



Province of Newfoundland

FORTIETH GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND

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Volume XL

Second Session

Number 7

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**VERBATIM REPORT**  
*(Hansard)*

*Speaker: Honourable Patrick McNicholas*

Monday

7 April 1986

The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):  
Order, please!

MR. K. AYLWARD:  
A point of privilege, Mr. Speaker.

MR. SPEAKER:  
A point of privilege, the hon. the member for Stephenville.

MR. K. AYLWARD:  
My point of privilege has to do with statements made by the hon. the member for Menihek (Mr. Fenwick) last week, when he attacked a private business, or businessman, in Stephenville.

This is the first opportunity I have had to raise this, because there is a very difficult labour dispute going on in Stephenville and negotiations are delicate.

Negotiations are ongoing at all times and they do not need irresponsible statements being made which will throw things out of whack.

I believe the statements made last week by the hon. the member for Menihek, attacking this business in Stephenville which provides eight or ten jobs -

MR. SPEAKER:  
Order, please! I do not think the hon. member is making any prima facie case.

MR. BARRY:  
Oh, yes! He is indeed, Mr. Speaker. This pertains to the privileges of the House.

MR. K. AYLWARD:  
Further to the point, I believe a person abuses his privileges as a member of this House of Assembly when he attacks a business such as

that because of his political view.

MR. BARRY:  
Which business?

MR. K. AYLWARD:  
It is Ben's Pharmacy in Stephenville. I do not think it is not right for an hon. member of this House to attack a business like that. The labour dispute that is ongoing out there has been ongoing for quite a long time, and we all want to see it end, but I do not feel irresponsible statements, like those made by the hon. member, are going to help the situation. I think the member is abusing his privileges as a member of this House of Assembly. That is the case I am making today.

The statement made was that people should boycott -

MR. SPEAKER:  
Order, please!

I do not think the hon. member should take the opportunity here to make a statement about a strike somewhere else. If he feels that his privileges have been abused, I am quite prepared to listen to it.

MR. K. AYLWARD:  
Because of the political view of the hon. member, he made the statement that people in Stephenville should boycott this business. I consider that a breach of my privileges in this House. As the member for Stephenville, I want to protect every job in that town. I feel this is an abuse of the privileges of being a member of this House of Assembly and I feel it should be looked at. That is not helping anybody in Stephenville. As a matter of fact, it has caused more of a racket than anything, and I

think the member should be taken to task for it. So I put that case to you.

MR. SPEAKER:

The hon. member has made no prima facie case of breach of privilege.

The hon. the Minister of Mines and Energy.

MR. DINN:

Mr. Speaker, as minister responsible for housing, I would like to take this opportunity to inform members of a recent decision taken by government authorizing Newfoundland and Labrador Housing Corporation to offer for sale its multiple-unit apartment buildings in Stephenville. These multi-plex units comprise in total 328 units of the Corporations 535 market rental units in Stephenville. This recommendation was advanced to government by the Board of Directors of the Corporation following an expression of interest by private concerns in the area as well as an examination of the financial performance of the units in recent years.

Despite substantial expenditures in energy efficient upgrading, rent increases have not been able to keep pace with rising heating, hot water and lighting costs which are the responsibility of the Corporation. It is hoped the sale of several of these buildings will promote a more competitive rental market environment and at the same time provide monies to place the remaining portfolio in a better economic position.

In this regard, Mr. Speaker, the Corporation is in the process of having an independent appraisal carried out on these apartment complexes. Following the

completion of these appraisals, public proposals for the sale of these buildings will be advertised.

Finally, Mr. Speaker, I would advise members that this approach is consistent with the mandate of the Corporation to provide a moderating influence in the marketplace but not to usurp the role of the private sector. The Corporation has offered for sale similar units in the past and will continue to review its portfolio throughout the Province in an effort to promote a viable and active rental market. Thank you.

MR. K. AYLWARD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Stephenville.

