

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
10:00 a.m. - 1:00 p.m.  
FRIDAY, NOVEMBER 12, 1982

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Russell): Order, please!

ORAL QUESTIONS

MR. HODDER: Mr. Speaker.

MR. SPEAKER: The hon. the member for  
Port au Port.

MR. HODDER: Mr. Speaker, I have a question  
for the Minister of Finance (Dr. Collins).

The House of Assembly has been open for a week now, we are facing a financial crisis in the Province and yet we have not had a financial statement. There has been no statement on the economy, no statement on what the government will be doing to recoup the \$70 million short fall. I would ask the Minister of Finance what he intends to do, whether he intends to increase taxes, to cut services or to lay people off or what, just what he intends to do in this Province? Will he tell this House of Assembly and will he tell the people of the Province exactly what the crisis is and what we can expect from the government?

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

DR. COLLINS: Mr. Speaker, I am glad the hon.  
member opposite is taking the matter very seriously;  
I know we are. I know he is taking it seriously because  
I heard his voice tremble as he asked the question.

SOME HON. MEMBERS: Hear, hear!

DR. COLLINS: So we are pleased that he is  
taking that as seriously as we are. It is a very serious  
matter. I might say that we regard it as so serious that  
we wanted to get the message out at the earliest possible

DR. COLLINS: moment. I am sure most hon. members will remember that the Premier and myself and the Deputy Minister of Finance (Mr. Norris) laid out the nature of the problem, the dimensions of the problem and indicated that we were going to do something about it at the earliest possible moment. We laid that all out through the press so that the hon. members of this House could know it at the earliest possible moment. The House was not in session at the time. We were most anxious to get the message out to the people of this Province and to the hon. members opposite, and, of course, obviously to our own people on this side of the House, and we did that. And then subsequent to that, the hon. the Premier indicated at the earliest possible moment that we had everything in place, we had the final figures in place, the Cabinet reached conclusive decisions on the matter, that we would come into this House with as detailed a statement as we could manage and that we would do that in the early days of this coming week. That commitment still stands and I will be, hopefully, perhaps a bit later this morning, but in the very near future anyway, I will be able to indicate to the House the exact timing of the statement.

MR. HODDER: A supplementary, Mr. Speaker.

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

MR. HODDER: Mr. Speaker, the minister has told us nothing. He has told the people of this Province nothing. This crisis is being handled in a political way, the same way this government handles everything else. They are playing politics. We have received no

MR. J. HODDER: answers but yet the people of this Province and the people in the public service and the people in the hospitals of this Province are waiting for the axe to fall and trying to figure out who is going to lose their jobs and who is not. Mr. Speaker, I would ask the minister why it is that this crisis was not anticipated in the budget on May 27th? Nothing has changed the economy of this Province.

MR. S. NEARY: Right on.

PREMIER PECKFORD: Ha, ha, ha!

MR. NEARY: Oh, very funny!

MR. HODDER: Mr. Speaker, the Premier can laugh, but on May 27th we had the same crisis in the fishery, we had the same economic outlook as we have now. The Premier can laugh all he wants but this, Mr. Speaker, is something that has happened in no other Province in Canada. This is a first.

SOME HON. MEMBERS: Oh, oh!

MR. J. MORGAN: You do not even know what is going on in this country.

MR. NEARY: We are talking about the way this administration is handling it.

MR. HODDER: Would the minister stand up and explain to me what has happened since May 27th in this Province which would cause a \$60 million short fall?

DR. J. COLLINS: Mr. Speaker.

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

DR. COLLINS: Mr. Speaker, I think I caught what the hon. member has said, that nothing has changed since May 27th when the budget came down. Now that, of course, is not totally accurate. I think if the hon. member will recall when the last federal budget came down they were projecting a Gross National Product growth of something like 2.2 per cent and that budget was only sometime last June. Mr. LaLonde

DR. J. COLLINS:                   made a statement in the House of Commons a little while ago where he said that the Gross National Product now is expected to decline by 4.4 per cent. So, between June and just the other day there has been a switch around of 6.6 per cent in the Gross National Product. Now if that is not a change I do not know what is a change.

SOME HON. MEMBERS:               Hear, hear!

DR. COLLINS:                   Mr. Speaker, we are obviously part of the Canadian economy and what happens to the Canadian economy very, very clearly has an impact here. When the budget came down we projected that our Gross National Product would likely be about even with the previous year,



MR. NEARY: No, the hon. gentleman does not understand.

DR. COLLINS: Because I already answered that question. I said that in the Budget that was brought down in May we projected we would be the same as last year, there will be no plus, no minus. I have already stated that in other words be level.

MR. NEARY: That is right. Or even better.

DR. COLLINS: And now with the revised figures that are coming forward that there will be, like on the national scene -

MR. NEARY: Forget the national scene, we are talking about this Province.

DR. COLLINS: - which has changed by 6 per cent. Between last June and now -

MR. HODDER: He is getting mad now.

DR. COLLINS: - the national scene has changed by 6.6 per cent in a negative direction. And we, being part of the national scene, are also changing in a negative direction -

MR. NEARY: What will be the Gross Provincial Product?

DR. COLLINS: - so we now are down. I do not have the precise figure here, but it is about minus 2.5 per cent, something of that order, whereas the national scene will be down by minus 4.4 per cent.

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

MR. NEARY: Now, Mr. Speaker, my colleague asked the hon. minister, where he was going to get this money to make up the \$60 million or \$70 million deficit. We are not





MR. NEARY: an emergency meeting on a Sunday. Surely they must have outlined a plan, a strategy, of where they were going to recoup this \$70 million. Is it going to be mainly through increases in taxes and fees, cutting of services, or a combination of all the three things that I just mentioned? I would like for the hon. gentleman to give us a straight answer.

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

DR. COLLINS: Mr. Speaker, as the Leader of the Opposition (Mr. Neary) has noted, we have been going through an exercise for the past several weeks to get a good handle on where the problem comes from, what is the nature of the problem, of the size of it and what we can do about it; because we have to make a decision whether this is something that is urgent or something that we can wait until the next fiscal year to take care of or otherwise. We have been going through that exercise. And, as I mentioned a few minutes ago, we will have completed that task very, very shortly now and we will make a detailed statement in the House early next week.

MR. NEARY: Supplementary, Mr. Speaker.

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

MR. NEARY: Mr. Speaker, let me ask the minister a question if we have to be more specific to try to pry answers out of the minister. Obviously he is reluctant to give up any information. Here we are a week, as my colleague indicated, into this House and no information yet to the public of this Province, to the taxpayers of this Province, of where the axe is going to fall. We have a weekend coming up, Can hon. members realize how anxious families of civil servants and hospital workers are out there? And the minister should allay any fears in their minds about whether or not they are going to lose their jobs and to try to

MR. NEARY: bring about, to restore a good investor climate in this Province and to restore confidence in the bond market. The hon. gentleman should have made a statement before this week was over.

Now, Mr. Speaker, let me be a little more specific. The hon. Minister of Social Services (Mr. Hickey) announced thirteen policy changes in his department. And then he got caught by a lady who interviewed him over at CBC, he got caught after he did not tell the truth -

MR. SPEAKER (Russell): Order, please!

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

The Chair has allowed considerable leeway to the hon. Leader of the Opposition and I would request him to get on with his question.

MR. NEARY: Mr. Speaker, I have to give a bit of a preamble because the hon. gentleman, after he said that he had not made these policy changes, he got caught when the lady produced a document showing that the policy changes were made.

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

MR. SPEAKER: A point of order, the hon. Minister of Social Services.

MR. HICKEY: I am not going to sit and listen to the hon. gentleman getting on with his usual trickery and tactics that he has been known for for

MR. HICKEY: so many years of getting up and making spurious statements, innuendoes, all kinds of things, courting the truth, as he is so familiar with and so used to doing, I am not going to tolerate it. The hon. gentleman knows full well there was an apology by that media, an apology by CBC, an unconditional apology where that lady, and the gentleman who cuts the film over there, cut out the truth that I had spoken. Now take it back.

SOME HON. MEMBERS: Hear, hear!

MR. HICKEY: And by the way, Mr. Speaker, I have a bit of information on the hon. gentleman that I will give him. He just dug a hole for himself again.

MR. SPEAKER (Russell): Order, please! It really is a difference of opinion between two hon. members.

The hon. Leader of the Opposition.

MR. NEARY: Mr. Speaker, my question was not to the Minister of Social Services (Mr. Hickey), I would not lower myself by asking him a question. I am dealing with the Minister of Finance (Dr. J. Collins). Now the Minister of Social Services announced that there would be thirteen policy changes and then later he changed his mind and said it was only for one month. But in the same breath he said there was going to be a deficit of \$6 million in the Department of Social Services in the current fiscal year. Now would the hon. Minister of Finance tell us if he is going to recoup any of the \$70 million from the Minister of Social Services, from the Department of Social Services? Could the hon. gentleman tell us if any of the money that will have to go towards paying off the \$70 million deficit, if any of that money will come from the Department of Social Services?

MR. SPEAKER: The hon. Minister of Finance.

DR. COLLINS: Mr. Speaker, all departments of government have been fully informed about the nature of the problem and they have generally been informed of the measures we would like to take. The Department of Social Services is just as informed as the other departments. I am sure that they will co-operate to the extent they can, as all departments are co-operating, and when all the information is compiled and gathered together and put into a statement I will be presenting it to the House. If the hon. Leader of the Opposition wishes to ask that question of the hon. Minister of Social Services (Mr. Hickey), and if he wishes to give more specific information at this time that is up to him.

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

MR. NEARY: Mr. Speaker, could the hon. Minister of Finance tell the House what services the Department of Social Services would have to cut in order to help the minister recoup his \$70 million?

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: On a point of order, Mr. Speaker. Look, I refer you to Beauchesne, page 129, Paragraph 357, subparagraph (c) which says, "A question oral or written must not multiply, with slight variations, a similar question on the same point." Now I realize that the scope of the hon. gentlemen there opposite is very limited. There are many areas of government where they could ask questions, but

MR. MARSHALL: they spent most of the Question Period on this subject, which they are entitled to do. But, Mr. Speaker, what the hon. gentleman is doing, the hon. Minister of Finance (Dr. Collins) has given responses to these questions indicating that he is going to bring in a statement next Tuesday and has dealt with all of these questions which are exactly in the same vein as the one that the hon. gentleman is asking now. He is out of order and I would draw that to Your Honour's attention.

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

MR. HODDER: To that point of order, Mr. Speaker. The House Leader, opposite is misinterpreting what happened. As it happens the last answer by the Minister of Finance said that the government had informed specific departments of the measure which they would take. A few minutes ago, Mr. Speaker, the minister informed us that really they were studying the situation, But that last answer told us something new over here, that they had indeed given instructions to the various departments. So, Mr. Speaker, any questions along that particular line or any line of questioning along that line is certainly in order from this point on.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Further to that,

Mr. Speaker, the fact that the government is going to bring down a statement sometime in the foreseeable future does not bar the Opposition from asking questions about this very serious situation that we have in this Province regarding the economy and the financial mess that they have gotten us into. It is our right and our duty, Mr. Speaker, to try to get information for the people as quickly as possible on this matter. The hon. gentleman

MR. NEARY: is wrong when he says because they are going to bring down a statement sometime next week or the week after that we should not ask questions about this very urgent matter, Mr. Speaker, and we intend to do it.

It may hurt the administration to have to answer the questions, but the hon. gentleman is not going to put a muzzle on the Opposition because they are going to make a statement sometime in the future.

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: Mr. Speaker, I just say the hon. gentleman is just distorting things. Nobody is saying that the hon. gentleman is precluded from asking questions with respect to the financial position of this Province. That is not the issue. The issue is the manner and mode of the conduct of the Question Period and it is set down there in the rules that are complied with by all the parliamentary jurisdictions that you cannot multiply with slight variations a similar question already asked. All I am doing is pointing out to the Chair that this is what has happened. This can occur with important questions as well as with unimportant questions.

MR. SPEAKER: Order, please! The point of order, I think, raised was that according to Beauchesne the same question should not be repeated with slight variance. I must admit that it does appear to the Chair that the questions being asked by the hon. Leader of the Opposition (Mr. Neary) are a little bit repetitive, but I am certainly not going to stifle the Opposition from asking questions.

MR. NEARY: Thank you, Mr. Speaker.

Mr. Speaker, the hon. gentleman

November 12, 1982

Tape No. 2203

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MR. NEARY:

in answering my previous

questions told us that all departments have been instructed

MR. NEARY:

to cut back. Now, as a result of that answer, I am asking the hon. gentleman what services will be cut in the Department of Social Services to give the hon. gentleman the contribution from that department that he needs to try to recoup the \$70 million deficit?

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

DR. COLLINS: Mr. Speaker, I did not indicate that there would be any cuts in the Department of Social Services, or any department for that matter. I indicated that approaches have been made to departments to lay out the nature of the problem in general terms how we would like to see the problem resolved.

