this House by this administration has resulted in greater than 95 per cent of this Province being available for exploration.

SOME HON. MEMBERS: Hear, hear!

On motion, a bill, "An Act To Amend The Mineral Act, 1976", read a second time, ordered referred to a Committee of the Whole House presently by leave.

December 3, 1982

Tape 3079

PK - 3

MR. MARSHALL:

Mr. Speaker, I just overlooked

Order 39, Bill No. 7.

Motion, second reading of

a bill, "An Act To Amend The Memorial University (Pensions)
Act", (Bill No. 7)

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

DR. COLLINS: Mr. Chairman, I move this on behalf of the hon. the Minister of Education (Ms Verge). All it does is it has the act conform with federal regulations. There was a need to bring in this amendment to allow the Memorial University (Pensions) Act to be registered with Revenue Canada and there is a consequential amendment to that, and then there is another provision there which just has to do with the contributions that a person is responsible for after a period of leave.

I move second reading.

On motion, a bill, "An Act To Amend The Memorial University (Pensions) Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 7).

MR. MARSHALL: Order 41, Bill No. 21.
Motion, second reading of a bill, "An Act To Amend The Schedule To The Government - British Newfoundland Corporation Limited - N.M. Rothschild & Sons (Confirmation Of Agreement) Act, 1953," (Bill No. 21).

MR. CHAIRMAN: The hon. the Minister of Development.

MR. WINDSOR: Mr. Speaker, the title of the amendment is longer than the amendment. It is simply a changing in the holdings that BRINCO has in Labrador. Since the holdings were given to them by statute, any release, any surrender of those holdings in Labrador or anywhere in the Province requires an amendment to the legislation. And this is all this bill is, it is putting into law surrenders made in December, 1979, in fact, by BRINCO in Labrador. And I just note that at that time they surrendered some 49,900 hectares and now have only

MR. WINDSOR: a holding of 55,977 hectares out of a total which they had, Mr. Speaker, originally, of 12,955,000 hectares. So they have come from 12,950,000 to 55,900 hectares, and I note that that is directly, Mr. Speaker, due to the Mineral Holdings Impost Tax, which has now opened up literally millions of hectares of land in Labrador and in other parts of our Province for exploration.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker.

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

MR. NEARY: We may have opened them up for exploration, but nothing seems to be happening. It is doing us very little good for the hon. gentleman to get up and utter such pious words. Everybody in this Province knows that we are in a desperate situation economically and financially in this Province. And the hon. gentleman can get up and heap all the self-praise he wants on himself and the administration. The fact is that nothing is happening. I have heard rumbles and messages coming from the mining industry that they would not touch this Province with a barge pole. That is the truth of it. Nothing is happening.

MR. SIMMS: A barge pole.

MR. NEARY: Yes,

MR. SIMMS: How long is that?

MR. NEARY: I do not know how long it is, but anyway, this has to do with amending BRINCO's holdings in this Province, in Newfoundland and Labrador.

Could the hon. gentleman tell us now what holdings BRINCO have now? And what about the BRINEX uranium property in Northern Labrador? Are they

MR. NEARY: going to hold on to that?
BRINEX is a subsidiary of BRINCO. How much property
are they holding? And are they sitting on it? You
know, how long will they be allowed to sit on the
development, Mr. Speaker? I think these are the only
questions that I have to ask the hon. gentleman.
How much acreage do BRINCO and BRINEX now have in
Newfoundland and Labrador

MR. NEARY: and is anything happening on the property that they have? What is happening at Michelin Lake in Northern Labrador, the uranium deposit?

MR. SPEAKER (Russell): If the hon. minister speaks now he closes the debate.

MR. WINDSOR: Mr. Speaker, I do not have the figures of BRINCO's holdings on the Island but as I have already indicated BRINCO now has in Labrador 55,971 hectares which is reduced from 12,950,000 hectares that they held originally in Labrador. And yes, they are hold on to the holdings at the BRINEX uranium discovery site and hopefully, Mr. Speaker, some day we will see development of that site when, first of all, the world economy and the Canadian economy generally will allow development of that nature to take place and when, secondly, we have been satisfied as to our environmental concerns, particularly relating to the tailings. And I would note that there is a great deal of research taking place on that and in fact this month, if not this week, there is a fairly significant seminar taking place in Montreal dealing with science, technology and research relating to the tailings of uranium and perhaps in the not too distant future technology will be available which will allow us to proceed with that development.

I move second reading, Mr. Speaker.

On motion, a bill, "An Act To Amend The Schedule To The Government - British Newfoundland Corporation Limited - N.M. Rothschild & Sons (Confirmation Of Agreement) Act, 1953", read a second time, ordered referred to a Committee of the Whole House presently by leave.

MR. MARSHALL:

Order 47, Bill No. 44.

Motion, second reading of a bill,

"An Act To Amend The Automobile Insurance Act," (No. 44).

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

MR. MARSHALL:

Mr. Speaker, this is a simple

amendment but it has beneficial effects. In essence what it is here for is to permit third parties actions for damages arising out of a motor vehicle accident, to increase it from one year to two years. As it presently exists now, there is a statutory limitation on the taking of the action, but the action under the insurance provisions are now one year so we are extending it to two years so there will be conformity.

I move second reading, Mr. Speaker.

On motion, a bill, "An Act To Amend The Automobile Insurance Act," (No. 44), read a second time, ordered referred to a Committee of the Whole House presently, by leave.

MR. MARSHALL:

Order 45, Bill No. 36.

Motion, second reading of a bill,

"An Act To Amend The Day Care And Homemaker Services Act, 1975," (No. 36)

MR. SPEAKER:

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, this is a bill that

is being brought in to the House by the Minister of Social Services (Mr. Hickey). He is not here now but in his absence I would move reading for it. It simply repeals a provision containing a reference to the Department of Rehabilitation and Recreation, which no longer exists, with respect to the provision of day care and homemaker services in the Province.

On motion, a bill, An Act To Amend The Day Care And Homemaker Services Act, 1975," (Bill No. 36), read a second time, ordered to a Committee of the Whole House presently, by leave.

December 3, 1982

Tape No. 3082

MJ - 1

MR. WM. MARSHALL:

Order 50, Bill No. 65.

Motion second reading of
a bill, "An Act To Amend The Department Of Transportation
Act." (Bill No. 65)

MR. L. SIMMS:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the Minister of Culture,
Recreation and Youth.

MR. SIMMS:

Mr. Speaker, on behalf of my
colleague, the Minister of Transportation (Mr. R. Dawe),
who is not here at the present time, he has asked me to
give a brief explanation of this bill.

What it does, it provides for
an amendment which would allow the public utilities until
January 1, 1986 to ensure that all the overhead wires
and cables crossing a highway have a minimum clearance
over the highway of 5.5 meters, and also any new cables
being installed at the present time will have to maintain
that same level. Secondly, there is another amendment
which really already is in effect providing for the minister
to have signs erected along the highway identifying those
establishments which may provide food, fuel and the like
which has already been done in any event.

That is the explanation.

MR. W. CALLAN:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bellevue.

MR. CALLAN:

Mr. Speaker, those of us on this
side agree that the safety measure regarding the height
of the wires is a good amendment. The other one, Mr. Speaker,
is also a very good amendment and long overdue where
the Department of Transportation will permit signs along the
highway indicating that a mile or so up the highway there
is a restaurant along -

MR. G. WARREN:

They are going to have to pay for
it.