MR. K. AYLWARD:

Thank you, Mr. Speaker. We are finally hearing something said about Stephenville; they are finally starting to pay attention to what is going on out there. I notice it says here that the mandate of the Corporation is to provide a moderating influence in the marketplace but not to usurp the role of the private sector.

Before I go on, I must say that for years they have totally dominated the marketplace out there for rental units and have done what they wanted, in the last few years, to increase the rental rates without any consultation whatsoever with the Harmon Tenants Association. Now the decision is being made today to get rid of units which they feel are not making money. That is fine. I am all for trying to get the housing situation in Stephenville moving, but I wonder if, when changes are being made to policies and so on,

more consultation could not take place. I think there are going to be a lot people out there wondering exactly what is going to happen here. I have had a lot of enquiries from private sector people who would like to get involved in a housing situation in Stephenville, and I think this will open up some opportunities. This is a positive move, but I feel the Harmon Tenants Association should be consulted, at least as to what is going on and what the plans are for the future.

Also, irresponsible statements being made to the effect that the Harmon - Stephenville units have been subsidized by \$1 million over the last year do not help the situation and, of course, are untrue. I think that when you are coming out with policy direction it should be done in a more reasonable fashion instead of just saying, this is the way it is going to be.

After making money on these buildings over a period of years, and not doing anything to keep them up, now that they are run down, and certain buildings are falling apart, the Corporation has decided to get rid of them because they cannot make any more dollars on them.

Well, maybe that is what is needed to get things moving out there and we will probably see the rental rates drop. Because the rates being charged now, which were increased recently without any consultation, I think they are too high. So maybe this will be a good move. However, I will be following this very closely, Mr. Speaker, to see exactly what will be going on. I am sure the people of Stephenville will be very

interested in this development today.

Thank you.

MR. SIMMS:  
Mr. Speaker.

MR. SPEAKER (McNicholas):  
The hon. Minister of Forest Resources and Lands.

SOME HON. MEMBERS:  
Hear, hear!

MR. SIMMS:  
Mr. Speaker, today I would like to inform the House of a decision, made by Cabinet, which will help those who are investing their time, labour, and whatever money they can, into the utilization of our forest resource.

As honourable members are aware, it has been the policy of this government to charge a certain rate for stumpage on all wood harvested for commercial purposes from unalienated Crown lands. In forestry, stumpage can be defined as the price of uncut marketable timber and the right to cut it. The timber stumpage rates are normally set annually by the minister in consultation with Cabinet.

There have been only two increases - and one decrease - in pulpwood stumpage rates since 1982, while sawlog rates have increased only twice; 1982 was the year we brought in the new mechanism. Revenue, from stumpage, although not enormous by any means, is an important source of income for the government. Last year it came close to \$ 1 million.

The indexing formula had indicated that we should increase stumpage rates for both pulpwood and

sawlogs for 1986-87. When we looked at the amounts, we found that this would mean an increase of 6.6 per cent in the case of pulpwood and 4.7 per cent for sawlogs. For example, this would have meant that the stumpage for pulpwood would increase from \$4.14 a cord to \$4.50 a cord for wood harvested from areas without government access roads. The sawlog stumpage would go from \$2.75 a cord to \$2.87 a cord in unaccessed areas.

Mr. Speaker, these increases may not appear, at first glance, to be significant. However, as hon. members are aware, the government has recently undertaken some initiatives to encourage more efficient utilization of the resource for sawmilling, including the implementation of a new, two-tiered sawmill policy. Hon. members will recall that I announced details of the new sawmill policy in a statement in the last Session. At the same time, part of our silvicultural efforts are aimed at ensuring a future supply of suitable tree species for sawlogs, such as white spruce. We also are very anxious to do all we can to encourage sawmill operators, including the smaller ones whose activities are so important, socially as well as economically, to our rural areas.