Now, I am not trying to be difficult in any way. I do not want to give this House information which is incomplete. I only want to give the House information when final decisions have been made and that information will be forthcoming at the earliest possible moment. If I gave information now based on, shall we say, incomplete data, it would not be a service to this House, but as soon as the data is totally confirmed, put into proper shape and the House therefore can be given absolutely accurate information, it will be forthcoming without any hesitation. Again, I say, if the hon. the Leader of the Opposition (Mr. Neary) wishes to ask specific questions in terms of Social Services, I am not going to answer them but if the hon. the Minister of Social Services (Mr. Hickey) wishes to answer any specific questions, well, that would be up to him.

MR. NEARY: A supplementary, Mr. Speaker.

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

MR. NEARY: Mr. Speaker, would the hon.



MR. NEARY: gentleman tell us, then, when he issued instructions to the ministers and to various government departments, did he put a price tag on his instructions? Did he tell each minister how much he had to contribute towards this mismanagement and the mess that the minister has gotten this Province into? Did the minister put a price tag on it or did he just leave it up to the individual ministers to slash and cut and lay off and cut services and then come back and get a medal from the Premier for being able to contribute so much to the mismanagement, the \$70 million deficit that the hon. gentleman announced ten days ago? Was there a price tag on it? What instructions did he issue? Did he just say, 'Go out and cut and slash and do the best you can to try to bring us back \$10 million or \$15 million or \$20 million?' What were the instructions?

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

DR. COLLINS: Mr. Speaker, I would totally reject the word 'mess' in terms of our economic and financial situation.

MR. NEARY: It never happened before, it is a first for Newfoundland.

DR. COLLINS: Mr. Speaker, the problem that we are facing is one of a very general nature right across the country. It was related to decreased revenues, by and large. The revenues that come in to this government are related to the economy, and our

DR. J. COLLINS:

economy is part of the national economy. So our revenue difficulty flows from the poor state of the Canadian economy essentially. We in this small Province, 2.4 per cent of the population of Canada, cannot do very much about the national economy. That is what we have a national government for. And if there is a mess in this country it is because the national government has allowed the Canadian economy to slip to the state it is.

SOME HON. MEMBERS: Hear, hear!

MR. S. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, what a cowardly statement for the Minister of Finance (Dr. J. Collins) to make. I took his budget this morning and read it again, a budget that was brought down in this House only six months ago. When I accused the government of cooking the books at that time, of manipulating the figures -

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

MR. SPEAKER: Order, please!

The hon. the President of the Council.

MR. MARSHALL: The hon. gentleman is asking supplementary questions and the hon. gentleman is not allowed to be making a speech in Question Period anyway, but even more so when supplementary questions being asked.

MR. SPEAKER: Order, please!

As all hon. members know, it is at the discretion of the Chair to allow a certain number of supplementary questions and I think that the Chair has been more than generous with that and I would ask the hon. the Leader of the Opposition (Mr. S. Neary) if he has a supplementary question to be very specific with it and maybe save some

MR. SPEAKER (Russell): time in the Question Period.

MR. S. NEARY: In my preamble, Mr. Speaker, I was talking about the budget the hon. minister brought down only six months ago, and he could not even forecast six months ahead of what was going to happen.

MR. SPEAKER: Order, please! Order, please!  
I ask the Leader of the Opposition (Mr. S. Neary) to direct his question immediately.

MR. NEARY: Yes, Sir. In that budget, Mr. Speaker, the hon. gentleman said that the government rejected closing 400 hospital beds in this Province. Now, would the hon. gentleman tell us if the -

MR. H. BARRETT: You are questioning the ruling of the Chair.

MR. J. CARTER: Name him! Fire him out.

MR. NEARY: No, the hon. gentleman said in his budget they were thinking about closing 400 hospital beds. They rejected it. Are they considering that matter now in order to recoup some of the money? Are they now considering closing these 400 hospital beds that they rejected in the budget that the hon. gentleman brought down six months ago?

DR. J. COLLINS: Mr. Speaker.

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

DR. COLLINS: Mr. Speaker, the hon. the Leader of the Opposition says that this government made foolish projections and so on. I would like to give the hon. member of an example of a projection: When we brought in the budget in May, we got projections from the federal government on corporate income tax revenues in this Province and we were told from the federal government - and this is the only source of information that we have available to us in this regard - we were told we would get \$54 million in corporate income tax in this coming year, in this 1982-83 fiscal year. We were told recently we would get \$34 million, a 40 per cent difference.

DR. COLLINS: Now if the hon. Leader of the Opposition (Mr. Neary) is criticizing projections, let him put the criticism where it is deserved. We have a 40 per cent variance in the projection from the federal government on corporate income tax. We have nothing to do with those figures ourselves. We have no data available to us on which to make them, they come totally from the federal source. So if the hon. member is talking about projections let him bear those facts in mind.

In terms of any effects that this budgetary problem will have on the health system, the hon. member will know that as soon as we have all of the information together and we present it in this House next week.

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

MR. CALLAN: Mr. Speaker, I had a question for one of the minister's there opposite, but the minister there opposite is not there, so in the absence of the Minister of Transportation (Mr. Dawe) let me ask the age old question, 'Is there a doctor in the House?' because the economy is in a very sick state of affairs? So let me ask the doctor, then, the Minister of Finance, in the Department of Transportation it is a fact now that the people commonly referred to as timekeepers - perhaps they are referred to by other names, but, anyway, in the district of Bellevue there are three of these depots and timekeepers there. Now as I understand it each of these timekeepers will be asked to work one hour less per day. That will mean approximately a \$240 a month cut on their paycheques.

Now considering the fact that these timekeepers are already the lowest paid in these depots across the Province, let me ask the Minister of Finance (Dr. Collins) is this going to be the way that the government and the Minister of Finance hopes to recoup some of their losses

MR. CALLAN:

by taking it out on the backs of the lowest paid people in the employ of the government?

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

DR. COLLINS: Mr. Speaker, I am sure the hon. member does not expect me to have, you know, the details available to me. I am sure the hon. Minister of Transportation (Mr. Dawe) does have those details available to him. But I am sure he cannot expect me to have the details in regard to timekeepers in the district of Bellevue.

All I can say is that I am sure that the Department of Transportation, as are all departments, is looking to get the biggest bang out of buck that they are expending. In times of restraint and difficult times all departments have, perhaps, to review their expenditures a bit more closely, to try to improve the cost benefit that they get from expenditures and I have no doubt in this regard that the Department of Transportation is doing everything it can to save money, but at the same time try to do it in the least disruptive way possible.

MR. CALLAN: Supplementary, Mr. Speaker.

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

MR. CALLAN: Mr. Speaker, let me ask the Premier then. Following the election last Spring the Department of Transportation and Communications was divided into two separate departments. Let me ask the Premier, in view of the fact that this one job could be easily done by one minister all along, does the Premier intend to save some taxpayers' dollars by, number one, getting rid of these secretaries to Cabinet Ministers at exorbitant salaries, and does the Premier also intend to put back the Department of Transportation and Communications as one

MR. CALLAN: department as it should be anyway?

MR. SPEAKER (Russell): The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, all expenditures are being looked at. The expenditure for the Opposition office is being looked at, the expenditures for the ministers' offices are being looked at. You know, the telephone bill that is run up by all politicians on both sides of the House is very, very high, the mailings and all the rest of it is all being looked at. But I think it is important to note here since the hon. member for Bellevue (Mr. Callan) talks about the Department of Transportation and Communications and how the Department of Transportations and Communications was split into two departments, that is not a valid statement, as the hon. member, I am sure, knows. The Department of

PREMIER PECKFORD: Transportation and Communications was changed. Now there is a Department of Transportation and there is a minister responsible for Communications. The reason why there is a minister responsible for Communications - and the minister responsible for Communications does not have a very large staff or anything, he works out of the Intergovernmental Affairs Division of Executive Council. There is not a whole elaborate department established - but the very reason for a minister responsible for Communications will be seen, after this Question Period is over, when the hon. the minister introduces a very major piece of legislation into this House. That is the whole reason for it because there are new initiatives that have to be taken by this Province in the Communications field and we would be very, very remiss in our duties if we did not exercise that. And that was the reason for having a minister responsible for Communications, a very, very important policy area for this Province as we move into these new communication areas which are happening now all over Canada.

So, Mr. Speaker, yes, the government is looking at all expenditure items and seeing where it can realistically restrain and cut, and that goes for all ministers and all departments and all monies which are spent out of the public trough. But in the case of the minister responsible for Communications, there is not a very elaborate department or anything established. It is very, very small, but we need it to have somebody responsible for communications who could pursue with the Intergovernmental Affairs people the necessary legislation which will be introduced in this hon. House today, and which I think is very important for Newfoundland today and tomorrow and into the future. We needed to have that kind of direction and that kind of responsibility put on one person

PREMIER PECKFORD: so that a proper job could be done here, given that the Department of Transportation itself has gotten involved in other areas that it had not been involved in before.

I mean, let us be candid about it, it is only lately that the Department of Transportation has gotten involved in the ferry systems of the Province the way they have. The federal government had all responsibility for all the ferries in the Province up until a few years ago and then suddenly said that they did not want to have this responsibility anymore and they wanted to pass it over to the Province. And after very, very laborious, difficult negotiations, the Province decided to enter into an agreement with the federal government for the take-over of these ferries on condition that the federal government would put capital funds up first for ferry terminals and all the rest. That put an extra burden upon the Department of Transportation. So when we looked at rationalizing the role that the Province should play in communications, and the extra role that it had to play in ferries in the Province, it became obvious that if we were really going to move in a substantial way, policy way in the communications area we should have one person responsible for it so that we could pursue and get this legislation passed in this Legislature. And of course it has proven highly successful because now we do have the Department of Transportation moving ahead in the ferry area, and that was necessary, and we do have government moving, through the minister responsible for Communications, moving ahead in a very aggressive manner with the introduction of new legislation in the communications area.

MR. SPEAKER (Russell): The time for the Question Period has expired.



ORDERS OF THE DAY

MR. MARSHALL: Order 47, Bill No. 59.  
Motion, second reading of a bill,  
"An Act To Amend The Public Utilities Act." (Bill No. 59)

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

SOME HON. MEMBERS: Hear, hear!

MR. DOYLE: Mr. Speaker, it is my privilege  
to rise at this time and begin debate on second reading of  
the bill entitled "An Act To Amend The Public Utilities Act".

The amendments proposed in this  
bill have many beneficial effects both for the people of  
the Province and for the various segments, really, of the  
communications industry in Newfoundland.

There are basically two parts  
to the bill and two distinct amendments affecting communi-  
cations in the Province. While one affects telephones,  
the other the cable industry, they have one thing in common,  
Mr. Speaker: Each will benefit the people of Newfoundland.  
So, with your indulgence, Your Honour, I would like to  
address the two facets, the two parts of the proposed  
amendment, so that hon. members of the House will be aware  
really of what government hopes to achieve with the enact-  
ment of this particular piece of legislation.

Now, I need not remind anybody  
in the House of Assembly that there is a long-standing  
difference of opinion between the Government of Canada and  
the provinces on the whole question of jurisdiction in  
communications. Simply stated, Your Honour, the federal  
government feels that it can exercise jurisdiction over  
all aspects of the cable industry in Canada. The reason,  
actually, why they are saying that they can exercise

MR. DOYLE: jurisdiction over all aspects of the communications industry in Canada is they say that because they regulate and control the broadcast signals that are carried on cable, then, by extension of that, they automatically control and regulate every single thing that a cable operator might want to get involved in.

We and most other provinces in Canada, as a matter of fact all provinces of Canada, recognize federal jurisdiction over broadcasting, I do not think there is any dispute about that; and we also recognize federal jurisdiction over those aspects of cable which involve non-discretionary broadcast services. On the other hand, again the opposite, every single province in Canada claims jurisdiction over non-broadcast, closed circuit services. It is this claim that we are hoping to address, that we have addressed really

MR. DOYLE: in the legislation that we have before us today. This amendment will provide the legislative base and the mechanism, if you will, for Newfoundland to exercise its jurisdiction in the communications field.

Now, as I indicated a few minutes ago the difference that we have with the federal government over jurisdiction in the communications field really is not new. It has been the subject of discussion and debate between the provinces and the federal government for quite sometime now, for a number of years. Incidentally, and aside from that, twice I have had the opportunity and the privilege of representing Newfoundland at the Federal/Provincial Communications Ministers' Conferences which were held last year and again this year. And on both occasions the provinces attempted to discuss the whole question of jurisdiction in communications, and, of course, on both occasions the federal minister responsible for Communications (Mr. Francis Fox) refused to even sit down and discuss the whole matter.

So it is interesting to note really that I suppose we really would not be introducing this legislation today if we had been able to get some measure of co-operation with the federal government in the area of quite possibly of concurrent jurisdiction in the communications field in the closed circuit area, the non-broadcast area of communications.

This government, and the governments of all of the other provinces, have for a number of years now claimed jurisdiction over that part of the cable industry which offers applicants or subscribers what is generally known as discretionary type of services, that is, a service over and above the broadcasting service, a service really for

MR. DOYLE:

which an individual or a subscriber would have to pay a specific fee on demand for the use of that service.

Now we along with the other provinces would far rather, as I said a moment ago, sit down and negotiate by rational discussion and negotiations our jurisdiction in that area. Unfortunately that seems to be an unachievable hope. And facing this reality we have now embarked upon the first step in exercising what we fully and sincerely believe to be our jurisdiction in the communications field.