MR. W. CALLAN: Oh, yes. Naturally they are going to have to pay for it. This government is going to get money. I said earlier that there was no question that we are the highest taxed people in all of Canada and this government as we know gets a dollar wherever they can and however they can, Mr. Speaker. I note the member for St. John's North (Mr. J. Carter) is very interested in this bill.

SOME HON. MEMBERS: Oh, oh!

MR. CALLAN: So anyway, Mr. Speaker, we support this bill and these two clauses.

On motion, a bill, "An Act To Amend The Department Of Transportation Act", read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 65)

MR. WM. MARSHALL: Order 51, Bill No. 62.

Motion, second reading of a bill, "An Act To Amend The Public Libraries Act, 1975." (Bill No. 62).

MR. L. SIMMS: Mr. Speaker.

MR. SPEAKER (Russell): The hon. the Minister of Culture, Recreation and Youth.

MR. SIMMS: Mr. Speaker, these amendments are the result of requests by the Newfoundland Public Libraries Board themselves. It provides for

MR. SIMMS: three amendments, one, to create a smaller board than presently exists. Presently it provides for twenty-five members. Because of the cost to get people together for meetings and so on, they would like to have it down smaller, to fifteen. The other amendment is that it would allow for the provision of regional representation, which it does not presently provide for, and to allow people to be represented from the various Regional Library Boards specifically to serve on the Provincial Board. And the other amendment, Mr. Speaker, is to provide for a provision of rotation of members because at the present time the legislation could allow for existing members to be all finishing their term at the same time. So the third amendment will provide for proper rotation so that there is some continuity. It is at the request of the Public Libraries Board themselves, which is an excellent board, Mr. Speaker, in this Province.

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

MR. WARREN: Mr. Speaker, we on this side support this major change in the Public Libraries Board Act. I wish to go on record, Mr. Speaker, as saying that these changes not only will make it easier for members of the Board to communicate and hold meetings, but let us hope at the same time that those changes will make public libraries more accessible to the people throughout the Province. I hope that this bill will indirectly do that, because at the present time there are people in this Province who have no access at all to public libraries. Let us hope that with these changes they will have smaller groups meeting and we can have more public libraries throughout the Province. I support the bill.

MR. SPEAKER: If the hon. minister speaks now he closes debate.

MR. SIMMS: Mr. Speaker, I want to make a comment on that particular matter because of the fact that recently, the hon. member may or may not be aware, there is a new service that is being provided by the Newfoundland Public Libraries Board and that is a mail in service which will hopefully address the problem that you just brought up and that is to provide library services to more people in more remote areas of this Province. That is already in place now.

I move second reading.

On motion, a bill, "An Act To Amend The Public Libraries Act, 1975", read a second time, ordered referred to a Committee of the Whole House presently, by leave.

MR. MARSHALL:

Order 53, Bill No. 75.

Motion, second reading, a bill

"An Act To Amend The Companies Act". (Bill No. 75).

MR. SPEAKER (Russell):

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, this is a bill

that is being led in by the Minister of Justice (Mr. Ottenheimer) because the matters of company registration comes under his jurisdiction. The purpose of the bill is to increase the registration and filing fees of companies in accordance with the budgetary announcement made by the hon. Minister of Finance (Dr. Collins) in his economic statement to the House during this Fall session.

MR. NEARY:

What number is the bill?

MR. MARSHALL:

It is bill No. 75. I can

tell the hon. member, just give you an example, for registration of a company the minimum goes up from \$100 to \$200, and then the filing fees, what we call foreign companies, these are companies that are operating from other provinces and other states in Newfoundland, go up to the amounts that are shown in the Schedule.

MR. MARSHALL:

It is an important piece of legislation but I think hon. members are all aware of it.

On motion, a bill, "An Act To Amend The Companies Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 75).

MR. MARSHALL:

Order 55, Bill No. 79.

Motion, second reading of a bill, "An Act To Amend The Insurance Companies Tax Act," (Bill No. 79).

MR. SPEAKER (Russell):

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, this is just to clear up an anomaly. In 1962 the Province entered into an agreement with Canada over the collection of certain taxes, including corporate income tax, and under that the insurance companies are liable for income tax. Now, in 1957 we have on the books the Insurance Companies Act which exempts them from corporate income tax and in place puts in the insurance companies tax and that was carried forward in the revised statutes of 1970. So there is that anomaly there and this amendment clears up that anomaly. I might say, Mr. Speaker, that throughout the piece, of course, insurance companies have been paying corporate income tax so that it does not change their thing at all, it just clears up the anomaly.

On motion, a bill, "An Act To Amend The Insurance Companies Tax Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave.

MR. MARSHALL:

Order 58, Bill No. 83.

Motion, second reading of a bill, "An Act To Amend The Retail Sales Tax Act,

MR. MARSHALL: 1978 (No. 2)". (Bill No. 83).
MR. SPEAKER (Russell): The hon. the Minister of
Finance.

DR. COLLINS: Mr. Speaker, this amendment has been given considerable study and the reason why it is brought in is really to tighten up the Retail Sales Tax Act. The Retail Sales Tax Act has been in for some considerable number of years and, of course, as the time goes along there are weaknesses identified in the act, as there are in any act, especially one that is on, shall we say, active implementation every day of the week.

I might say, Mr. Speaker, that the Department of Finance has been aware of these weaknesses. The Auditor General, over the years, has pointed out certain weaknesses, the Public Accounts Committee, which was a great new thrust brought in by this administration in setting up the Public Accounts Committee, has also been aware of certain weaknesses, and all the three organs have made suggestions. This is the result of those three series of suggestions coming together. So I may just refer to certain sections, Mr. Speaker.

The first section is an important change. What it does is to clarify the improvements to real property, that is, the houses and that sort of thing, to make sure that there is no doubt that the labour content there is exempt from taxation. It also re-defines or clarifies the definition of fair value to ensure that delivery charges are included under taxable items, but it does not include the charges that are given by a common carrier, that is, by a carrier that is open to all members of the public. It only

DR. J. COLLINS: refers to taxation of carrying charges where it is done by the firm actually supplying the material, and there are a few other small changes in that particular section. Under Section 2, there is retail sales tax now charged on charges for things like cable television and this extends the taxation that is in place already for that type of service, to make sure that any means by which the signals received is included under that charge, such as satellite signals.

Clause 3 is another one that I would like to bring to the House's attention. This amendment will clarify the law to permit the taxation of property brought into the Province by someone who intends to settle here but there are regulations which protect what are called 'settler effects' so that the personal property does not fall under that.

Section 6, I think is the next one I would like to bring to the hon. House's attention. This will clarify the law so the minister may refuse to issue a registration certificate to a person or may cancel or suspend a registration certificate of a person who is under the supervision and control of another person whose certificate has already been cancelled. There was a loophole there whereby if a certificate was cancelled an individual or an agent of that individual could set up another company and carry on the business. This is to plug that loophole.

The next one of importance is Section 8. This will give the minister the power to use suppliers records in order to estimate tax owing. Sometimes during an audit there are insufficient details available in the vendors' own records to make a decision on matters and this gives the minister the power to go back to the suppliers' records and get needed information.

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Tape No. 3085

MJ - 2

DR. J. COLLINS:

The next one is Section 11.

This amendment will make it an offense to use a registration certificate number which has been cancelled or to quote another registration number. The act now does not clearly make this an offense. It is clearly a wrongdoing but the act does not specifically state that it is an offense and this is what this section clarifies.

DR. COLLINS:

Section 12 is much the same, to make it an offence to fail to produce for inspection financial statements including balance sheets and profit and loss statements. This is obviously needed to be able to make an audit and therefore to be able to administer the act.