Therefore, Mr. Speaker, having taken all these matters into consideration, I am very happy to be able to inform the House that Cabinet has decided there will be no increase in stumpage rates for either sawlogs or pulpwood for 1986-87.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

In the case of pulpwood, Mr. Speaker, the decision was based on reasons similar, but larger in scope, to that of sawlogs. By not increasing pulpwood stumpage, we have recognized the efforts of modernization and improved wood utilization being carried out in this Province by both paper companies.

In conclusion, Mr. Speaker, I would like to reiterate that we believe this decision shows in a tangible fashion that we are making every possible effort to help small-time entrepreneurs who are willing to invest energy and money into finding ways of making a livelihood and creating jobs based on our renewable resources.

MR. K. AYLWARD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Stephenville.

MR. K. AYLWARD:

Mr. Speaker, I want to thank the hon. minister for giving us a copy of his statement beforehand. I appreciate that very much. I would also like to thank the Minister responsible for Housing for doing the same thing. It is a positive move. I am very happy to see some positive moves being made to help the forest industry in this Province which has been suffering over the last number of years from crises such as that seen in Corner Brook and so on.

I am especially interested in the stumpage rates. In Coal Brook for example, in my district, they did some enquiries out there and found there were a number of problems with the stumpage fees being charged. So they will be glad to hear that stumpage rates are going

up this year.

Also, it says here that the stumpage for pulpwood would increase for wood harvested from areas without government access roads, and sawlog stumpage would increase in unaccessed areas. I think the minister should have a look at what areas have government access roads and what areas are unaccessed, because in certain areas of the Province some people are experiencing many difficulties and feel that they are paying too high a stumpage fee when they are cutting in unaccessed areas. I would ask the minister to take that under consideration, especially for my district where they feel the rate is too high.

This is an initiative to try to help small business. I applaud it, but I do not think it is enough.

MR. BARRY:

That is part of our policy, is it not?

MR. K. AYLWARD:

Yes, it is part of our policy. It is good to see they are now starting to listen to some of the things we are saying over here.

Also, I would ask the minister if he could provide me with some information on profits or monies now being made by the companies through pulpwood rates and so on, so that we could bring more information to the House of Assembly and to the Province.

MR. SPEAKER:

Order, please!

The hon. member's time has elapsed.

MR. K. AYLWARD:

Thank you, Mr. Speaker.

MR. SPEAKER:

The hon. the President of Treasury Board.

SOME HON. MEMBERS:

Hear, hear!

MR. WINDSOR:

Mr. Speaker, hon. members are aware, I am sure, but I want to formally advise the House that last evening the Minister of Labour and I signed a back to work agreement with the Newfoundland Association of Public Employees. This agreement allows both sides to get back to the bargaining table. It calls, of course, for a halt to the illegal activities that have been taking place over the past number of weeks. It maintains the principles that we have been putting forward consistently. It also maintains the principles that we have been putting forward as it relates to wage parity for employees of this Province, which we have always accepted, and provides a mechanism or a framework within which collective bargaining should be able to proceed over the next number of days, hopefully towards the resolution of a collective agreement for both the general service and MOS bargaining units with government which will be acceptable to both sides. I table copies of that back to work agreement.

MR. SPEAKER:

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

Thank you, Mr. Speaker. It goes without saying that everybody in Newfoundland, and certainly this side of the House of Assembly, is delighted that the back to work agreement has been reached. We would hope negotiations will now

take place which will lead to a successful conclusion of the talks, and maybe we will make it in the forty-eight hours the Premier alluded to on On Camera on Wednesday night.

Mr. Speaker, I have to say, though, having watched the Premier that night, and knowing the man is here in the flesh every day the House of Assembly is open, and knowing what is happening, that I could not help but believe that this is an alien, this is a man who has just arrived on this planet from Mars. Here is a man saying, 'We are for parity', the same man, Mr. Speaker, who has signed every collective agreement that has been signed in this Province for the past ten years and was aware there was no parity, the same Premier who is dictating to the President of Treasury Board (Mr. Windsor) and to the Minister of Labour (Mr. Blanchard).

MR. SPEAKER:  
Order, please!