So that everyone in the hon. House may be made fully aware of what they are being asked to consider, I want to provide really some background information to this particular bill, and what it means and how it came about. Cable television, Mr. Speaker, can perform a whole variety of different roles, really. Its primary function is to take an ordinary broadcasting signal, a transmission which is intended for direct reception by the general public, improve

MR. DOYLE: the quality of that signal and then distribute it by means of a cable or by some other electronic means to its customers, to those people who want to pay for that basic service. In effect they act as a signal receiver, if you will, providing their customer with a high quality feed on both local broadcast stations and stations which are too distant really to be picked up by an ordinary home receiver. Also, as part of that basic package, cable systems offer another list of things as well-or they can and possibly they will in the not too distant future. These are called what we term non-discretionary services - discretionary services, I should say. But also along with the non-discretionary group of services would be such things as news and debates from the Parliament of Canada, weather and sports information, educational programming and even just recently as a matter of fact, I have learned from the cable operators in a cross-province serves of meetings just recently that they are even going to put FM broadcasting on the cable operators service as well. All of this is provided to the customer without exception for a basic user fee and today that is the cable operator's primary role. In addition, however, a cable system can offer a whole range of other services. The number really is only limited to the technical capacity of the equipment that they happen to be using and these are called closed-circuit services which are addressed by the legislation, as I said, which we have before us today. It might be helpful, I suppose, in introducing this particular bill to define exactly what we mean by closed-circuit services. We define them as those which are not available or intended for reception by the general public but are offered over and above the basic package that the cable operator is involved in, or offered on a fee for

November 12, 1982

Tape No. 2211

ah-2

MR. DOYLE: service basis. The most widely known of these services that are being offered today, and one of course which is causing the most controversy is pay television. Pay television, as we are all aware,

MR. DOYLE: is about to be introduced in Newfoundland and when it is operational a cable applicant will pay a basic fee per month to have cable come into his home. For that fee the cable operator will provide not only the cable but he will also provide a basic broadcast service as well, and that could involve such things as CBC, NTV, ABC, NBC, all of these are broadcasting signals over which this Province is not saying that we are exercising any jurisdiction at all. That is broadcasting and it is clearly within the jurisdiction and the ambit of the federal government. But everyone who subscribes to the cable system will get that basic package of services. But on top of that the applicant will be able to apply also for a pay television channel or a pay television package that the cable operator will offer. Some will go for more than one, and some will go for possibly two and some, of course, will go for none. Each applicant will decide what he wants beyond the basic service and he will order that additional service from the cable operator for an additional specific fee. These are not, as I said before - and we do not want to create any confusion here at all - these are not broadcasting services. They are not intended for direct reception by the general public, they are available only with the payment of a specific fee. They are non-broadcast and they do not fall within the jurisdiction of the federal government.

Pay television, however, while it may be one of the more popular closed circuit services which the industry will be offering at some point in the not too distant future, while it may be the most important one and one which people will get most involved in, however it is not the only one that a cable operator can get involved in and offer to the general public. As the technology becomes available the list will become much more sophisticated, but even in parts of the country right now a cable operator can

MR. DOYLE: get involved in such things as burglar and fire warning systems that he can carry upon his cable system. He could also carry opinion polls using two way interactive systems. He can also get involved in energy usage, which is something that is very interesting and something that might be addressed by the cable operator in the future in which the cable system could be actually used to record the amount of energy that you are using in your home instead of the present system that is being used. It could also get involved in video games and teleshopping, information retrieve services and computer services as well. The potential is almost endless and this is why we are introducing this particular



MR. DOYLE:

piece of legislation. Why is the government, Mr. Speaker, seeking to formulize our jurisdiction in this particular area? A lot of people have been saying that quite possibly we want to become involved in the role of big brother and become the watchdog of what people can and cannot watch in our Province. That is not the case. Too much of this, as a matter of fact, is happening in Canada already and too often people have been subjected to Canadian programming simply because it is Canadian programming rather than because it is good. And too often have we had somebody in Ottawa really gratuitously deciding what we can and cannot watch in this country, what is good for us to watch and what is not good for us to watch.

Just recently, as a matter of fact, we heard tell of a new federal broadcast strategy which will increase the amount of Canadian programming that will be available in this country. It will increase the amount of money that will be given to the CBC and it will place tighter controls on what we can and cannot watch here in this country, and we believe that to be a bad thing. Not only that, but it will increase the cost by placing a tax or a fee of approximately 6 per cent on all cable applicants, or all cable subscribers in this country.

So I think that too often really we have been subjected to bureaucratic rules and regulations that are based on the assumption that all Canadians really fall into two culture, you are either of a French culture or you are an English culture, that there is really nothing else that is distinctive about Newfoundlanders or Nova Scotians or Albertans, that we all are simply cast from the one mold. But we are distinctive, Mr. Speaker, and there is a Newfoundland culture and the legislation that we have before us today in the

MR. DOYLE: House, at this time, will help really preserve that distinctiveness, and it will ensure that our citizens receive the services that they want and that they need and that the decision regarding that will be made for Newfoundlanders by Newfoundlanders.

The government believes, Your Honour, that to establish some kind of an intricate system of rules and regulations to reduce programming to a mathematical formula would be wrong and this is what we are hoping to address in this legislation as well. We do not want to limit what our citizens should read by what Canadians write.

MR. N. DOYLE:

If a Canadian book is a good book then people will read it, and if it is a good programme people will watch it as well. If it is the best on the air I guess you would not have any choice but to watch it, but if it is not a good programme nobody should have to watch it simply because it happens to be a Canadian programme. So, this legislation will benefit both the Newfoundland consumer and the cable industry as well. It will allow for an atmosphere that is not bound by artificial rules and regulations and procedures. It will allow for an atmosphere that results in our citizens having access to as broad a range of services as technically possible and economically feasible to provide and it will let Newfoundlanders make their own selections in response to their needs and their desires rather than what somebody else feels that they should have, and it will allow our cable operators also to have the freedom to give their people what they know will be acceptable to them so that they may get a fair return on their investment as well. So, as I said before, this bill has two basic parts to it and that is one part. The other part addressed in the bill that we have before us today is called terminal attachment, that which affects the practice of the Newfoundland Telephone Company who provide telecommunications to the majority of people here in our Province. Years ago the telephone network simply provided a path on which a voice communication could be carried and the only instrument used at that time to interface with the network was simply a telephone. However, when this technology was new, telephone systems were considered to be a very complex and a very complicated thing so as a matter of fact then, as it is today, they are protected by legislation, and Newfoundland was no exception. However, present legislation prevents anyone from attaching any terminal device,

November 12, 1982

Tape No. 2214

MJ - 2

MR. N. DOYLE: if you will, to the telephone switching network unless that device is authorized and ordered by the Newfoundland Telephone Company. It was in this way that the telephone system was really protected. Since that time, however, the development of new and innovative terminal equipment has been introduced in the Province and we feel that need

MR. DOYLE:

must be addressed by the government for the sake of the consumers of the Province. Consequently, there exists today a vast number of devices on the open market that the people can buy, and we feel that there is a certain customer demand in this Province as well, for private ownership. So the proposed legislative amendment that we have today will effectively remove the prohibition of attachment of privately owned terminal equipment to the equipment that the Newfoundland Telephone Company owns.

So it is our intent to really open the way to providing the public with access to a wider range of devices in a competitive atmosphere. Just as regulation is necessary in the provision of telecommunication services, it is necessary also to ensure that the public interest will be protected in the liberalization of terminal attachments and that is why, I suppose, the Public Utilities Board was created. They have the interest of protecting the public in our Province and, of course, they have developed, I suppose, over time, a considerable amount of expertise in examining the merits of questions of this type. So government feels really that this would be the best body to deal with this aspect of telecommunications and to determine to what extent and under what conditions liberalization of terminal attachments should be permitted. That will be left to the Public Utilities Board to decide on. But what this legislation will do, of course, is it will allow the Public Utilities Board the freedom, if you will, to consider these matters.

So, actually, Your Honour, this legislation opens the door to a liberalization of certain restrictions in the communications field. It ensures that in an emerging sector of the field,

MR. DOYLE: decisions governing how technology is to be used in Newfoundland will be made in Newfoundland by Newfoundlanders. And, at this point, of course, that is about all I have to say on this bill and I look forward to submissions from both sides of the House.

SOME HON. MEMBERS: Hear, hear.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, first of all, let me say that if there had to be a vote taken today, if Your Honour had to cast a ballot now after listening to the Minister of Communications (Mr. Doyle) on whether or not communications, television, radio and so forth should remain under federal jurisdiction or under provincial jurisdiction, I am afraid that the argument of my hon. friend who just took his seat would not be very convincing.

MR. NEARY:

I do not think Your Honour would really know how to vote. There are really no convincing arguments as to why the Province should take over the television and radio.

MR. DOYLE:

doing,

That is not what we are

MR. NEARY:

Mr. Speaker, he said in one of his remarks, which seemed to me to be kind of contradictory, that Canadian content is not necessarily a good thing, that people should have the freedom to decide what to watch and when they want to watch it. Yet on the other hand he is talking about preserving our unique Newfoundland culture and way of life. Mr. Speaker, how can he do that if he is advocating on the one hand that people should have freedom to choose exactly what programmes they want to watch and still protect our Newfoundland culture? We cannot protect the Canadian culture now, as the hon. gentleman knows. I believe it is only 30 per cent of Canadians watch Canadian content. It is a big problem. Canadians would prefer to watch American shows. And Canadians would prefer to go down and watch the Super Bowl in person, if they could, rather than to watch Canadian content, especially in the dead of Winter.

Mr. Speaker, I do not understand the timing of this bill, why it is being brought into the House now. Why it is being brought in at a time when the matter is before the court in British Columbia? Why did the minister not wait? And I believe it is before the courts in Quebec, too, because Quebec has been claiming jurisdiction over television and radio for years. It has been an ongoing battle between the Province of Quebec and the federal government as to who should have the jurisdiction. Now there is a case before

MR. NEARY: the British Columbia court, I presume the Appeals Court, the Supreme Court, as to who should have that jurisdiction. Why did the minister not wait until the Supreme Court of Canada had made a ruling rather than get this Province involved now in an unnecessary expense? Because that is where it will end up. If the minister wants to get his jurisdiction, he is going to either have to wait for the Supreme Court ruling or this Province is going to have to take the matter to the Newfoundland Appeals Court and that will involve costly expenses for lawyers, the same as we see now with the Ocean Ranger inquiry, and the silly court cases that we have going on now, matters that have been put before the courts by the Province. The only ones who benefit by all these court cases are the lawyers. It is a real bonanza in this Province right now for lawyers.



MR. NEARY: And that is all this would do, Mr. Speaker. But I presume that the hon. gentleman had to raise this issue now in order to justify his existence. My colleague, the member for Bellevue (Mr. Callan), asked a very interesting question today about why it was necessary in times of restraint and in times when sick people, defenceless people are going to be asked to contribute towards a \$70 million deficit in current account in this Province, while welfare recipients are being asked to provide their share to try to reduce the deficit, while services are being cut and while the government is talking about punishing defenceless people, people who have to make sacrifices now have to decide when they want to get sick, they will not be able to get sick between Christmas and February.

MR. MARSHALL: It has nothing to do with the bill.

MR. NEARY: It has to do with the bill, it has to do with the unnecessary expense of setting up that department.

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

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

MR. MARSHALL: The principle of this bill is for the purpose of exercising jurisdiction with respect to cable television. It has nothing to do with the setting up of a Department of Communications, As a matter of fact there is no department as such, I suppose, set up. But in any event, that is a debate for another clime and another time. The principle of this bill is quite clear and the principle relates to the exercise of jurisdiction over cable television.

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

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

MR. HODDER: The member for LaPoile (Mr. Neary, Mr. Speaker, was merely talking about the department in

MR. HODDER: connection with the bringing forth of this bill, it being the first piece of legislation. And I think it is relevant and that under the rules of this House that we can talk about a department when we are discussing a bill that has been put forward by that department.

MR. MARSHALL: They cannot talk about anything constructive anyway.

MR. NEARY: You are sore.

MR. SPEAKER (Aylward): To that point of order, I would like to remind hon. members that the bill is dealing with the Public Utilities Act and the options that the Province is going to have in cable television in the future. I believe it was a valid point of order and I would rule that the hon. member refer to the principle of the bill in his remarks.

MR. NEARY: I cannot refer to the minister who introduced the bill. Mr. Speaker, you have to be joking, I mean, that ruling, I mean, if I were you I would go -

SOME HON. MEMBERS: Questioning the Speaker!

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

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

MR. MARSHALL: Your Honour makes a ruling in this House and whether any hon. member here or opposite agrees with your ruling is one thing, but the fact of the matter is that the position of the Speaker, whoever sits in the Chair, is to be respected in this House, otherwise we cannot conduct a reasonable debate. Your Honour's

MR. MARSHALL: ruling was quite clear with respect to the matter. Your Honour did not say that you could not talk about the minister, but the line of reasoning that the hon. gentleman was getting on was debating matters pertaining to the setting up of the Department of Transportation, and this is related to an amendment to the Public Utilities Act for the purpose of exercising jurisdiction over cable television.