And the final one is an important one, Mr. Speaker. The final one I would like to bring to the House's attention. This has to do with increased fines under the act and they are laid out there in some detail. But this was one of the points that was brought out a number of times by the Auditor General, for instance, that if someone is convicted under the act it was only a \$25.00 fine and it was more to the offender's benefit to just ignore the act and pick up his \$25.00 fine than actually abide by the act. This section appreciably increases those fines and therefore makes the act a practical one to implement. So with these comments, Mr. Speaker, I move second reading.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, I must admit I was not following -

DR. COLLINS: It was very clear.

MR. NEARY: Yes, it is very clear because, Mr. Speaker, I am proud to say that I was associated with two Public Accounts Committees that made recommendations -

DR. COLLINS: I gave acknowledgement.

MR. NEARY: I know, I heard the hon. gentleman. And I have to give the hon. gentleman the credit, that these changes would never have come about if it was not for the work of the Auditor General and the Public Accounts Committee.

DR. COLLINS: That is going too far now.

MR. NEARY:

Pardon?

DR. COLLINS:

That is going a bit too far

now.

MR. NEARY:

No, it is not going too far.

It is a statement of fact. That is more than we get from the other side, statements of facts.

So I am proud, Mr. Speaker.

Even before the last report under my Chairmanship, and when the hon. member for St. John's North (Mr. Carter) was Vice-Chairman, I must say we worked very well, we got along very nicely. He is a different man all together. It is a funny thing, Mr. Speaker, the hon. gentleman was a different man altogether when he was Deputy Chairman of the Public Accounts Committee. He was easy to get along with, co-operative, a rock of common sense. But in the House something happens to him. When he walks through the door of the Legislature something comes over him and then he becomes nasty and a bit idiotic too and a bit childish. And I do not believe that is becoming of the hon. gentleman because I have gotten to know him during the conversations that we had on the Public Accounts Committee, and outside the House when I managed to scrounge a few nice trees off the hon. gentleman. But he is a gentleman. He is a real gentleman, Mr. Speaker, outside the House and we worked very well together. And the hon. gentleman always gives members of the House his little gift, his little offering at Christmas time that we all appreciate very much. And I have to say this, that in return for the little packages of savoury that we all get before the Christmas recess, that my caucus authorized me yesterday to give the hon. gentleman a gift which I sent over to the hon. gentleman, a unique piece of Newfoundland history.

MR. NEARY: And so what I am really saying, Mr. Speaker, is that between us on the Public Accounts Committee we have managed to bring the Minister of Finance (Dr. Collins) to his senses. Now we have these amendments and improvements to the Retail Sales Tax Act that we hope will speed up the procedure for collecting taxes in arrears. It is very necessary. We have an outstanding amount in arrears now of anywhere from \$12 million to \$14 million. Just think what the government could do with that today. Instead of increasing the retail sales tax by one cent, putting clothing under the retail sales tax, increasing the insurance tax, putting taxes on hot dogs and donuts and hamburgers, putting taxes on everything over five cents in this Province, why did they not collect the \$12 million or \$14 million that is owed to the Public Treasury?

MR. YOUNG: How come your buddy -

MR. NEARY: That is being collected by business, by the way, it is supposed to be held in trust for the people of this Province.

MR. YOUNG: And your buddies are half of them.

MR. NEARY: My buddies! Mr. Speaker, my buddies? My buddies are the half of it. If I wanted to I could give the House a list that would stretch across the House of where ministers and members on the opposite side have interceded on behalf of their friends.

MR. TULK: That is true.

MR. NEARY: Newfoundland Amusement Service and Fun Fest I think it is, I will get the name of it right eventually, Mr. Speaker, it is down in my office, using a minister, influence peddling with a minister, got a concession from the Minister of Finance (Dr. Collins) that they would not have to pay interest on an outstanding amount of \$160,000. And yet they go downtown using the taxpayers' money and buy all kinds of bistros and nightclubs downtown, but they cannot

MR. NEARY: pay the government their sales tax, because a minister interceded and got a good deal for them, got a sweetheart deal, better than a deal that anybody else can get.

MR. YOUNG: Better than the one the (inaudible).

MR. NEARY: Mr. Speaker, if the hon. gentleman has anything to say let him have the courage to stand up and say it.

MR. YOUNG: You do not like that, do you?

MR. NEARY: No, I do not like it. I do not like smear and dirt and filth from the lips of the hon. gentleman.

MR. YOUNG: Well, what are you going at me for all of the time?

MR. NEARY: Mr. Speaker, when it comes to interceding on behalf of the people who owe the retail sales tax, something that I would never do because this tax belongs to the people, this tax was taken from consumers only to be held in trust by the business firms that collect it. And there should be no excuse, Mr. Speaker, for not paying that tax to the consolidated revenue fund in this Province, no excuse. If the law is broken they should be charged and put in jail. Is there anything worse you can do than to take a retail sales tax from a consumer and then

MR. NEARY: go off and spend it and then come back and say, "I cannot afford to pay it. Can I make a deal? I am going bankrupt, I am going into receivership". And then the government, the Minister of Finance (Dr. Collins) when ministers and members go to him and say, 'Well, boy, poor old So and So, I suppose we will have to make some kind of deal or we are going to force him out of business'. If they are that close to going out of business they should go anyway. The retail sales tax is not going to save them. And I guarantee you I have a classic example in my office about the company that has these vending machines and these pinball machines and the like around this Province. One hundred and sixty thousand dollars they owed the public treasury.

MR. YOUNG: You spend your money long distance, no Newfoundland revenue from you at all.

MR. NEARY: Mr. Speaker, \$160,000 they owed the public treasury. What I do personally is none of the hon. gentleman's business. If the hon. gentleman wants to start bringing up personal stuff in this House, the hon. gentleman might come out on the losing end. I would be very careful if I was the hon. gentleman. I am not interested in his personal life, I am interested in his politics, that is all. And the hon. gentleman should not be so slimy and stoop so low.

MR. TULK: Do not get down in the mud with him.

MR. NEARY: No, do not worry, I am not going to get down in the mud with him. And I guarantee you now if the hon. gentleman wants to get personal, if we want to have a mud-slinging contest in this House let us have it.

Mr. Speaker, this company owed the Minister of Finance (Dr. Collins) \$160,000 in retail sales tax. The company changed hands and the new owner through a minister - one of the senior ministers intervened for this

MR. NEARY: company and got a deal made whereby this company did not have to pay interest on the outstanding amount and they have to pay very little to the public treasury every month. Now, Mr. Speaker, that is unforgivable. The minister should not be doing these things. His officials should not be doing them.

I do not recall ever going to the Finance Department and asking for the government to go easy on somebody because they had not paid their sales tax to the public treasury.

MR. TULK: They should not either because it is not their money.

MR. NEARY: It is not their money, that is right. It is not their money. And how hypocritical would I be after passing laws in this House -

MR. TULK: It is the taxpayers' money.

MR. NEARY: It is the taxpayers' money. It belongs to the taxpayers.

MR. S. NEARY: It is only held in trust by the person that collects it to be deposited in the Public Treasury.

MR. B. TULK: What is the problem, they have not collected this?

MR. NEARY: Twelve or fourteen million dollars outstanding and then they go and put the hot dog tax on, they put the tax on clothing, they upped the insurance tax they upped the retail sales tax by 1 per cent while they have on their books outstanding amounts in arrears to the tune of \$12 million or \$14 million.

MR. TULK: You have to go around now with the sleeves out of your shirt.