The hon. member's time has elapsed.

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

MR. SPEAKER:  
A point of order, the hon. the member for Windsor-Buchans.

MR. FLIGHT:  
Mr. Speaker, I am entitled to at least half the time of the minister, am I not?

MR. MATTHEWS:  
You have had half.

MR. FLIGHT:  
Mr. Speaker, I did not have half the time.

MR. SPEAKER:

There is no point of order. You have actually had more than your time.

SOME HON. MEMBERS:  
Hear, hear!

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

MR. SPEAKER:  
A point of order, the hon. the member for Windsor-Buchans.

MR. FLIGHT:  
I wonder would the Speaker agree, or the House agree, or the Premier agree that it is pretty difficult to eliminate disparity when you have a two year wage freeze that was brought in by the Premier?

MR. SPEAKER:  
Order, please!

SOME HON. MEMBERS:  
Hear, hear!

MR. FLIGHT:  
He froze parity, Mr. Speaker.

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

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

MR. MARSHALL:  
As we begin the happy process once again of trying to deal with public matters in a half sensible and efficient manner, Mr. Speaker, I rise on a point of privilege to point out that when Your Honour calls a member to order, the first thing that member does is sit down, which the hon. gentleman did not do.

The second thing, Mr. Speaker, is that when Your Honour makes a

ruling, it is completely contrary to the principles and the privileges of this House for a member to get up on a point of order and start debating with Your Honour as to the ruling that Your Honour made, which the hon. gentleman just did. If the hon. gentleman wishes to do that he can do it outside the House, Mr. Speaker, and I feel the hon. gentleman's conduct deserves him to be outside the House.

MR. BARRY:

To that point of privilege, Mr. Speaker.

MR. SPEAKER:

To that point of privilege, the hon. the Leader of the Opposition.

MR. BARRY:

To that matter of privilege, we are back now for the continuation of this session, Mr. Speaker. There is a lot of work to be done, and we would all like to see that we get down to it. However, Mr. Speaker, we still have to ensure that we do have the opportunity on this side of the House to make our point of view known, as would members opposite. I would point out, Mr. Speaker, that the member was in the process of giving a very effective rebuttal to the comments of the President of Treasury (Mr. Windsor) and the hon. the Premier, and it is unfortunate that he would be cut off in midsentence and not be given a chance to complete his remarks.

Unfortunately, this seems to happen. Members opposite start shouting and screaming members down on this side of the House when there is a very effective point to be made. Whenever members start cutting close to the bone, as did the member for

Windsor - Buchans (Mr. Flight), and point out the hypocrisy of the Premier on the On Camera interview -

MR. SPEAKER:

Order, please! Order, please!

MR. BARRY:

I guess the same thing is happening again, is it?

MR. SPEAKER:

I think the point of privilege raised by the hon. the President of the Council is a very valid one. I made the ruling, a very simple one, and the hon. member seemed to want to debate the matter with me. That is completely out of order. The point of privilege is we all have privileges here, and it is up to me to see that they are kept, to the best of my ability.

MR. BARRY:

Mr. Speaker, he is gone.

MR. FENWICK:

Mr. Speaker, may I speak to the Ministerial Statement?

SOME HON. MEMBERS:

No. Sit down!

MR. SPEAKER:

Leave is not granted.

The hon. the Minister of Labour.

MR. BLANCHARD:

Thank you, Mr. Speaker.

As an adjunct, I guess, to what my colleague, the President of Treasury Board, has just tabled as part of back To work agreement, I also wish to table a memorandum Of understanding between the President of NAPE, representing that union, and the Minister of Labour, representing government,



on a set of principles with respect to the public service labour legislation.

Mr. Speaker, many of the things contained in this represents an undertaking which I made as Minister of Labour last year, when I introduced a bill to amend certain parts of the legislation at that time.

A very interesting aspect of this memorandum is an understanding and agreement, which we have had for the first time with NAPE representing employees in the public service, that there will be essential services. Mr. Speaker, I am very delighted to be able to table this memorandum of understanding.