Now I do not care whether the hon. gentleman, or any hon. gentleman on any side of this House agrees or disagrees with a ruling that Your Honour makes. This Assembly, or any parliament, cannot exist unless there is respect accorded to the Speaker. And the hon. gentleman, who is prone to want to tear down everything that he is associated with, is not going to get the privilege of doing it with this House of Assembly.

MR. SPEAKER (Aylward): To that point of privilege I -

MR. NEARY: Mr. Speaker, if I may speak to that point.

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

MR. NEARY: Mr. Speaker, I realize that we have to accept rulings in this House whether they are correct or incorrect. I happen to think that Your Honour's ruling was wrong. And if I said anything that may reflect on the Chair I withdraw it, Mr. Speaker. We have to accept wrong rulings as well as right rulings. But we have to also remember, Mr. Speaker, that when wrong rulings are made there is a recourse open to us, that we can appeal Your Honour's ruling.

MR. MARSHALL: You are not allowed to criticize it.

MR. NEARY: Well, maybe we are not. But, Mr. Speaker, maybe when Your Honour rules on this matter, whether there is a breach of privilege or not, I think that is what - or the hon. gentleman spoke on a point of privilege, he did not say whether privilege has been breached. But if I cast any reflection on Your Honour, I withdraw. Maybe we will go through the proper channels and move that Your Honour's ruling be appealed.

MR. SPEAKER (Aylward): In making my ruling on the point of order, I did not suggest that the hon. member could not speak of the minister or his department. I just suggested that his remarks be related to the bill in question, as he is speaking in this debate on the principle of the bill.

MR. NEARY: Thank you, Your Honour.

Now, Mr. Speaker, I was arguing the timing of the introduction of the bill and I am claiming that at a time when we have the economy in a terrible mess in this Province, when we have the worst financial mess that we have ever had in our whole political history, that the government's priorities are bringing in bills that can do nothing except start another row with the Government of Canada, start another row with Ottawa. All this bill will accomplish, Mr. Speaker - it will put no bread or butter on the table of Newfoundlanders who are unemployed, Newfoundlanders who cannot afford to buy enough food for themselves and their families. It will do nothing, Mr. Speaker, to help the economy - all it will do is bolster the minister's ego and the government's ego.

I followed very closely what the hon. gentleman said when he was introducing this bill, and I could not find one valid reason why the jurisdiction should be transferred to the Province. Now maybe it should, Mr. Speaker.

MR. NEARY:

Maybe the Government House Leader (Mr. Marshall) can convince me, maybe he can, but I certainly was not convinced by the arguments used by the Minister of Communications (Mr. Doyle). And, so, Mr. Speaker, here we are forced in this House, right at a time when the Province is teetering on the brink of bankruptcy, when the Province may collapse financially - the situation is so serious that any day at all civil servants may go to the bank with their paycheques and the bank may refuse to cash these cheques. Anything could trigger a very serious crisis in this Province at the moment, anything - and what are we doing in this House, Mr. Speaker? What are we doing? We are up debating a bill to pass, transfer to the Province, to the Public Utilities Board, rights that now come under the CRTC. How is that, Mr. Speaker, for priority? How is that for getting your priorities straightened out? No statement on the economy, no debate on the financial mess and the mismanagement and the extravagance and waste of this government, no debate on that but they force us to debate the likes of this.

MR. DOYLE:

It is a very important matter.

MR. NEARY:

Yes, it is very important.

Well then, if it is so important the hon. gentleman who just introduced it should have had his argument laid down, somebody should have written his arguments out for him, because he certainly did not convince me. He should have gotten back the gentleman who is now a spy for Quebec Hydro who used to write speeches for ministers on the other side. He should have got that gentleman back to write his speech, the gentleman who said that he was responsible for changing the administration in

MR. NEARY: Newfoundland, changing the government in Newfoundland, the gentleman who said that he has an in with every minister sitting over there right now and an in with every member on the government side, the spy for Quebec Hydro.

MR. BAIRD: That is not true.

MR. NEARY: They should have gotten him back. Mr. Speaker.

MR. R. BAIRD: Tell us who.

MR. S. NEARY: At the opportune time. I will tell the hon. gentleman who it is.

MR. J. MORGAN: Innuendo. He does not know what he is talking about.

MR. NEARY: Innuendo. Does the hon. gentleman want to come over and read my files? Innuendo all right. And I would like to know, Mr. Speaker - maybe we do need a Minister of Communications to keep an eye on the files - because I would like to know how many records and how many files were taken from ministers' offices and from the Premier's office when that gentleman was on the payroll. So that is what they should have done: If they wanted to convince the Opposition and convince the people of this Province that this was a valid piece of legislation, that there was good argument in favour of transferring jurisdiction to the Province, they should have got back that gentleman who used to write speeches for ministers to try and convince us, because he said he was the best and I have it there in his resumé. I have it in his resumé that he was the only one who could write speeches for the ministers, especially the Minister of Energy, because after all he was a spy for Quebec Hydro.

MR. WM. MARSHALL: He was a spy?

MR. NEARY: No, the hon. gentleman was not but the hon. gentleman was probably close to this gentleman at one time.

MR. MARSHALL: That is nice of you. That is the first nice thing you have had to say about me.

MR. NEARY: I think they should have waited until the court hands down its decision. This is an exercise in futility, Mr. Speaker, and a waste of taxpayer money to have us debating this bill here today when the House has been

MR. S. NEARY: opened now all week and we have not had a chance to talk about the economy or the financial mess that this Administration has gotten us into. Mr. Speaker, why does this government want this jurisdiction? Why? They want it because they want to maintain Newfoundland culture, that is what the hon. gentleman told us a few minutes ago. That was the only justification in his whole argument. I mean, if they wanted it to get additional revenue, why did not the hon. gentleman say so? He made no mention at all of whether or not this is going to mean anything financially to the Province. Will it be a new source of revenue to Newfoundland? Are we going to gain financially by it, Mr. Speaker, in these times of restraint and high inflation?



AN HON. MEMBER:

He is not even going to tell you.

MR. NEARY:

Well, I might consider it but

I would like for the hon. gentleman to show me. Will there be additional revenue and where will it come from? I am as concerned as the hon. gentleman about all the advances in technology. Today, this afternoon, I believe, or this morning, a satellite will be launched from Columbia, a very historic moment in Newfoundland history. The taxpayers of Canada, the people of Canada, will pay the United States, NASA, \$10 million hard cash to put out a satellite that will give us access that we never dreamed of to television and telephone communications.

So, Mr. Speaker, we are all watching with amazement the developments in the field of communications. Things are happening that we never dreamed of years ago.

We are all concerned about privacy as far as these technological changes are concerned, privacy on telephone conversations, privacy on radio and closed-circuit television.

Mr. Speaker, it is amazing, simply amazing what is happening. And I am not sure whether we have kept pace with what is happening in the field of communications and technology. Machines and computers are running our lives today. The big trend now is Intelelevision and Atari, that is the big thing. The hon. gentleman made brief reference to games - I do not know how he put it. Do you remember how he put it?

MR. HODDER:

Video games.

MR. NEARY:

Video games. Now, is that what the Province wants to get control of, whether or not my little young fellow can have a video game, whether he can

MR. NEARY: sit down and play a game on Atari or Intelelevision? Is that what the hon. gentleman wants to get control of? That is some justification, Mr. Speaker, for wasting the time of this House on this foolish bill! One thing I will have to agree with, Mr. Speaker, is this, that the CRTC have to smarten up. The CRTC, as far as I am concerned now, are not living up to the mandate that was given them by the Parliament of Canada. If the hon. gentleman had stood in his place here today and told us that he was going to put the boots to the CRTC for not carrying out the conditions of their licence to bring television to the remote parts of Newfoundland and Labrador, then I would have appreciated it. If the hon. gentleman had told us what he intends to do about an application from NTV for financial assistance to install their transmitters in thirty-five or forty parts of

MR. NEARY: Newfoundland so that they can get television in the remote areas, then, Mr. Speaker, the hon. gentleman would be doing something worthwhile.

We all thought that when NTV got their licence to install a ground transmitter, a saucer and a ground transmitter that would cost \$30,000 or \$35,000 ,and I believe they were putting in about thirty of these around various parts of Newfoundland, we thought when they got their licence, and I was one of the ones that went to bat for them to help them get their licence, we thought when they were given their licence by the CRTC that before Christmas of last year, a year ago, we would have had a second channel in various parts of Newfoundland, a second television channel. But, lo and behold, I am told that after they did get their licence, and they made no mention of this when they were looking for the licence, they came back to the government looking for financial assistance to install the transmitters, and that is where the matter rests now between NTV and the Minister of Communications (Mr. Doyle).

And whether or not, Mr. Speaker, people in remote parts of this Province who now have access only to CBC, and a good many of them are in my own district, whether or not they get a second channel depends on whether or not this government is prepared to provide financial assistance to help them buy the ground transmitters. And I would say, according to news coming out of the eight floor of Confederation Building these days from the Premier and the Minister of Finance (Dr. Collins) about a \$70 million deficit, that NTV have a very slim chance of

MR. NEARY: getting any financial help to install their ground transmitters. So the people in those remote parts of Newfoundland and Labrador will have to depend wholly and solely on CBC.

Mr. Speaker, the people in those parts of Newfoundland and Labrador, the remote areas, have a very slim chance indeed of getting a second channel in the foreseeable future because I cannot see the provincial government helping NTV financially with the installation of these ground transmitters under the present circumstances in this Province.

Mr. Speaker, I do not know, there may be a juicy plum here that the minister is talking about, maybe that is why he wants to get his hands on the issuing of licenses, why he may want to get the matter before the Public Utilities Board. There is a juicy plum here to be passed out and I am sure they would love to have control of it so that they can pass it out to their buddies. The track record of this government has been pretty bad, especially in the last two or three years, on political appointments and political patronage. As I said the other day, this crowd wrote the book when it comes to that sort of thing, Mr. Speaker, and they do it in such a nice way. They try to portray themselves as being a government, an administration of men of integrity in one breath, and then they turn around in the next breath and make all kinds of political appointments and pass out all kinds of political patronage. Perhaps

MR. NEARY:

the Minister of Fisheries

(Mr. Morgan) might have put his finger on it when he was quoted in the T.V. World, "No wonder Fisheries Minister Jim Morgan promised the Canadian Radio and Television Commission he would quit his government job if only they would let him in on the action." Is that the real reason, Mr. Speaker?

MR. NEARY: "It seems Morgan hit the nail on the head." The hon. gentleman for once in his life hit the nail on the head.

MR. MORGAN: Table what you are quoting from.

MR. NEARY: "The hardest part about owning a cable company," he said, "is getting the initial licences. Once you get the initial licence," Mr. Speaker, "you are on your way. You can print your own money." The hon. gentleman cannot deny saying that because it is in the TV World.

MR. MORGAN: TV World?

MR. NEARY: TV World.

MR. MORGAN: It will be in Time now.

MR. NEARY: It says, "Morgan and other would-be cable operators would promise all the fish in Newfoundland for a chance at the communications action."

MR. MORGAN: That was written by a good Liberal, I would say.

MR. NEARY: Mr. Speaker, I wonder if that is correct? Would the hon. gentleman sell his hide to the company store? Would he give away all the fish to get a cable television licence? Is that the reason, I wonder, behind this move-to try to get control of the cable television. Then, like a pack of cards, they could deal off the licences to their buddies, the same now as they are trying to engineer \$7 million extras on a hard and fast contract on the Upper Salmon, trying to get \$7 million for their buddies.

Mr. Speaker, I wonder if that is what they are up to? Even though I do not think very highly of

MR. NEARY:                                   the CRTC, when it is boiled down,  
Mr. Speaker, as to whether the Public Utilities Board here and  
this government should handle licencing, or the CRTC should  
handle the licencing, I would take the CRTC anytime, even  
though I think there is tremendous room for improvement.

  As I said a few moments ago,  
I think that what they should do in the case of the licences  
they gave to NTV,

MR. NEARY: they should instruct NTV to carry out the conditions, the mandate, that was given them under this licence or cancel the licence and give it to somebody else. These licences were given to NTV in good faith and they should not have had at the last minute changed their mind and said, 'Well, now we cannot afford to buy programming from the satellites, we cannot afford to install these transmitters and to install these saucers.' They made no mention of that when they applied for the licences. And now they should be told to carry out, fulfill the terms and conditions of the licences or have their licences cancelled. So therefore I am just making reference to that to show that I am not partial towards the CRTC. They get my dander up lots of times as well as the minister's.

MR. MARSHALL: A great independent body.

MR. NEARY: Well they are independent. As a matter of fact, Mr. Speaker, they are so independent that I heard a reference there two or three weeks ago by the Minister of Communications in Ottawa; the hon. Francis Fox said that parliament will have to amend the act that gives the authority to the CRTC because they seem to be answerable to nobody.

MR. MARSHALL: They are only answerable to the Liberal Party.