MR. NEARY: Is it any wonder that the members on the opposite side would look at us in dismay? Mr. Speaker, the hon. gentleman will get up no doubt - the hon. gentleman as I have heard him do in this House, will get up and say, 'Well, the current outstanding amount is always fairly high.' I am not talking about what is due for last month, I am talking about what is due the month before that. I am not talking about current taxes, I am talking about outstanding taxes in arrears. You know, Mr. Speaker, the trouble is, what the government members do not realize and the ministers do not realize, that they may make one friend, they may make one buddy with their sweetheart deals, by allowing them to get away with no interest on their outstanding taxes, they may make one friend but they will make a dozen enemies. Everybody is entitled to the same treatment, and in this case nobody should get the preferential treatment. The Minister of Finance (Dr. J. Collins) should stand in this House now today and tell the House that under no circumstances will I agree to make deals on money that has been collected from consumers in this Province, that belongs to the taxpayers, that has been spent for other purposes. That is illegal,

MR. S. NEARY: it is against the law, I am not going to tolerate it and I am going to put an end to it, stop it. And it is no good for any minister or any member of this House coming to me and asking for a sweetheart deal because they are not going to get it.

MR. L. SIMMS: I have never done it and I would not do it.

MR. NEARY: Pardon.

MR. SIMMS: I have never done it and I would not do it.

MR. NEARY: The hon. gentleman is right. The hon. gentleman is correct. We may have our disagreements but we agree on that. That is right. I am very leery about approaching the Liquor Corporation.

MR. T. RIDEOUT: I would not do that either.

MR. NEARY: I guarantee you now that these are the things that you have to walk very gingerly around. And so, Mr. Speaker, we are glad to see these amendments, they are long overdue. And we hope that the minister will not be reluctant in future in enforcing the law. Maybe if the minister had collected the tax that was due, maybe we would not have these increases in taxes that he made in his Ministerial Statement a couple of weeks ago.

MR. NEARY: It is one of the items that I listed in a letter that I wrote a few days ago, one of the items that has been overlooked by the administration when they are trying to recoup some of their \$60 million deficit. They should have made a greater effort to collect the retail sales tax that is due and they should be very careful about writing off, Mr. Speaker. We have seen companies in this Province - and I do not want to delay the House - we have seen companies go into bankruptcy, go into receivership, come out under another name. I can think of one company and it galls me when I think about it, it irritates me. The individual owed large sums of money to this Province in retail sales tax and he went into receivership. But the business is still going and he was rewarded with a job on the public payroll, now an employee of one of the government Crown corporations. That was his reward for robbing the people of this Province of huge amounts of retail sales tax that he had collected, that the people lost when his company went bankrupt. His reward was that he got a high paying job on the public payroll.

AN HON. MEMBER: (Inaudible).

MR. NEARY: The hon. gentleman should be careful about bandying names around too, you know.

MR. SIMMS: Who was it?

MR. NEARY: Who was it! The hon. gentleman wants to know who it was. I will tell the hon. gentleman behind the curtain. But I guarantee there are ministers who know who I am referring to. You do not have to be a genius, you do not have to be a Rhodes scholar to know who I am talking about.

MR. SIMMS: How much was it?

MR. NEARY: Several hundreds of thousands of dollars. The same way with the tobacco tax, several hundreds of thousands of dollars this one individual owed.

AN HON. MEMBER: That is the dirt.

MR. NEARY: Yes, it is a kind of dirt all right. Nothing galls or irritates me more than to see somebody looting the public treasury.

AN HON. MEMBER: Ho, ho! Oh, my!

MR. NEARY: Yes, ha, ha, ho, ho. Looting the public treasury, Mr. Speaker. One thing I am very sensitive about is the public treasury. So, Mr. Speaker, we are going to support these amendments and we hope that the minister will take steps in future to see that the laws relating to the retail sales tax in this Province are enforced and that every cent that is owed to the public treasury will be collected.

MR. SPEAKER (RUSSELL): If the hon. minister speaks now he closes the debate.

DR. COLLINS: Mr. Speaker, I thank hon. members of the House. I think that they have taken this amendment in the right light. It is an attempt to ensure that monies that are rightly due the public treasury do come into the public treasury. And these amendments will make it easier to do that. I cannot say that they of themselves will particularly help us to get off some of our arrears, but they certainly will be very useful in avoiding a further build-up of those arrears.

On the arrears, I have said this many times before, our record is extremely good in that. In regard to other provinces our record is extremely good. And this is not something we say ourselves, this is something that comes out in tax conferences and so on. And if

DR. COLLINS: one looks at the percentage of arrears compared with the amount that has been collected over the last numbers of years it is a very small percentage. That is not to say that we condone that percentage being there but, nevertheless, no system is perfect. And we have to remember that our taxation system is really an honour system. We do not have people going out and watching every sale; we depend upon the vendors to remit the tax. we depend upon the purchasers to actually pay the tax. We audit afterwards and if we find discrepancies we go after them. But our taxation system in the parliamentary world is based on the honour system and, I suppose, no system based on that is going to be absolutely perfect. I do not know if a system based on anything is going to be absolutely perfect. But these amendments will be very helpful in implementing this act in a more efficient way. I move second reading.

On motion, a bill, "An Act To Amend The Retail Sales Tax Act, 1978 (No. 2)", read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 83)

Motion, second reading of a bill, "An Act To Amend The Tobacco Tax Act, 1978 (No. 3)". (Bill No. 84)

MR. SPEAKER (RUSSELL): The hon. Minister of Finance.

DR. COLLINS: Mr. Speaker, there is one important - well, all these provisions are important, but there is one of overriding importance I would like to bring to the attention of the hon. House and that is Clause 4. Clause 4 authorizes an inspector to stop, detain, without the necessity of obtaining a warrant from the courts, any vehicle, aircraft, ship, boat and so on, in order to examine the contents to see if the vehicles and so on, do contain tobaccos on which tax has not been paid. Up to now there was

DR. COLLINS: no authority to actually stop where there was suspicion that tobacco products were being brought into the Province without proper taxation being applied to them, **There** was no authority for those to be stopped, you actually had to go further down the road and see, actually, someone handing over a packet of cigarettes or a cigar or whatever that was not taxed and then you could get into the act. This will now increase our surveillance. It is not unique. We do it now, for instance, for gasoline tax. There is the ability for inspectors to inspect where there is a suspicion that tax exempt gasoline is not being used for proper purposes. So it is not unique in that respect. But it is absolutely essential, especially when there is a wide spread in the taxation applied in this Province compared to other provinces and there is a tremendously increased temptation to engage in smuggling.

DR. COLLINS: We know, of course, that smuggling is going on. So I commend this amendment and amendments of less importance in this total amendment, I commend this to the House.

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

MR. NEARY: Mr. Speaker, again I have to draw to the attention of the House that the Government House Leader (Mr. Marshall) is forcing major legislation on us in the dying minutes of this session of the House. This is a major piece of legislation, Mr. Speaker. It is giving authority to inspectors in the Department of Finance that they did not have before, that they can go out now the same as the RCMP and the Newfoundland Constabulary, they can stop anybody on the road, they can search your bags at the airport to see if you have a few cigarettes in them when you are coming back from the mainland.

MR. YOUNG: You do not know what to say.

MR. NEARY: No. Really, I am flabbergasted. I really do not know what to say.

MR. BARRETT: Are you agreeing with smuggling?

MR. NEARY: No, Mr. Speaker, I do not agree with smuggling. But what about the police, are they not doing their jobs? These police are trained.

DR. COLLINS: If they suspect a criminal act.

MR. NEARY: Well, it is a criminal act to smuggle cigarettes into Newfoundland.

DR. COLLINS: It is under the criminal code.

MR. TULK: It is a good way to harass people.

MR. NEARY: Well, Mr. Speaker, I would like to hear a little more about it. I mean, my hon. friend rightly points out people could be harassed with this kind of authority. Who will be the inspectors? Who are they? Will they be in uniform? Will they be chasing cars up and down the highway and stopping them?

MR. NEARY: Will they just be stationed at Port Aux Basques and at the airports to see if people are smuggling cigarettes? And what about the fellow who goes off to the mainland and brings back a bottle of liquor and a bottle of wine and a carton or two of cigarettes, what about it, is he going to be prosecuted?

MR. TOBIN: You are allowed to bring it back.

MR. NEARY: You are not allowed to bring it back. You are not allowed to bring one pack of cigarettes back.

MR. TOBIN: You can bring it back from St. Pierre.

MR. NEARY: We are not talking about St. Pierre, we are talking about crossing interprovincial boundaries. Under the laws of this Province, the statutes of this Province, you are not allowed to bring cigarettes, liquor or tobacco or wine into this Province.

The Minister of Finance (Dr. Collins) now is going to set up his own gestapo.

MR. NEARY: I am all for stopping cigarette smuggling, if that is what you can call it, moving cigarettes from the mainland to Newfoundland. I am all for stopping it. I would like to have a few more details from the minister before I vote for this bill.

DR. COLLINS: A few details?

MR. NEARY: Yes, a few details. I would like to know if they are just going to police the airports. The hon. gentleman does not realize the authority we are putting in the hands of these inspectors. There could be abuse and harassment.

MR. MARSHALL: We have considered it very carefully.

MR. NEARY: You have considered it very carefully. What kind of training will the inspectors have? What kind of identification? Will they be in uniform?

MR. DOYLE: You must not trust us.

MR. NEARY: Mr. Speaker, with what has happened in this Province in the last several days, this administration will never be trusted again. The credibility and the believability of this administration is gone, it is shot.

Mr. Speaker, I am all for stopping smuggling but I am not happy with the explanation given to us by the Minister of Finance (Dr. Collins). We want more information and we want more reasons why we have to put this authority in the hands of the inspectors of the Department of Finance.

Where is the member for Stephenville (Mr. Stagg)? The member for Stephenville should be a bit leery about this.

MR. TOBIN: He is on the telephone to the West Coast complaining about you.

MR. NEARY: Mr. Speaker, just listen to this. This gives the inspectors in the Department of Finance the right to raid your house, to search your car, to search your handbag, to search your suitcase, to search your van, to search your property, to search your person without a search warrant.

MR. TULK: That is right.

MR. NEARY: Yes, that is what it does.

MR. TULK: Who has the authority?

MR. NEARY: The inspectors in the Department of Finance, allegedly looking for tobacco or cigarettes.

MR. TULK: What recourse do you have?

MR. NEARY: No recourse only to give them a punch in the gob -

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: - which you would have every right to do.

MR. TULK: You should be concerned about the airport in Stephenville. He is back, the hon. member for Stephenville (Mr. Stagg).

MR. NEARY: The hon. gentleman should come in and listen to what I am saying.

This bill will give the inspectors in the Department of Finance the right to search indiscriminately.

MR. DOYLE: He will respond to you.

MR. NEARY: No, he cannot respond because the hon. gentleman told us when he introduced second reading that they would be searching without a search warrant.

MR. SIMMS: When he closes debate he will explain all that.

MR. NEARY: There is no explanation for it, he has already told us and that is what I am responding to.

MR. NEARY:

what the hon. gentleman said.

It is not the kind of a bill
that we should have in the dying moments of this session
of the House.

MR. NEARY: Leave it on the Order Paper and let us have another look at it. Let us not do like the Minister of Development (Mr. Windsor) today, a year later or two years later come in and admit that they amended a piece of legislation that is backfiring against the government, that there is no mining development taking place in the Province as a result of a blunder and a mistake that the minister made.

MR. RIDEOUT: He did not say that. Do not misquote him.

MR. WINDSOR: Do not misquote me.

MR. NEARY: The minister - no, I am only summarizing.

MR. WINDSOR: You said that.

MR. NEARY: I am summarizing what -

MR. WINDSOR: You said that. I did not say there was no development taking place in this Province. Do not put words in my mouth. State the facts.

MR. NEARY: Mr. Speaker, I thought I heard the hon. gentleman say that this is having a reverse effect on mining exploration in this Province.

MR. WINDSOR: Mining exploration?

MR. NEARY: Now, what other interpretation - what interpretation can my friend put on that?

MR. WINDSOR: That is not what you just said.

MR. NEARY: No development. Nothing has happened. They stymied, blocked -

MR. TULK: Why does he not tell you about it?

MR. WINDSOR: I said there was a detriment, I did not say there was nothing taking place.

MR. NEARY: Oh, I see! I see!

MR. WINDSOR: You have a tendency to misconstrue the facts to suit your purpose.

MR. NEARY: I only take what the hon. gentleman tells me at face value.

MR. WINDSOR: And turns it around.

MR. NEARY: And I discovered, Mr. Speaker, that I should not do that, because the hon. gentleman yesterday when he spoke in this House, he said, the company in North Carolina - we requested the information from Bowaters in Corner Brook, and this is what the hon. gentleman said yesterday in this House, and the Premier has talked to the Chairman of the Board in England.

MR. TULK: He said that too?

MR. NEARY: The hon. gentleman said it.

MR. TULK: Oh, another one! Another one!

MR. NEARY: If I was the hon. gentleman I would hang my head in shame for parroting what the Government House Leader (Mr. Marshall) had to say.

MR. WINDSOR: Fortunately for this Province I am not like the hon. gentleman and not likely to ever be.

MR. TULK: You do not know the Chairman of the Board, eh?

MR. NEARY: No.

Mr. Speaker, so let the minister when he is responding, answer some of these questions. We want to give somebody the authority, the police already have it, the RCMP have it. Maybe we should give some more authority to the inspectors in the Department of Finance. I am all for that. But we have to spell it out, what it is we are doing, what kind of authority. We have to limit their authority. Under this bill they can search you. When you step off a plane in Torbay you can be searched by an inspector from the Department of Finance to find out if you are bringing back a pack of cigars or a pack of cigarettes from the Mainland.

MR. NEARY: Because that is in the category of smuggling. You are not allowed to bring a carton of cigarettes from Halifax if you are over there. You could be charged under The Tobacco Tax Act. Are hon. gentlemen aware of that?

MR. WINDSOR: No.

MR. NEARY: Every time you bring a couple of bottles of wine you can be charged.

MR. TULK: You are not aware of that?

MR. NEARY: I know what the hon. gentleman is getting at, I know what he is getting at. He is getting at these vans, and the people who are coming in here and smuggling for gain, reselling the cigarettes and the tobacco. I know what he is getting at. But, Mr. Speaker, I doubt very much if we need give the inspectors the authority that the minister outlined when he introduced second reading of this bill.

MR. TULK: 'Steve' they operate at extremes.

MR. NEARY: Extremes! That is right. They operate at extremes.

MR. SPEAKER (Russell): If the hon. minister speaks now he closes the debate.

DR. COLLINS: Mr. Speaker, I thank the hon. member opposite for his remarks. I would like to assure him that whereas he perhaps rightly brings up the possible dangers,

DR. COLLINS: in practical terms, firstly there has to be a suspicion that the tax is being evaded. If someone is inspected and there is not reasonable suspicion, obviously that person could have some sort of an action against the inspectors. So that is the first protection. Secondly, it is authority to inspect vehicles. It is not really authority to inspect valices or pockets or whatever, it is vehicles, primarily cars, trucks and boats and that sort of thing. And I would like to again emphasize that inspectors also have this authority in regard to the gasoline tax.