MR. NEARY: And they should be more answerable, he said. Mr. Speaker, the hon. gentleman makes wild, irresponsible statements over there again, smear tactics, innuendo that he cannot back up - just make them right off the top of your head, make wild irresponsible statements. 'They are only answerable to the Liberal Party.' The hon. gentleman has no evidence of that. And if that hon. gentleman made that statement outside of the House it might be challenged.

MR. TOBIN: Not by you.

MR. NEARY: But the hon. gentleman would not make a statement like that outside the House. In the House he likes to lower the decorum of the House through his innuendo



MR. NEARY: and smear tactics and buttoned down mind and narrow mind.

MR. MARSHALL: You are the expert.

MR. NEARY: Yes, I learned it from the hon. Government House Leader (Mr. Marshall).

Mr. Speaker, the cable television owners themselves are against placing these matters under provincial jurisdiction.

MR. DOYLE: That is not true.

MR. NEARY: That is true.

MR. DOYLE: It is not true.

MR. NEARY: It is true, I am talking about Tories. I heard a good Tory there a few weeks ago, who represents Avalon Cable Television, say they would prefer to have it under federal jurisdiction.

MR. DOYLE: That is not true.

MR. NEARY: It is true. I made a note of it at the time.

MR. DOYLE: And that makes it true?

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: No, but it is a matter of public record that Mr. Danny Williams did say -

MR. MARSHALL: And that makes the public record.

MR. NEARY: Yes, Danny Williams was the man.

MR. BAIRD: You said a good Tory, there are no good Liberals.

MR. NEARY: He said that it should be left under federal jurisdiction.

MR. S. NEARY: Mr. Speaker, it really does not make any difference to us if we support this bill or if we vote against it, it really does not make any difference. It is going to do nothing for the ordinary Newfoundlander. Nothing. We are merely wasting our time in this House by being forced to debate a matter now that will eventually be settled by the courts anyway. The hon. gentleman would have been better advised if he had sat back, and the hon. the Premier would have been better advised if he had not established this Department of Communications at all.

MR. W. CALLAN: That is right.

MR. NEARY: And I think that one of the first things that should go in this restraint programme is that sort of waste of money that the hon. gentleman got involved in there a year or so ago, parliamentary assistants and separating departments, Intergovernmental Affairs.

MR. G. TOBIN: He should cut back your salary too when you cannot get elected Leader through an election.

MR. NEARY: Mr. Speaker, when my hon. friend raised this matter today, I heard sarcasm and snide remarks coming out of the Premier about our research assistants and about our telephone bills. Well, what about it? Get up front. If you have something to say about, get up front and say it.

PREMIER PECKFORD: I am just saying everybody has to when you cannot get elected Leader through an election.

MR. NEARY: Well, I hope so, and I hope Mt. Scio House will be in there too, and the government aircraft, and the motor cars that they are driving around in, and the tripping around the world and down to the Super Bowl with bodyguards. I hope all of that will be up front too.

PREMIER PECKFORD: That is a lie.

MR. NEARY: That is not a lie. There were

November 12, 1982

Tape No. 2226

MJ - 2

MR. S. NEARY:

bodyguards at the Super Bowl.

PREMIER PECKFORD:

No, no.

MR. NEARY:

Oh, yes, yes.

MR. W. CALLAN:

in Labrador.

Yes, and on a fishing trip up

MR. NEARY:

up front, get up front.

Mr. Speaker, if you want to get

PREMIER PECKFORD:

to say that.

Well, that was dirty now for you

MR. NEARY:

this morning too.

Well, that was dirty what you did

PREMIER PECKFORD:

expenditures in your office I was not talking about personal business.

I was just talking about the

MR. NEARY:

dirty we will get dirty.

Oh, I see. If you want to get

PREMIER PECKFORD:

I did not have any bodyguards with me. That is a lie for you.

I was on personal business. I mean,

MR. NEARY:

Is that so?

PREMIER PECKFORD:

That is a fact.

MR. NEARY:

Is that so?

PREMIER PECKFORD:

Yes.

MR. NEARY:

Oh, I see.

PREMIER PECKFORD:

We were talking about your vote in the Budget.

That is a lie so do not say it.

MR. NEARY:

about my own vote.

Well, if I were you I would talk

PREMIER PECKFORD:

talk about my vote, your vote, everybody's votes.

And my own vote, too. My son, I will

MR. NEARY:

during the Answers to Questions and making snide and sarcastic remarks. Put it up front. If you have anything to say put it

Okay. Well, I am only giving you

MR. S. NEARY: up front and we will deal with it then.

PREMIER PECKFORD: And sure, the same to you. Do not go talking about my personal life here on the floor of the house of Assembly that has nothing to do with a vote in the budget. That is not fair.

MR. NEARY: Does travelling at public expense have to do with your personal life?

PREMIER PECKFORD: Not public expense.

MR. NEARY: The hon. gentleman knows better

MR. NEARY: than to say that I would bring up anything about the hon. gentleman's personal life. I would not do it nor any other member of the House. But when it comes to public expenditure, the public treasury, that is a different matter. That is a horse of a different colour.

PREMIER PECKFORD: That was not public expense that was personal expense.

MR. NEARY: Well, Mr. Speaker, we will find out in due course, When we get at the estimates again we will find out.

PREMIER PECKFORD: Exactly, that is the point.

MR. ROBERTS: Well I mean -

PREMIER PECKFORD: We will talk about the votes that come in under the Budget.

MR. NEARY: I am not talking about the hon. gentleman's expense I am talking about the bodyguards.

PREMIER PECKFORD: Exactly.

MR. NEARY: Right.

PREMIER PECKFORD: If you want to talk public expense, no problem, Go ahead and attack all you like, but do not go attacking my personal life or when I go on a vacation,

MR. NEARY: Mr. Speaker, that goes without saying.

PREMIER PECKFORD: That has got nothing to do with public expense.

MR. NEARY: The gentleman knows better than that.

PREMIER PECKFORD: No, I do not know better than that.

MR. NEARY: The hon. gentleman knows me better than that.

PREMIER PECKFORD: Well, public expense -

MR. NEARY: That is right, public expense.

PREMIER PECKFORD: - that is what I want you to talk about.

MR. NEARY: That is what we are talking about, Mr. Speaker, public expense.

PREMIER PECKFORD: Right.

MR. NEARY: I will only -

MR. WINDSOR: That is what you are supposed to be doing.

MR. NEARY: Mr. Speaker, I am not interested in the hon. gentlemen's personal or private lives -

PREMIER PECKFORD: Good.

MR. NEARY: - I am not interested.

PREMIER PECKFORD: Good.

MR. NEARY: Not interested. I am only interested in their politics and anything that affects the public treasury, that is all.

PREMIER PECKFORD: Exactly. The same here. That is why I talked about your expenditures.

MR. NEARY: I hope the hon. gentleman will get that straight in his mind.

PREMIER PECKFORD: I will get it straight, yes. No problem. So I will talk about your votes and you talk about my votes.

MR. NEARY: Right on!

PREMIER PECKFORD: Right on!

MR. NEARY: But you do not have to get in a sarcastic way.

PREMIER PECKFORD: And you do not have to get up in a sarcastic way and cast aspersions.

MR. NEARY: This morning when you were answering my friend there -

PREMIER PECKFORD: And you do not have to get up.

MR. NEARY: - and, Mr. Speaker, it was a veiled threat, if was a kind of veiled threat.

PREMIER PECKFORD:

Oh! Oh, sure.

MR. NEARY:

And I heard the remarks from -

PREMIER PECKFORD:

Sure, sure!

MR. NEARY:

The hon. Premier does not realize what he does then.

The hon. Premier does not

PREMIER PECKFORD:

All expenditures.

MR. NEARY:

He encourages his ministers then to make snide remarks.

He encourages his ministers

PREMIER PECKFORD:

All expenditures.

MR. NEARY:

The hon. gentleman should have heard what the Minister of Social Services (Mr. Hickey) said then.

The hon. gentleman should have

MR. BAIRD:

Get up out of the gutter.

Get up out of the gutter, boy!

MR. NEARY:

Do not worry, I am up out of the gutter.

Do not worry, I am up out of

PREMIER PECKFORD:

All expenditures.

MR. BAIRD:

You never have been.

MR. NEARY:

You got to get up again now to be as astute as I am in this House. And I did not let that go unnoticed, and then the snide remarks that his ministers made.

You got to get up again

MR. TOBIN:

What about your own crowd?

PREMIER PECKFORD:

All expenditures.

MR. NEARY:

All the hon. Premier does in a case like that is set a bad example for his ministers.

All the hon. Premier does in

PREMIER PECKFORD:

And, so, your expenditures have got to be under scrutiny just as much as mine. Right?

And, so, your expenditures have

MR. NEARY:

Well, Mr. Speaker, I would hope -

Well, Mr. Speaker, I would

PREMIER PECKFORD:

It is all public money.

MR. NEARY:

-that in these times of restraint

MR. NEARY: when we are asking sick people not to get sick, they cannot get sick between December and February, and they are asking hospital workers to take two days a month off and they are going to have layoffs, I do hope it will start at the top and come down and not at the bottom and go up.

PREMIER PECKFORD: Everybody is included.

MR. NEARY: That goes without saying. I hope the hon. gentleman will be prepared to make his sacrifice. It should start at the top and go down. But it seems to us that it is starting at the bottom and working up.

PREMIER PECKFORD: Yes I realize it would seem like that to you. Otherwise,



PREMIER PECKFORD:

you do not have a cause and you are not opposing and you are not doing your job. So you have to, you know, mix it up a little bit, do you not? We know you have to mix it up a bit.

MR. NEARY: Now, the hon. gentleman knows that we will see to it on this side.

PREMIER PECKFORD: You have to try to prove to somebody that there should be a Leader of the Opposition.

MR. NEARY: As watchdogs of the public treasury, we will see to it, the hon. gentleman knows that -

PREMIER PECKFORD: Good. And as a watchdog to the Opposition, I shall see to it -

MR. NEARY: - that it will not be from the bottom up, it will be from the top down.

PREMIER PECKFORD: - and as a watchdog to the Opposition, I will see to it that it is from the top down.

MR. NEARY: That is right. Do not worry, we are quite prepared. We are quite prepared for it.

But do not get up and make these sarcastic remarks. Put it up front. We have been looking for information in this House now, we have been looking for information since we started on Monday last, and no information is forthcoming.

MR. PECKFORD: Do not worry, Senator.

MR. NEARY: Alright, we will get it, we will get the information. And we will also, Mr. Speaker, make sure that when the cuts start they start from the top down and not from the bottom up, and that all the non-essential items and all the padding and all the platoons of party workers that have been put on the payroll, all of this will be dealt with before they start asking defenceless people in this Province to make sacrifices.

MR. NEARY: And one of the examples of that, Mr. Speaker - what brought it up now in the first place was when I referred to this Department of Communications, this is unnecessary. All you needed was one person in the Department of Transportation and Communications to handle this matter. That is a made job. And I am afraid the hon. the minister made a very poor job of justifying his existence here before us today, made a very poor job of it. The minister has to have a deputy, he has to have a dozen or so directors, they have to have secretaries, they have to have office space. Now, can the hon. the Premier tell me if that is justified or not?

MR. PECKFORD: Not so. I will address all of that when I get up.

MR. NEARY: Not so. None of that.

Mr. Speaker, you appoint a minister and give him a deputy, and I guarantee you that the empire will start to grow from that day on.

MR. PECKFORD: That was when you were in government, that is all changed.

MR. NEARY: Is that so? Well, if the hon. gentleman wants to go back and talk about the time I was in government, I would be glad to talk to him about it, but we are talking about the time now that the hon. gentleman is in government. We are paying the price over here for the time that we were in government.

MR. BAIRD: That is what you are!

MR. NEARY: We have been over here now -

MR. MARSHALL: You will be sorry you said that.

MR. NEARY: Yes, I am quite willing, Mr. Speaker, if we did anything wrong, I am prepared to pay the price, but I think we have paid the price now long enough. And I think the people of Newfoundland now are beginning to compare the good old Liberal days -

MR. NEARY: they are comparing the good old Liberal days with the Tory times. And the hon. gentleman now the other night, I presume he got the message. He got the message. The hon. gentleman's image is sliding downhill pretty fast, sliding pretty fast. And the hon. gentleman got the message. For the first time in his life, Mr. Speaker, the hon. Premier has a bit of competition. And he does not know how to deal with it. He does not know how to handle it.

MR. PECKFORD: Where? Where?

MR. NEARY: Right here.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: That should be self-evident to the hon. gentleman.

Anyway, Mr. Speaker, getting back to the bill. I should not allow myself to be -

MR. DOYLE: You did not know about the joke at all, did you?

MR. NEARY: No, I saw the joke, and I heard it. The hon. gentleman knows it was awfully, awfully embarrassing, a very embarrassing situation, and I felt sorry for the hon. gentleman. It was pathetic, I felt sorry for him.