In practical terms what will happen, we have already in various parts of the Province inspectors who now have the authority, under the Gasoline Tax Act, they will now - those same inspectors - they will now have a double authority under the Gasoline Tax Act, and under the Tobacco Tax Act. So that is the mechanism. We are not bringing in anything radically new, we are just expanding the authority that the inspectors already have.

MR. NEARY: They can search without a search warrant.

DR. COLLINS: Well, they can do that already, and as experienced inspectors they are closely supervised that they do not exceed their authority and there has been no evidence brought to my attention, or I suspect to anyone's attention, that the inspectors who are now doing this in terms of gasoline have exceeded their authority. They have been very responsible and we are now extending that authority to cover tax on tobacco and I have absolutely no doubt that they will continue to be similarly supervised and they will continue to exercise due discretion in the performance of their duties. So I move second reading.

SOME HON. MEMBERS: Hear, hear!

On motion, a bill, "An Act To Amend The Tobacco Tax Act, 1978 (No. 3)", read a second time, ordered referred to a Committee of the Whole House presently, by leave.

MR. MARSHALL: Mr. Speaker, there are just two other bills that government would like to get through and that is the Innkeepers Act, and Order 64, the Carino Company. I wonder could we agree to stop the clock?

MR. NEARY: What time is the Lieutenant-Governor coming?

MR. MARSHALL: The Lieutenant-Governor should be here any moment now. I said about ten or fifteen minutes after one. I call now then, Mr. Speaker -

MR. NEARY: Why do you not just consider extending the House to Christmas Eve?

MR. SPEAKER (Russell): Order, please! Which order?

MR. MARSHALL: Order 61, Bill No. 80.

Motion, second reading of a bill, "An Act To Revise The Law Respecting Innkeepers," (No. 80).

MR. SPEAKER: The hon. Minister of Development.

MR. WINDSOR: Mr. Speaker, I will just take a brief moment. This is basically a revision of the Innkeepers Act and I would point out that these revisions have been made at the request of the Hotel/Motel Association, have been done in accordance with them. They are very basic things dealing with the operation and the liabilities of innkeepers and of guests and so forth, and it removes such things from the existing act, as I understand it, of an innkeeper being required to have a suitable accommodation for one's horse.

On motion, a bill, "An Act To Revise The Law Respecting Innkeepers," (No. 80), read a second time, ordered referred to a Committee of the Whole House presently, by leave.

MR.MARSHALL: Order 64, Bill No. 85

Motion, second reading of a bill, "An Act To Permit The Continuance In The Province Of Carino Company Limited." (Bill No. 85)

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

MR.MARSHALL: Mr. Speaker, this is a bill on the Order Paper in the name of the hon. the Minister of Justice (Mr.Ottenheimer) and simply what it does,it would permit the continuance in this Province of the Carino Company Limited which is presently incorporated under the laws of Nova Scotia,and assure that that company has its registered office in this Province. This is the type of thing that we have done, Mr.Speaker, for other companies because the present status of the companies act does not give it the possibility of rolling into Newfoundland without this.

MR. WINDSOR: A good piece of legislation.

MR.CALLAN: Mr.Speaker.

MR.SPEAKER: The hon. member for Bellevue.

MR.CALLAN: Mr.Speaker, we are very happy to hear that the government is keeping a plant open, especially this Carino plant, the only plant in the Province out in the district of Bellevue which,of course,buys seal pelts. So we are very happy to hear that the government is maintaining a company that is already in existence rather than shutting it down,and we hope that when the Minister of Fisheries (Mr.Morgan) returns he will apologize to the principals of Carino for the statements that he made saying that they were lying,so to speak, when they -

MR. WINDSOR: You cannot say that.

MR.CALLAN: - said they would only

MR. CALLAN: pay half price for their pelts this year when another company in Nova Scotia is paying higher prices. So we hope that the minister apologizes to Carino when he returns.

SOME HON. MEMBERS: Hear, hear!

On motion, a bill, "An Act To Permit The Continuance In The Province Of Carino Company Limited," read a second time, ordered referred to a Committee of the Whole House presently, by leave.
(Bill No. 85)

On motion, that the House resolve itself into Committee of the Whole to consider certain bills, Mr. Speaker left the Chair.

MR. CHAIRMAN: Order, please!

MR. MARSHALL: Order 33 Bill No. 9

A bill, "An Act To Amend The Department Of Finance Act." (Bill No. 9)

Motion, that the committee report having passed the bill without amendment, carried.

MR. MARSHALL: Order 36 Bill No. 25.

A bill,
"An Act To Amend The Municipalities Act." (Bill No. 25)

Motion, that the committee report having passed the bill without amendment, carried.

MR. MARSHALL: Order 39, Bill No. 7.

A bill, "An Act To Amend The Memorial University (Pensions) Act."

MR. CHAIRMAN (Aylward): Shall clause 1 carry?

MR. MARSHALL: Mr. Chairman.

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

MR. MARSHALL: There is an amendment to clause 1 which is as follows: subclause 2 of clause 1 of the bill should be amended by striking out the words '\$275' and substituting the words '\$300'. This amendment is required because the amount has changed in the relevant federal legislation from \$275 to \$300 since the bill was prepared.

On motion, amendment carried.

On motion, clause as amended carried.

Motion, that the Committee report having passed the bill with amendment, carried.

MR. MARSHALL: Order 40, Bill No. 22.

A bill, "An Act To amend The Mineral Act, 1976."

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL: Order 41, Bill No. 21.

A bill, "An Act To Amend The Schedule To The Government - British Newfoundland Corporation Limited - N.M. Rothschild & Sons (Confirmation Of Agreement) Act, 1953."

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL: Order, 45, Bill No. 36.

A bill, "An Act To Amend The Day Care And Homemaker Services Act, 1975."

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL:

Order 47, Bill No. 44.

Automobile Insurance Act."

A bill, "An Act To Amend The

MR. CHAIRMAN (Aylward):

Shall clause 1 carry?

MR. MARSHALL:

Mr Chairman.

MR. CHAIRMAN:

The hon. President of the Council.

MR. MARSHALL:

Mr. Chairman, there is an amendment in clause 1. I move the amendment of subsection 9 of section 26 as set forth -

AN HON. MEMBER:

That is in clause 2.

MR. MARSHALL:

Clause 2, is it: Clause 2 of this bill is amended by striking out the words and figures, 'the limits mentioned in section 20 or 20A which ever section is applicable' and by substituting the words and figures, 'the limit provided by section 20'. All this amendment would do is correct an anomaly in the bill consequent on passage during the session of the amendments to the Automobile Insurance Act as set forth in Bill No. 40. It has to be done for technical reasons. I will reproduce this bill, Mr. Chairman.

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MJ - 1

On motion, amendment carried.

On motion, clause (2) as amended
carried.

On motion, clauses (2) and (3),

carried.

Motion, that the Committee report
having passed the bill with amendment, carried.

MR. WM. MARSHALL:

Order 50, Bill No. 65.

A bill, "An Act To Amend The
Department Of Transportation Act." (Bill No. 65).

On motion, clauses (1) and (2)

carried.

Motion, that the Committee
report having passed the bill without amendment, carried.

MR. MARSHALL:

Order 51, Bill No. 62.

A bill, "An Act To Amend The
Public Libraries Act, 1975." (Bill No. 62).

On motion, clauses (1) through

(3) carried.

Motion, that the Committee
report having passed the bill without amendment, carried.

MR. MARSHALL:

Order 53, Bill No. 75.

A bill, "An Act To Amend The
Companies Act." (Bill No. 75).

On motion, clauses (1) through

(3) carried.

Motion, that the Committee report
having passed the bill without amendment, carried.

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MR. WM. MARSHALL:

Order 55, Bill No. 79.

A bill, "An Act To Amend The Insurance Companies Tax Act." (Bill No. 79).

On motion, clauses (1) and (2) carried.

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL:

Order 58, Bill No. 83.

A bill, "An Act To Amend The Retail Sales Tax Act, 1978 (No. 2)." (Bill No. 83).

On motion, clauses (1) through (13) carried.

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL:

Order 59, Bill No. 84.

A bill, "An Act To Amend The Tobacco Tax Act, 1978 (No. 3)." (Bill No. 84).

On motion, clauses (1) through (8) carried.

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL:

Order 61, Bill No 80.

A bill, "An Act To Revise The Law Respecting Innkeepers." (Bill No. 80).

On motion, clauses (1) through (10) carried.

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL:

Order 64, Bill No. 85.

A bill, "An Act To Permit The Continuance In The Province Of Carino Company Limited". (Bill No. 85).

Motion, that the Committee report having passed the bill without amendment, carried.

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

MR. SPEAKER:

The hon. the Chairman of Committees.

MR. AYLWARD:

Mr. Speaker, the Committee of the Whole has met and has directed me to report the passing of Bills Nos. 7 and 44 with amendment, and Bills Nos. 9, 25, 22, 21, 36, 65, 62, 75, 79, 83, 84, 80 and 85 and ask leave to sit again.

On motion, report received and adopted.

A Bill, "An Act To Amend The Memorial University (Pensions) Act". (Bill No. 7).

On motion, amendments read a first and second time, bill ordered read a third time, presently, by leave.

A bill, "An Act To Amend The Automobile Insurance Act". (Bill No. 44).

On motion, amendments read a first and second time, bill ordered read a third time, presently, by leave.

On motion, the following bills were read a third time, ordered passed and their titles be as on the Order Paper:

A bill, "An Act To Amend The Conflict Of Interest Act, 1973". (Bill No. 15).

A bill, "An Act To Amend The Public Utilities Act". (Bill No. 59).

A bill, "An Act To Amend The Development Areas (Lands) Act". (Bill No. 11).

A bill, "An Act To Amend The Urban And Rural Planning Act". (Bill No. 42).

A bill, "An Act To Amend The Provincial Court Act, 1974". (Bill No. 19).

A bill, "An Act To Amend The Law Society Act, 1977". (Bill No. 41).

A bill, "An Act To Amend The Jury Act". (Bill No. 34).

A bill, "An Act To Amend The Parliamentary Commissioner (Ombudsman) Act". (Bill No.39).

A bill, "An Act To Amend The Automobile Insurance Act And The Highway Traffic Act To Increase The Minimum Liability Under Motor Vehicle Liability Policies". (Bill No. 40).

A bill, "An Act To Amend The Judicature Act". (Bill No. 60).

A bill, "An Act To Amend The Contributory Negligence Act, The Married Women's Property Act And The Automobile Insurance Act". (Bill No. 17).

A bill, "An Act To Amend The Conveyancing Act". (Bill No. 16).

A bill, "An Act To Amend The Prisons Act". (Bill No. 14).

A bill, "An Act To Amend The United Church Of Canada Act". (Bill No. 3).

A bill, "An Act To Amend The Wild Life Act". (Bill No. 4).

A bill, "An Act To Amend The Gander Development Corporation Act, 1975". (Bill No. 5).

A bill, "An Act To Amend The Department Of Labour And Manpower Act". (Bill No. 20).

A bill, "An Act To Amend The Livestock (Community Sales) Act". (Bill No. 30).

A bill, "An Act To Repeal The Fur Farms Act". (Bill No. 31).

A bill, "An Act To Amend The Newfoundland Geographical Names Board Act, 1974". (Bill No. 12).

A bill, "An Act To Amend The Bay St. George Community College Act". (Bill No. 8).

A bill, "An Act To Repeal The Newfoundland Fisheries Development Authority Act". (Bill.No.10).

A bill, "An Act To Promote Public Safety In The Transportation Of Dangerous Goods". (Bill.No.61).

A bill, "An Act To Amend The Wild Life Act (No. 2)". (Bill No. 70).

A bill, "An Act To Amend The Deferred Pensions Act". (Bill No. 33).

A bill, "An Act To Amend The Pension (Auditor General) Act, 1968". (Bill No. 58).

A bill, "An Act Respecting Pensions For The Members Of The Royal Newfoundland Constabulary And The St. John's Fire Department And The Staff Of Her Majesty's Penitentiary". (Bill No. 66).

A bill, "An Act To Amend The Grand Falls Hospital (Management) Act, 1961". (Bill No. 13).

A bill, "An Act To Amend The Cancer Treatment And Research Foundation Act, 1971". (Bill No. 6).

A bill, "An Act To Repeal The St. John's Memorial Stadium Act, 1974". (Bill No. 35).

A bill, "An Act To Amend The Newfoundland Industrial Development Corporation Act". (Bill No. 18).

A bill, "An Act To Amend The Department Of Finance Act". (Bill No. 9).

A bill, "An Act To Amend The Municipalities Act". (Bill No. 25).

A bill, "An Act To Amend The Memorial University (Pensions) Act". (Bill No. 7).

A bill, "An Act To Amend The Mineral Act, 1976". (Bill No. 22).

A bill, "An Act To Amend The Schedule To The Government - British Newfoundland Corporation Limited - N.M.Rothschild & Sons (Confirmation Of Agreement) Act, 1953". (Bill No. 21).

A bill, "An Act To Amend The Day Care And Homemaker Services Act, 1975". (Bill No. 36).

A bill, "An Act To Amend The Automobile Insurance Act". (Bill No. 44).

A bill, "An Act To Amend The Department Of Transportation Act". (Bill No. 65).

A bill, "An Act To Amend The Public Libraries Act, 1975". (Bill No. 62).

A bill, "An Act To Amend The Companies Act". (Bill No. 75).

A bill, "An Act To Amend The Insurance Companies Tax Act". (Bill No. 79).

A bill, "An Act To Amend The Retail Sales Tax Act, 1978 (No. 2)". (Bill No. 83).

A bill, "An Act To Amend The Tobacco Tax Act, 1978 (No. 3)". (Bill No. 84).

A bill, "An Act To Revise The Law Respecting Innkeepers". (Bill No. 80).

A bill, "An Act To Permit The Continuance In The Province Of Carino Company Limited". (Bill No. 85).

MR. MARSHALL: Mr. Speaker, I understand His Honour the Administrator is here, but I just wonder whether the staff might require a moment or two to get the bills together before we are ready?

MR. SPEAKER (Russell): Could we recess for a few minutes?

MR. MARSHALL: No, I think we are okay. We are okay.

SERGEANT-AT-ARMS: Mr. Speaker, His Honour the Administrator has arrived.

MR. SPEAKER: Admit His Honour the Administrator. It is my agreeable duty on behalf of Her Majesty's dutiful and loyal subjects, Her Faithful Commons in Newfoundland, to present to Your Honour a bill for the appropriation of Supply granted in the present Session.

A bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending The Thirty-First Day Of March One Thousand Nine Hundred And Eighty-Two And For Other Purposes Relating To The Public Service". (Bill No. 63).