So, Mr. Speaker, when I got side-tracked there I was talking about the justification for this department. If this is the only reason it is set up, to bring in this bill, Mr. Speaker, then I am afraid that it is going to be a costly venture for the taxpayers of this Province. It would have been far better if they had waited until a decision of the Supreme Court was made, and it would have been far better if the hon. gentleman, if he had to introduce the bill, learned something about the new technology and about where we are headed in the field of communications. The hon. gentleman is like

MR. NEARY: the Premier, he just did not seem to understand. He just did not seem to understand it. The hon. gentleman just did not seem to understand it. He cannot grasp it. It is too heavy for him. It is too much for him.

MR. CALLAN: He is usually there every day.

MR. NEARY: I mean, if the hon. gentleman had gotten up and told us how we will benefit in this Province. How will we benefit? Will we benefit through better service, better service than we have now? Will we benefit through more revenue, Mr. Speaker? How will we benefit? That is what we want to know. Maybe the hon. gentleman when he winds up second reading can convince us to vote for this bill. He certainly did not convince my colleagues yet that we should vote for this.

MR. NEARY: Is it going to give us better service? And in what way? Could the hon. gentleman tell us what technology we will get then that we do not have now? Will it stop snooping? For instance, will this legislation stop somebody from sitting out in front of Confederation Building and sticking a microphone out the window of his car and listening to a conversation in the Premier's office? Will it stop that kind of thing? Will it provide employment for Newfoundland talent? The only ones who are paying these artists now are CBC and NTV, the cable people are not paying for Newfoundland talent. Will it provide employment for all the talent that we have in this Province?

MR. CARTER: Try it and find out.

MR. NEARY: Pardon?

MR. CARTER: Try it yourself and find out, in the comedy hour.

MR. NEARY: Mr. Speaker, I am expecting any day to see the hon. gentleman on the Muppett Show.

MR. CALLAN: The former Minister of Education.

MR. NEARY: That is right. Standing on his head, suspended in mid-air.

Mr. Speaker, these are the questions we would like to have answered. The hon. gentleman when he introduced the bill should have told us all of these things. I am at a loss, I do not know what to do with this bill. I do not know what to do about it. I do not know whether I should vote for it or against it. And I am sure that the media up over my head expected to see reasons - black and white - why this Province should take over cable television as compared to federal jurisdiction.

MR. DOYLE: We are not trying to take over cable television.

MR. NEARY: Well, what are you trying to take over?

MR. DOYLE: Were you listening?

MR. NEARY:

Yes, I was listening.

MR. DOYLE:

Well, why are you saying that we are trying to take over cable television? Why are you saying that?

MR. NEARY:

You are trying to take over the licencing.

MR. DOYLE:

We are not.

MR. NEARY:

Closed-circuit television?

MR. DOYLE:

Closed circuit.

MR. NEARY:

Cable television.

MR. DOYLE:

Cable television right now is brought in by broadcast signals.

MR. NEARY:

If they have reached the new technology where they get a little television on the telephone, so apart from talking to the person you can look at him, a television on the telephone, the hon. gentleman wants control over that. He wants control over whether or not my young fellow should play video games on TV. You know, that is what the hon. gentleman said.

MR. NEARY:

Mr. Speaker, we look forward to what the hon. gentleman has to say when he concludes second reading of the bill. The situation may be that none of us in the House may know what we are talking about. This field is so large and so enormous and advancing so rapidly that we cannot keep pace with it, Mr. Speaker. Maybe we are all living in a fool's paradise. I agree that we have to take a look

MR. NEARY: and get some control over the latest technology in the field of education. We have to do that and we have to do it quickly or it will take control of us. But I am not sure whether this bill will accomplish that, Mr. Speaker. And I am not sure whether giving control of the licenses to this government will change anything. I look forward to what the hon. gentleman will be saying when he winds up the second reading of this bill. But right now I must say that I am not convinced and I would have preferred, and my colleagues would have preferred to see the government wait until the matter was decided in the British Columbia courts and in the Quebec courts, rather than waste his time and taxpayer money trying to force the issue at this particular point in our history.

MR. HODDER: Oh my goodness look at this.

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

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: Mr. Speaker, I feel that I have to speak in this debate to clarify a number of, as usual, accusations, innuendoes made by the Leader of the Opposition (Mr. Neary). It is unfortunate that members of the House of Assembly have to stand in debates and defend innuendo made by other members which they cannot prove and have no evidence of such but still make the innuendoes. We are debating a motion giving the Province jurisdiction over certain aspects of telecommunications, by giving the Board of Commissioners of Public Utilities the right to regulate and the right for government to address policy to that Board of Utilities. Now the hon. gentleman who just sat down had some criticism of the CRTC. Well, I think that if today I did not follow-up on that I would be very remiss. The fact is the CRTC in its present policy of regulating cable television, satellite television, various types of

MR. MORGAN: closed-circuit TV warrants criticism. A few months ago, in fact approximately ten months ago, the CRTC decided they were going to try to improve the services in remote and rural areas of Canada, in areas where there were only two channels presently available.

MR. DINN: And one sometimes.

MR. MORGAN: And, of course, in our Province, in some areas there is only one channel available, usually the CBC or, in some cases, just NTV. Based on these policies of the CRTC they attempted, and, I repeat, attempted to provide services to rural remote areas of Canada. Now, that was over a year ago. Ten months ago they held public hearings, etc., and I was involved in



MR. MORGAN: those public hearings, that is common knowledge. I was involved without any conflict of interest, none whatsoever. I had no intention of being involved in cable television, never will. But we had a very distinct interest, a group of businessmen around the Province, a very distinct interest in trying to bring about improvement of television services in remote and rural areas. So we decided to make application for a number of areas with, in fact, the local businessmen having the majority ownership position. In other words, local content, local involvement.

Our application was fully scrutinized by the staff of the CRTC who were going to supply services - there are still no services there - to parts of the Burin Peninsula, along the South Coast, along the Northeast Coast, and parts of the Avalon Peninsula. I was always of the belief that the CRTC was an independent regulatory body, that they would make decisions based on all information, factual information, and make the decisions accordingly, I was always of that opinion and, in fact, the business people who were involved in making the applications accordingly were of the same opinion. It was almost frightening to understand at the end that the CRTC is not really a regulatory body on its own. Indeed, it is administered by people who are appointed by the Federal Cabinet, the Federal Minister of Communications (Mr. Fox). And we found creeping into the system - at first I could not believe it, because we were all sincere. I only had a very minority position. I was not a major shareholder, I had a minority position but was concerned for the areas, and many of them were in my own riding of Bonavista South - creeping into the system political involvement on the decision making process. I just could not believe it. Finally, it came down to the point that despite the fact we had

MR. MORGAN: financial arrangements put in place for \$1 million, involving fifteen businessmen around different parts of the Province, through the bank and other lending agencies, nothing to do with government at all, we had engineering work done that cost in the vicinity of \$9,000 to \$10,000, and paid for, we had consulting engineers working on further systems, and we would have had systems installed as of right now, working in different parts of the Province, and my only involvement would have been a passive position, as an investor with a minority position, suddenly somebody decides that despite all the facts, despite all the information, and despite the fact that these systems could now be working in supplying channels from other parts of Canada, the politicians had to make the final decision. The politicians had to make the final decision.

MR. J. MORGAN: And that is why today the company that I was involved with, Cabot Communications, have not established these systems, because politicians in Ottawa - in fact there is no secret, all the people involved with Cabot Communications were made aware of it after by people involved as employees of the CRTC, and I repeat, employees of the CRTC, that Newfoundland's minister in the federal Cabinet made the final decision, whether Cabot Communications would get licences, because of Jim Morgan's involvement in the company. And I said, 'Now, come this is nonsense. It just cannot be. The Minister of National Revenue at the time would interfere with the decisions of the CRTC and decide who would get licences in Newfoundland, to bring television channels into remote and rural areas of our Province?'

MR. DINN: I find that hard to believe.

MR. MORGAN: Well it happened. It happened. Mr. Fox, the Minister of Communications, I went back and asked for an investigation. Of course, he refused that. Mr. Fox and Mr. Rompkey and a number of other Cabinet ministers, their Cabinet Committee, decided that Cabot Communications was not going to get any licences. Now they had to find a way to reject the application in the eye of the public, so the reason they gave was it was sort of a franchise. There were too many places applied, and they would have too many licences in different parts of the province. Yet at the same time they gave one man, one individual, without any company formed, without any financial arrangements put in place or any indication of how he would serve the areas in an adequate way, one man a licence to serve 181 communities around this Province.

SOME HON. MEMBERS: Shame.

MR. J. MORGAN: He has now got a licence to serve 181 communities and to date, my estimations of the last few days despite the fact that licences were issued-

MR. DINN: How much engineering work did he have done?

MR. MORGAN: No engineering work done. He had none.

So it is obvious to us that the decisions were made with political influence. Now, that is not going to happen in this case. In this bill today. Sure the regulatory agency will be able to accept policy guidelines, but the regulatory agency should not be at the whim and wish of politicians who can make decisions and say, 'No, I do not like the colour of that man's eyes.' Or in this case it was, 'I do not like the way he has been criticizing me in National Revenue for the last six months in the Province of Newfoundland.'

MR. DINN: Because he was ripping off the fishermen.

MR. MORGAN: On behalf of the fishermen I made complaints. That was the main reason then. And I say to this House today, I have not made this issue, prior to now, public, but what kind of a world are we living in when, because a politician stands up on behalf of his constituents, in this case the fishermen of our Province, and raises issue against a politician in Ottawa, he gets penalized, personally penalized. There was no conflict.

MR. MORGAN: It was clarified by legal advisers on my own personal behalf, on behalf of the company, on behalf of the Premier, who wanted to make sure that his minister was not involved in any conflict in applying for T.V. licences. He did that, the Premier of our Province. There was absolutely no conflict, a straightforward business transaction in a private way, and I got penalized; but furthermore, the people got penalized, the people in rural, remote areas of the Province, because these services are still not there. And now what is happening, of course, is that there is total confusion in the television and communications area of our Province in remote areas with regard to television channels. We see in Glovertown, for example, the CRTC decided to come in and close down a station. Why? Because it was bringing in channels from the U.S. At the same time, a certain part of the Province that was licenced no longer than six months ago by CRTC is presently bringing in the same channels, bringing them in, and yet their licence stipulates they must only bring in a channel from Edmonton, a channel from Vancouver and a channel from Montreal, which is our French channel and not watched much, of course, here in Newfoundland, it would not be viewed much.

MR. HODDER: It would be in Port au Port.

MR. MORGAN: Maybe in Port au Port, yes.

But, Mr. Speaker, what I am saying is that these services are still not there - a very desperate need for improved services, but CRTC seems to be hung up on this Canadian content, it must have the Canadian content, and they are forcing the people of Newfoundland in these recent decisions made to issue licences to one man for 181 communities. They are issuing an order saying that you must not bring in American channels,



MR. MORGAN: is a prime example, out here in Avondale is a second example. In that general area, where stations were operating illegally, with no licences for about ten months or twelve months, little over a year, how did they deal with these areas? When the same companies applied for their licences to get the CANCOM, the so-called CANCOM package, the Canadian Satellite Communications Incorporated Signals from the satellite, these three channels that I mentioned, they decided to give them licences. So they rewarded those people who were operating illegally and gave them licences. Now they go out and close down somebody else who is operating illegally in Glovertown, the Burry business out there, closed them down and said, 'No, you are operating illegally.'

I would say that the CRTC is maybe misguided because of a lack of policy on the part of the federal Department of Communications. That could be. They do not have a clearly identified policy as to how they should service the underserved areas in the country of Canada, including our Province in particular. If that is so there has to be a new policy put forward. But at the present time the CRTC is making decisions which are, in fact, contradictory. And I want to make clear today there may come a time when we are going to have to ignore the CRTC, to ignore them. I, for one, am not going to stand by as an individual Newfoundlander and see people out in Bonavista Bay or out in Twillingate or out in Fogo Island or down on the South Coast suffer the consequences of poor planning and poor policy on part of the federal government, the Department of Communications, and the CRTC in carrying through that policy. Maybe it is time we should ignore the CRTC and say, 'Look, the skies are wide open up here. The skies are wide open, and you cannot regulate what is happening from satellite.'

MR. MORGAN:

If any of us here in the House of Assembly decided tomorrow morning to put a dish upon our house, a satellite receiving dish to pick up the signals from satellite, ones just launched a few days ago and others up there, you can pick up, for example, a total of fifty-two channels right now. I have a system I am looking at installing in my home, because it is legal to do so. Install it on the roof of your house or the roof of your garage, channel a wire into your own T.V. set and you can pick up fifty-two T.V. channels. My question to the CRTC has been, and it is now, why do you not let the people in private sector enterprise install these systems, and rebroadcast in rural areas a number of these channels, ten, fifteen, and let them work out an arrangement with the people supplying the signal? If it is coming from the U.S., the U.S. people are obviously going to have to scramble their signals down there before they go to the satellite, and let them make an arrangement, a business deal between the people supplying the signals in the U.S., in particular, because the signals



MR. MORGAN: in Canada, it is very dubious if they are going to be accepted by the general consumer. Let them make arrangements whereby a business deal can be made between the supplier of the signal going to the satellite scrambled, and then by means of the receiving end descrambled or decoded, and the company receiving the signals and rebroadcasting paying a fee accordingly. Now, that is what should be done, because I am convinced, with the present system that CRTC is carrying through to try to serve the areas of our Province, that we are never going to have a satisfactory system of communications to our people. And I say again that if the CRTC is going to be dominated by political thinking, it is not really an independent regulatory agency. Nobody has explained to me why twenty-one communities which we applied for, and did all that work which we talked about earlier, as an individual private company in Newfoundland, why we were turned down except that it was, as we were told, because of Jim Morgan's involvement.

MR. TOBIN: In areas (inaudible) supplied.

MR. MORGAN: And even in areas where the local businessmen had 65 and 70 per cent of the total business arrangements, the CRTC still said the reason why was because there was a politician in Newfoundland involved. And then along came Mr. Fox and Mr. Rompkey and said no way was Jim Morgan and his company getting a license in Newfoundland,

MR. DINN: Shame.

MR. MORGAN: That is the kind of thing that makes me concerned about the kind of country we are living in today. Are these freedoms being eroded? The freedom of a politician who, if he wants to leave politics

MR. MORGAN: can leave, or if he wants to stay and get involved in business, does he have to be penalized because of his stand on certain policies of the government he is attacking etc., their policies? It is a very serious issue, a very, very serious issue when our freedoms are eroded in that way. And in my case they were not only eroded, they were scuttled, they were scuttled.

MR. DINN: Trampled on.

MR. MORGAN: Trampled on is only a weak word for it. And I think the Opposition members and many other members of the House of Assembly were quite aware of this before now. But I had to say it in this debate today to clarify for the Leader of the Opposition (Mr. Neary) that this bill had nothing to do with Jim Morgan, nothing to do with Cabot Communications he is involved with.

MR. MORGAN:

We never had any intention of getting involved in cable television, have no intention now and never will. If the Province has jurisdiction, there is no way I can get involved in cable television. I would have to quit my job overnight as an MHA, as a minister. But there is no conflict and there is no intention. But I am indicating now that people of all of these areas that we applied for, had all the engineering work done ready to go to put up the receiver dish and the transmitting station, these people are still without television services, and it is all because of the whim and wish of a politician from this Province, sitting in Ottawa, deciding and saying to the CRTC, 'You dare not give that man a license'.

MR. NEARY: Terrible stuff. Smear tactics.

MR. MORGAN: It is not smear tactics, those are facts. It is not smear tactics at all, those are facts, Mr. Speaker, those are facts.

MR. DINN: At least he names names.

MR. NEARY: Character assassination, smear tactics.

MR. DINN: At least he names names.

MR. NEARY: Slander.

MR. MORGAN: Those are facts.

MR. NEARY: Slander.

MR. MORGAN: And the hon. gentleman can stand in the House— he was out for most of the debate—and leave the innuendo in the House while speaking in debate that this piece of legislation could be somehow for some of the politicians involved with the PC Party, obviously looking at me across the House. He mentioned the Minister of Fisheries.

I want to say to you today very sincerely, gentlemen of the House and, Mr. Speaker, through you -

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

MR. SPEAKER (Aylward): A point of order, the hon.

Leader of the Opposition.

MR. NEARY: I did not infer any such thing and Your Honour knows that. Your Honour may rule this as a difference of opinion between members. I did not say any such thing, that this legislation was being brought in mainly for the politicians or members of this House. I did not even harbour the thought. What I said was that if the minister had the authority, he could very easily pass out the goodies to his political buddies or to supporters of the party. I said that. But I in no way referred to the hon. gentleman.

MR. MORGAN: Mr. Speaker, there is no point of order, it is just a difference of opinion, that is obvious.

MR. SPEAKER (Aylward): On that point of order I rule there is no point of order, just a difference of opinion between two hon. members.

The hon. Minister of Fisheries.

MR. MORGAN: Mr. Speaker, my colleague, the Minister of Communications (Mr. Doyle), will in no way get involved in that kind of a low-down activity, making decisions to help his buddies or to trample on or scuttle his enemies, which Mr. Rompkey did to me, and his buddy, Mr. Francis Fox.

MR. NEARY: That is character assassination.

MR. MORGAN: It is not character assassination. I will say it outside the House as well as inside the House. These are facts.

MR. NEARY: Slander and lies.

MR. MORGAN: All because the Minister of Fisheries in Newfoundland was attacking the federal Minister of Revenue on issues regarding fishermen and the way they were collecting taxes from fishermen. But I am saying this bill is not going to be something where a politician, the Minister of Communications, can interfere and say, 'Well, we have to do

MR. MORGAN: something to help that company but not help this company over here', it is a straightforward bill whereby merely an expression of policy will be put forward from the minister and from the government to the regulatory agency, in this case, the Board of Commissioners of Public Utilities. And that is not the case with the CRTC,

MR. MORGAN:

I maintain that. It is more than policy that goes forward from the Cabinet level to the CRTC, they dictate what decisions they must make, and who they must give licences to. And that is almost criminal. That is almost criminal. And that is happening.

MR. NEARY: Innuendo.

MR. MORGAN: There are places right now in the hon. gentleman's district of LaPoile (Mr. Neary), there are places in the Fortune-Hermitage district, on the Burin Peninsula, there are places out on the Northeast Coast and on the East Coast and in the Bonavista area, which are all, today, without the adequate services of television, which would have now been onstream and in place, because suddenly someone said, "Despite Morgan and his friends having all the arrangements made financially, through the banks, and having all their legal work done and all the engineering work done, ready to go, despite all that cancel them out." So the people who suffered - I can live without the company, I would not have made any money on it, I would have made very little money on it, it was not a big deal. With fifteen people to be involved, I was only a minority shareholder, so I would not have made any big money. I can survive without the money, but the people are left without the services.

MR. NEARY: That is not what you told TV World.

MR. MORGAN: They are left without the services all because of a politician getting involved and interfering with the system. And that is totally wrong. It is totally wrong. Bill Rompkey should not have the right to interfere and say to someone, "You get a licence and you do not get a licence." Francis Fox should not have the right. It should be left to an independent regulatory agency, but it is not.

MR. NEARY:

Are you denying what you said

to TV World?

MR. MORGAN:

Mr. Speaker, I never spoke to

TV World.

MR. NEARY:

Well, they are quoting you here.

MR. MORGAN:

But I am going on TV World next

week, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. MORGAN:

I will be talking about the seals

and the fishing industry.

MR. NEARY:

Trudeau beat you to it.

MR. MORGAN:

Mr. Speaker, I am sure in the

mind of the Leader of the Opposition (Mr. Neary' who has always been a fair-minded individual over the years -

AN HON. MEMBER:

Really?

MR. MORGAN:

Yes. Yes. He is a good politician.

He is fair-minded. I am sure in his own mind that what I am saying he agrees with. Because one of these days he could be in that position, he could be out of politics, for example, or semi-retired or something. If he wants to get involved in a business deal, and Joe Clark is the Prime Minister of the country, and if someone says to him, "No, you cannot get involved because you are too much of a politician, or we are going to cut you off because of who you are, for no reason other than that, "It is totally unfair. He would not agree with that. I know he would not agree with that. I know he would not agree with that.

So, Mr. Speaker, this bill is in no way connected with me as an individual, as an individual businessman, no way whatsoever.

MR. MORGAN: But I will say that I am confident that this government will never get down to the level of trying to influence the Board of Commissioners of Public Utilities in any decisions they make with regard to policies put forward on telecommunications in the Province, never, as we have seen done to date by the federal Cabinet ministers involving the decisions of CRTC. Thank you very much.

MR. ANDREWS: Mr. Speaker.

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

MR. ANDREWS: Mr. Speaker, just a few words. I could speak about this probably for a fairly long period of time from my own vast experience in the broadcast medium. However, strictly to this bill, I would like to comment on a few remarks from the other side of the House, Mr. Speaker. One was by the Leader of the Opposition (Mr. Neary) that the CRTC is not doing a good job. I agree, and I agree with the Minister of Fisheries (Mr. Morgan). I agree for some other reasons. I totally agree with the reasons that the Minister of Fisheries just stated, but there are more; I am sure he overlooked them in his remarks.

We here in Newfoundland need more control over the programming that is put on by the CBC and by NTV and CTV that is shown on their stations in Newfoundland. I would suspect that the Province of Saskatchewan and the Province of British Columbia and the Provinces of Quebec and Ontario, all the provinces in Canada also feel the same way.

There are some good programmes being produced locally, one, if I do say so myself, that I was associated with for ten-odd years here in Newfoundland, the Land and Sea and those types of programmes and some good documentary programmes,



MR. ANDREWS: but there are not enough of them. They should be tripled, quadrupled in air time and hours of air time on the air.

This bill does not address that particular problem as such, but I think it is the first step in the Province having some say over this very swiftly moving medium of telecommunications. This will give us a handle on such things as pay T.V. and the scramblers and tele shopping and meter reading and things like that. It would also give us some say in the area perhaps of pay T.V., what type of programming would be acceptable to Newfoundlanders. There is no little debate in Newfoundland now about the pirating of television stations off the air, as just referred to. I have seen some of those programmes myself. I am not a prude but I am not an immodest man; I certainly would not like to see young children watching too many of them and I think that that is something that has to be taken into consideration certainly by the CRTC, who are not enforcing their own regulations here in this Province today.

MR. ANDREWS: I find it disgusting. They have, as a regulatory body, two faces, probably a dozen faces throughout the various provinces of Canada, and their standards vary right across the country.

The fact that the CRTC is forcing these satellite stations that are being set up in Newfoundland into receiving programmes produced in British Columbia and the mid-West and Ontario - the time change, of course, is something horrendous - is absolutely ludicrous. And the people in Burgeo was a community mentioned, their system went on the air about three weeks ago, about a month ago, and they are very disappointed in that because they get things two or three o'clock in the morning which is absolutely ridiculous, of course.

MR. NEARY: Which one went on the air?

MR. MORGAN: The CANCOM one.

MR. ANDREWS: The one in Burgeo. Yes, the community station in Burgeo, which is a CANCOM affiliate.

MR. NEARY: They do not get it around the clock just until three in the morning.

MR. ANDREWS: They get it around the clock because it has to come around the clock. With the time difference it is pretty well around the clock. I guess the Vancouver station will go off the air about six o'clock in the morning or something like that, with their close off news, I do not know, it would be sometime around then.

But there is a need for the CRTC to force CANCOM right now to bring in more local programming from Eastern Canada, Eastern United States, strictly for that time lapse thing. The federal government has also failed. We are talking about control, we are talking about the Province taking some control, a modest little control in the whole

MR. ANDREWS: broadcasting field. The federal government has failed to implement its so-called Canadian content rules. And the reason it has failed is because the CRTC failed to recognize the great changes taking place in technology and how swiftly they were going to move in this field.

The Leader of the Opposition (Mr. Neary) referred to, I think, 30 per cent of the programmes on television being Canadian content. I would suspect it would be more like 5 per cent or 6 per cent when you take in the cable stations that are available now right here in St. John's and the larger centres in Newfoundland, and you take in across-the-border telecasting in Ontario and Quebec and those areas.

So CRTC has failed to recognize that. They failed to keep up with the regulations, with the technology. And I do believe that they cannot do it. It is an impossible task for them to do it, because these signals are going to be free, they are going to be on the airwaves as are radio signals today. Unless they are jammed, you can pick up Radio Moscow or Moscovites can pick up radio free Europe. You can pick up any nation of the world today on shortwave radio, and the day is coming pretty soon, well it is here really, for television when you will be able to do that.

The CRTC has failed also in this whole business of providing rural and remote television to Newfoundland.

MR. H. ANDREWS: We see now the one commercial station in Newfoundland in a panic situation. In the community of Ramea, I have been trying for three years to get NTV to reactivate their transmitter in Ramea so that the people in that community could have access to more than one channel, which is CBC. They refused. They went so far as to apply to the CRTC to drop the license in Ramea. But now, with this influx of CANCOM television and so on, they want that licence renewed. They want it renewed but they have yet to commit as to what they are going to do in Ramea and are they going to broadcast that signal. I think that the law should have been laid down to them. I must have written twenty-five letters to the President and the Chairman of the CRTC, quite often with absolutely no response as to what they were going to do about this one particular television company in Newfoundland. The airwaves, Mr. Speaker, are free. They can be manipulated. The technology is moving so swiftly I do not believe that legislation can keep up to it. We will have to answer after the fact, I think, after the technology is invented. And it is potentially dangerous. It is dangerous in the regard that I have mentioned earlier, the type of programming that is on the air for children, and as an insult to the average human beings intelligence. I think this bill is a start to give us some control over what is going to happen over the next few years in Newfoundland. I will predict that at a later date, and not too far from this present date, there will be another bill on the floor of this House with even stronger legislation aimed at the general broadcasting system that we have aiming at us here in Newfoundland so that we can get some kind of a handle on it. But I think, as I have said before, we have to react after the fact. Unfortunately, this will be so, and I encourage

November 12, 1982

Tape No. 2241

MJ - 2

MR. H. ANDREWS:                   the Minister of Communications  
(Mr. N. Doyle) to keep an eagle eye on what is happening  
so that hopefully we do not get swallowed up, possibly  
in this maze, this potentially very dangerous situation  
that will confront us over the next decade. Thank you,  
Mr. Speaker.