HON. A.S. MIFFLIN (Administrator): In Her Majesty's Name, I thank Her Loyal Subjects, I accept their benevolence, and Assent to this Bill.

MR. SPEAKER(Russell): May it please Your Honour, the General Assembly of the Province has at its present Session passed certain Bills, to which, in the name and on behalf of the General Assembly, I respectfully request Your Honour's Assent.

A bill, "An Act To Amend The Loan And Guarantee Act, 1957". (Bill No. 67).

A bill, "An Act To Amend The Local Authority Guarantee Act, 1957". (Bill No. 68).

A bill, "An Act To Amend The Tobacco Tax Act, 1978 (No. 2)". (Bill No. 72).

A bill, "An Act To Amend The Retail Sales Tax Act, 1978". (Bill No.73).

A bill, "An Act To Amend The Insurance Premiums Tax Act, 1978". (Bill No. 74).

A bill, "An Act To Amend The Conflict Of Interest Act, 1973". (Bill No. 15).

A bill, "An Act To Amend The Public Utilities Act". (Bill No. 59).

A bill, "An Act To Amend The Urban And Rural Planning Act". (Bill No. 42).

A bill, "An Act To Amend The Provincial Court Act, 1974". (Bill No. 19).

A bill, "An Act To Amend The Law Society Act, 1977". (Bill No. 41).

A bill, "An Act To Amend The Jury Act". (Bill No. 34).

A bill, "An Act To Amend The Parliamentary Commissioner(Ombudsman) Act". (Bill No.39).

A bill, "An Act To Amend The Automobile Insurance Act And The Highway Traffic Act To Increase The Minimum Liability Under Motor Vehicle Liability Policies". (Bill No. 40).

A bill, "An Act To Amend The Judicature Act". (Bill No. 60).

A bill, "An Act To Amend The Contributory Negligence Act, The Married Women's Property Act And The Automobile Insurance Act". (Bill No. 17).

A bill, "An Act To Amend The Conveyancing Act". (Bill No.16).

A bill, "An Act To Amend The Prisons Act". (Bill No. 14).

A bill, "An Act To Amend The United Church Of Canada Act". (Bill No. 3).

A bill, "An Act To Amend The Wild Life Act". (Bill No.4).

A bill, "An Act To Amend The Gander Development Corporation Act, 1975". (Bill No.5).

A bill, "An Act To Amend The Department Of Labour And Manpower Act". (Bill No.20).

A bill, "An Act To Amend The Livestock (Community Sales) Act". (Bill No. 30).

A bill, "An Act To Repeal The Fur Farms Act". (Bill No. 31).

A bill, "An Act To Amend The Newfoundland Geographical Names Board Act, 1974". (Bill No. 12).

A bill, "An Act To Amend The Bay St. George Community College Act". (Bill No. 10).

A bill, "An Act To Repeal The Newfoundland Fisheries Development Authority Act". (Bill No. 10).

A bill, "An Act To Promote Public Safety In The Transportation Of Dangerous Goods". (Bill No. 61).

A bill, "An Act To Amend The Wild Life Act (No. 2)". (Bill No. 70).

A bill, "An Act To Amend The Deferred Pensions Act". (Bill No. 33).

A bill, "An Act To Amend The Pension (Auditor General) Act, 1968:. (Bill No. 58).

A bill, "An Act Respecting Pensions For The Members Of The Royal Newfoundland Constabulary And The St. John's Fire Department And The Staff Of Her Majesty's Penitentiary". (Bill No. 66).

A bill, "An Act To Amend The Grand Falls Hospital (Management) Act, 1961". (Bill No.13).

A bill, "An Act To Amend The Cancer Treatment And Research Foundation Act, 1971". (Bill No.6).

A bill, "An Act To Repeal The St. John's Memorial Stadium Act, 1974". (Bill No. 35).

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A bill, "An Act To Amend The Tobacco Tax Act, 1978 (No. 3)". (Bill No. 84).

A bill, "An Act To Revise The Law Respecting Innkeepers". (Bill No. 80).

A bill, "An Act To Permit The Continuance In The Province Of Carino Company Limited". (Bill No. 85).

A bill, "An Act To Amend The Conflict Of Interest Act, 1973". (Bill No. 15).

HON. A.S.MIFFLIN(Administrator): In Her Majesty's Name, I Assent to these Bills.

HON. A.S.MIFFLIN(Administrator): May I take this opportunity to wish you all a Merry Christmas and a happy and, I hope, a prosperous New Year.

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

MR. MARSHALL: Mr. Speaker, before moving the adjournment of the House I would like to enlarge upon the remarks made by His Honour and wish all members of the House, particularly members of the staff, and the members of the press, all the best for Christmas and the New Year.

Mr. Speaker, before moving the adjournment I will just explain that we will be moving the adjournment of the House until February 10, 1983. That will enable, Mr. Speaker, the House to be recalled if it is necessary and the House will reconvene shortly thereafter. On February 10, 1983, it is planned that the House will prorogue. That being so, Mr. Speaker, I move that this House adjourn, and when the House adjourns today it will stand adjourned until Thursday, November 10, 1983, at three of the clock provided always that if it appears to the satisfaction of Mr. Speaker or, in the case of his absence from the Province, the Chairman of Committees, after consultation with Her Majesty's Government that the House should meet at an earlier time than the adjournment, the Speaker or in his absence, the Chairman of Committees may give notice that he is so satisfied and thereupon the House shall meet at the time stated by such notice and shall transact its business as if it had been duly adjourned to that time.

MR. DINN: February 10th. instead of November though.

MR. MARSHALL: What?

MR. DINN: It is February 10th. You said November.

MR. MARSHALL: I am sorry. Mr. Speaker, I understand I said November; obviously I meant February 10th. 1983.

MR. NEARY: Mr. Speaker, I am aware that that is not a debatable motion that the hon. gentleman made, but I have to say that I think it is disgraceful. I was hoping that under the circumstances the hon. gentleman would have announced that the House would be dissolved, that they would go down to the Lieutenant-Governor, turn in their resignations and we would have a provincial general election.

But anyway, Mr. Speaker, I want to take the opportunity, as did the hon. gentleman, to offer season's greetings to all members of the House, the staff of the House who have worked so hard in this session, the members of the Parliamentary Press Gallery, the commissioners, the Hansard employees and the Editor of Debates, and especially, Mr. Speaker, I want to thank the Legislative Librarian and her staff for the wonderful co-operation, the excellent co-operation that we have been getting in carrying out our research.

MR. NEARY: Our task is difficult enough, Mr. Speaker, there are only eight of us against forty-four, but I must say that we have not only the Legislative Librarian, but we are getting excellent co-operation from all the staff of the House. So I want to thank them sincerely for their assistance and their willing co-operation. And, Mr. Speaker, we will be looking forward to the new session of the House. Unfortunately, it is not earlier. We have thought all along that the House should have carried on until Christmas Eve and that the session should open earlier than February 10th. We think this is disgraceful.

But anyway, Mr. Speaker, this is the last opportunity that we will have to offer season's greetings to hon. gentlemen. And as the Administrator said before he left Your Honour's seat, that he wanted to wish everybody a Merry Christmas, and then he added, 'and a happy and a prosperous New Year, I hope'. Well, I would like to echo these sentiments, Mr. Speaker.

MR. SPEAKER (Russell): Whatever important papers or documents you have, please take them with you, or move them, because the House will be cleaned sometime next week.

On motion, the House at its rising adjourned until tomorrow, Thursday, February 10, 1983 at 3:00 p.m.