MR. WM. MARSHALL:               Mr. Speaker.

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

MR. MARSHALL:

While the minister is otherwise occupied, he will be down in a few moments to close the debate, I will take the opportunity to say a few words with respect to it.

First of all, Mr. Speaker, I want to say that I am very disappointed that the only speaker in the Opposition who saw but to address himself to the bill was the Leader of the Opposition (Mr. Neary), and the other members of the Opposition did not see fit to address themselves to the provisions of this.

MR. NEARY:

I said it all anyway.

MR. MARSHALL:

No matter how the Leader of the Opposition may try to characterize it, it is a very important piece of legislation and a very necessary piece of legislation to be passed by the Provincial Government.

The points that he made, I think, the minister when he introduced the bill, to my mind is really the best case for the assertion of jurisdiction by the Province in this particular area. He said that there is a tendency, and I think everybody will agree with this, with the federal body, the CRTC and the federal agencies, to regard in effect, and you can understand why they do it, because to them, I suppose, it is a very real fact to regard that there are really two cultures in Canada, the French culture and the English culture.

MR. NEARY:

There is the average Canadian (inaudible).

MR. MARSHALL:

Yes. But in actual fact, Mr. Speaker, within the Anglophone community of Canada there are many variations of culture and certainly the one that is most singular, in my view, for historical and geographical and other reasons is the culture of this Province, and we need, Newfoundlanders,

MR. MARSHALL:

I think, need to do everything possible to maintain and enhance and nourish this particular culture. I think this is an area in which we can reflect this desire, and it is one of the reasons why the bill is being brought in. Here in this Province we have, moreso than any other province of its size , with only 500,000 people, a very rich involvement of the people in musical areas, in the theatre, and in other cultural activities,

MR. MARSHALL:

and the more that they are able to be reflected throughout the Province itself, the better it is, I think, for Newfoundland and for the future of Newfoundlanders. So, as the hon. gentleman indicated, this is not a bill, and we would emphasize that, although the Leader of the Opposition (Mr. Neary) tried to paint it as such - one time he said in his statements that this was a bill trying to take over broadcasting - it is not a bill to try to take over broadcasting. As the hon. the minister indicated in his opening remarks, there is no intention of attempting to take over broadcasting, particularly insofar as it relates to the broadcasting of news interprovincially. Cable television is a different situation, and we should be able to have some say with respect to it, as indicated by the Minister of Environment (Mr. Andrews) who has a lot of experience in his private life in the broadcasting field. The minister himself indicated that the situation with respect to the imposition of Canadian content in programmes without reference to the quality of the content in the programme itself is something that is really impeding very much what can be gained through the broadcast media in this particular Province. I think it is a good idea to have two regulatory bodies in varied connected areas in this. On the one hand, with respect to broadcasting it will remain the CRTC and, of course, the CRTC, enough has been said about it. The Minister of Fisheries (Mr. Morgan) gave a very good example when he addressed himself to the way in which the CRTC has historically handled its applications and I think it is a matter -

MR. NEARY:

Smear tactics and innuendo.

MR. MARSHALL:

It is not innuendo, it is a direct statement. It is a matter of question, even though



MR. MARSHALL: they want to paint it as a quasi-judicial body, that the emphasis should be on the quasi and not on the judiciary.

Now, Mr. Speaker, this is a very important bill.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: The hon. the Leader of the Opposition (Mr. Neary) obviously did not think it was so, he kept talking about this bill in relation to the financial condition of the Province and what could this possibly do? This would not put bread and butter on the tables of the Province. But I will submit to him that the protection and enrichment of the culture in this Province is - I would not say it is just as important as the immediate with respect to economic conditions but it is very, very important and indeed is interrelated to it.

I have to take exception to one of the remarks made, and many of the remarks, I suppose, made by the Leader of the Opposition, but I want to just mention one thing. In the course of his comments he made a rather careless observation, that here this bill was up before the House and was being considered, it was not very important. The financial situation we were in was such, and his quote was that anything could trigger a very serious financial situation.

MR. WM. MARSHALL: I would like to draw to the attention of the House that this is the type of statement that the hon. gentleman has been making from time to time very recently, even to the extent of saying that the cheques of the Province, I think he was quoted at one time, could possibly bounce, that we were in danger of this. We have seen examples of the Liberal Party during the last election going down and ringing up the financial community down there to ask about our bond rating, and whether our bonds could sell or not. And even though, Mr. Speaker, most of the people in this Province do not take the Leader of the Opposition or, for that matter, the Opposition too seriously for very good reason, the fact of the matter is they are representatives of people in this Province and very, very careless statements like that, like he made in the course of this debate, like he makes at every possible chance that the Leader of the Opposition (Mr. S. Neary) gets, can do nothing to protect this Province and they are totally and absolutely irresponsible. They are ones that ought not be made and they are statements for which the Leader of the Opposition and any members on the other side, when they make them, should apologize not to the government but to the people of Newfoundland who could be very, very damaged by careless statements of that nature. People might be known locally, they might be known locally as buffoons and actors and what have you, but when somebody as Leader of the Opposition gets reported as making a statement, they do not know who the Leader of the Opposition is, that he is a temporary, an interim leader and there is a tendency to give more weight to him because he occupies an office than would normally be accorded him. So, I would suggest to the Leader of the Opposition and to the members there opposite that they be very careful in their statements along these lines.

November 12, 1982

Tape No. 2244

MJ - 2

SOME HON. MEMBERS:

Hear, hear!

MR. WM. MARSHALL:

So, Mr. Speaker, I want to say that this is a very important piece of legislation. I congratulate the minister for bringing it in. It is a very important activity, as I know the minister will indicate. But, contrary to what has been insinuated by the Leader of the Opposition (Mr. S. Neary) when he spoke, there is no big new department being created. What we are doing and what the government has done is use the services of the very competent staff that is available in Intergovernmental Affairs, and at the same time, the Premier has seen fit to place the responsibility of this in a very competent minister who has indicated exactly how well he is attending to the duties for which he is responsible by this bill and this piece of legislation as brought in today. It is a very important piece of legislation and it should not be allowed to be denigrated by the statements and the type of statements that were made by the Leader of the Opposition.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Aylward):

If the hon. the minister now speaks he will close the debate.

MR. N. DOYLE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Communications.

MR. DOYLE:

First of all, Mr. Speaker, I want to thank all hon. members or at least the hon. members that spoke, for their contribution to the debate

MR. DOYLE: on this particular amendment to the Public Utilities Act. I think it has been made abundantly clear really, through this debate, what government is attempting to do and what we hope to achieve with the enactment of this particular piece of legislation. Also, it has been made abundantly clear that the Opposition really does not understand what we are trying to do here. If the hon. Leader of the Opposition (Mr. Neary) had taken the time, really, to read the bill, if he had any interest in the bill whatever, and if he had any questions on it, he could have come down to my office and I would have been quite happy to sit down and let him know, really, what we were trying to do in this particular area. But he got up and he got into the whole area of broadcasting, and his opening statement was that the Newfoundland Government is attempting to take over the whole broadcasting area.

Now, nothing could be further from the truth, Mr. Speaker. We are not attempting in any way, shape or form to get involved in trying to exercise any jurisdiction at all in the broadcasting field. I think it is quite clear, it is abundantly clear where the jurisdiction lies in that particular field, it clearly lies with the federal government and with the CRTC and that jurisdiction has been given to them by the Parliament of Canada and by the constitution. But what the constitution does not address is the whole area of closed-circuit service, non-broadcast area. The constitution is very, very silent on that. But the federal government says that because they control the broadcasting aspect, the broadcasting signals that a cable operator might be involved in, like CBC, NBC, ABC, NTV, what have you, because the CRTC regulates that particular area of the broadcasting field, then by extension they regulate every single thing that the cable operator does. And we categorically reject and we deny that claim and this is why we, like so many other provinces in Canada right now,

MR. DOYLE: have moved to bring in this piece of legislation exercising our jurisdiction. We are not alone in that particular field, four more provinces have already done the same thing. Saskatchewan, B.C., Ontario and, I believe Quebec, have their legislation in place to bring closed-circuit, non broadcast services under the jurisdiction of their provinces and we are moving in the same direction as well.

There were a few points and there were very, very few points that the Opposition raised that deserved any comment at all. But there were a couple of points and one, of course, was in the area of how will our culture be affected, Mr. Speaker, and how will we try to preserve that distinctiveness that we have here in Newfoundland with the passage of this bill? Well, of course, we are in the process right now, as are a number of provinces in Canada, of really getting involved in unfolding a communications policy for our Province. I do not know if the hon. gentlemen opposite are aware of the fact that federal rules and regulations do definitely affect our cultural way of life here in Newfoundland. The federal government, for instance, through the CRTC - through the CBC, I should say, they decide really on where federal money will be spent on broadcasting facilities in this country. And the attitude seems to prevail right now that, you know, if it happens to be good for Central Canada and if programming happens to be good for Ontario or Quebec, then automatically it is good for Albertans and Nova Scotians and Newfoundlanders, that we really do not have any kind of a distinctive cultural heritage that we want to maintain. Well, nothing could be further from the truth, Mr. Speaker, because we do have a cultural identity that we want to maintain here in this Province. And we feel very strongly that this legislation - it may not today and it may not tomorrow but at some point in the future we feel that this legislation will be very,

MR. DOYLE: very helpful indeed in preserving that cultural distinctiveness that we really have here in Newfoundland.

Now, I also want to answer another point that the hon. gentleman brought up and it was in the whole area of transfer of jurisdiction. Well, there is one thing that should be made perfectly and absolutely clear right now, there is no

MR. DOYLE:

jurisdiction in this area. We cannot have any transfer of jurisdiction from the federal to the provincial government. That is not what we are looking for. There is no jurisdiction being exercised right now in a legal way, because the constitution cannot give the Parliament of Canada the right, or the CRTC the right to exercise jurisdiction in that particular area because the constitution is silent on it. So we have just as much right, really, to pass our legislation and to exercise our jurisdiction in that field as any regulatory agency may have. What will this do to the industry? One of the members brought up that the industry right now will be subject to a confusing type of two-tier regulatory regime. Well, I do not think it will be confusing in any way, shape or form. The federal government say that they have jurisdiction in the field. We have jurisdiction in the field we maintain with the passage of this piece of legislation. You know, what that will do is it will make the industry subject to two-tier regulatory control, but it should not in any way, shape or form impede the progress of the communications industry in our Province. There are many, many industries in Canada right now, as a matter of fact, Mr. Speaker, which are subject to two-tier regulatory control. One the oil industry, for instance. The oil industry, in order to have an exploration permit, I think I am right in assuming, has to apply to the federal government for an exploration permit but at the same time also has to apply to the provincial government for a permit as well. So just because the industry right now will be subject to two-tier regulatory control, it will not, in our opinion, in any way, shape or form impede the progress of the communications industry in

MR. DOYLE: our Province. Another question that was asked, I think, was is the Province attempting to get any new source of revenue from the enactment of this piece of legislation, in bringing broadcast services under our control? No. I do not believe that we are attempting to do anything in that area at all. What we are attempting to do, as I said, is address the individual needs of the community and the needs of the industry as well, with respect to this piece of legislation.

It should be made clear that one of the main reasons - and I think this question was asked also, Why is the Province moving in this direction? We feel beyond a shadow of a doubt that the Province is in a much better position to adequately



MR. DOYLE: address the individual needs of the people and the needs of the industry as well. We certainly feel that we are much more capable of preserving our cultural distinctiveness than an insensitive and sometimes bureaucratic regulatory agency who tend to make decisions based upon universal demand, that what is good for Central Canada or what is good for one part of our nation is certainly good for another. That is not our attitude, and our whole philosophy in the communications field certainly does not dictate that.

Somebody else made mention of the case that is presently before the Supreme Court in British Columbia, and why do we not wait until that decision comes down? We fully believe that this whole area of jurisdiction in the communications field can be better addressed through rational discussion and negotiations with the federal government -

AN HON. MEMBER: That is right.

MR. DOYLE: - to sit down and discuss that whole area of concurrent jurisdiction, with each order of government fully recognizing the other order of governments constitutional rights in that area. And just because B.C. happens to have that case before their court right now simply does not mean that we cannot move in the direction of exercising our own jurisdiction in that particular field, as most other provinces have done.

So, Mr. Speaker, as I said before, I certainly want to thank all hon. members for their submission today. I would imagine that when we get into clause by clause we will be - of course, there are not all that

MR. DOYLE: many clauses associated with this bill, but we will have an opportunity to speak on it again. It gives me a great deal of pleasure at this point in time to move second reading on this bill.

On motion, a bill, "An Act To Amend The Public Utilities Act", (Bill No. 59), read a second time, ordered referred to a Committee of the Whole House on tomorrow.

MR. MARSHALL: Mr. Speaker, in view of the time, it is nearly one o'clock, I do not see any point at this late stage to get into any other business, so I would move that the House at its rising do adjourn until tomorrow, Monday, at 3:00 p.m. and that this House do now adjourn.

On motion, the House at its rising adjourned until tomorrow, Monday, November 15, 1982, at 3:00 p.m.