MR. FLIGHT:  
Mr. Speaker.

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

MR. FLIGHT:  
Mr. Speaker, as an adjunct to the Treasury Board statement I might continue and say that it came as a total shock to everyone in this Province to realize that the Premier of this Province, the man who sets public policy, the man under whom 14,000 civil servants in this Province work, was not aware that there was such a thing as disparity - I know no other word - that we did not already have parity.

MR. TULK:  
He called it unparity.

MR. FLIGHT:  
Unparity.

He wanted to tell the Province that he did not agree with

unparity, even though he is the Premier, Mr. Speaker, and his is the government which guaranteed that there was unparity in this Province, and further guaranteed it and enshrined it with their wage freeze for two full years. You do not wipe out unparity by putting a wage freeze in place. Mr. Speaker, if there was ever a minister who should be ashamed to stand in his place in this House of Assembly after the past six weeks, it is the non-Minister of Labour (Mr. Blanchard). The non-Minister of Labour sat in his place for six weeks and let Treasury Board bully him, and then, Mr. Speaker, to add insult to injury, had to watch the Premier cut the legs out from under both the President of Treasury Board (Mr. Windsor) and the Minister of Labour on television on Wednesday night. As a Minister of Labour, it would be a long time before I would have the face to stand up and make a statement re labour in this House.

Thank you.

SOME HON. MEMBERS:  
Hear, hear!

MR. FENWICK:  
Mr. Speaker.

SOME HON. MEMBERS:  
No leave. No leave.

MR. SPEAKER:  
Order, please!

Does the hon. member have leave?

SOME HON. MEMBERS:  
No.

MR. SPEAKER:  
Leave is not granted.

## Oral Questions

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I would like to refer the Premier to last month's Statistic Canada's figures for employment and unemployment. I would like to ask the Premier whether an increase in the unemployed of 9000 from February of this year until March still indicates to him that the economy is improving, as he referred to last week and as they referred to again in the budget?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, the Leader of the Opposition, of course, failed to mention that also these statistics show that we are in better shape this year than we were last year. Of course, that would be positive news for the Leader of the Opposition to give and, whilst he is always the purveyor of negative news, then obviously he only takes what is convenient for him to take out of the statistics and not some of the more positive aspects of it.

Mr. Speaker, March is usually the worst month in Newfoundland for unemployment. We are hopeful that as the months proceed we will be on a more positive course and see the unemployment rate month by month improve.

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. BARRY:

I do not know where the Premier gets that we are better off than last year. There were 53,000

unemployed in March of 1985 and this year there are 53,000 unemployed, or if you want to go on an adjusted basis 47,000 in March of both years. I would like to ask the Premier if he is aware that the unemployment rate has fallen over the past month in the rest of Canada from 9.8 per cent to 9.6 per cent and whether the Premier is not prepared to take responsibility for the fact that the unemployment rate has not fallen in this Province over the same period? It directly reflects on his lack of leadership, I would suggest, Mr. Speaker, and I would ask the Premier to admit to this.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, when the unemployment rate goes down and I stand in my place in this House and say that the unemployment rates have gone down somewhat, the Opposition are saying opposite. 'That has nothing to do with you and the government, it has not got a thing in the world to do with the government or with you as Premier, it had to do with this, that and something else.' But when the unemployment rate goes up it is all the government's fault. Now the Opposition cannot have it both ways.

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I do not believe the Premier answered the question. Now will the Premier admit that the unemployment rate has gone down in the rest of Canada over the past month while it did not go down in this Province? Is he prepared to take responsibility or does it just come down to the fact

that he does not care anymore?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, if the Leader of the Opposition wants to go out and do a poll tomorrow and poll the people of Newfoundland about who cares about Newfoundland, he does not even show, Mr. Speaker. The member for Menihek (Mr. Fenwick) will show but the Leader of the Opposition will not show. And that is an unfortunate circumstance given that the alternative government is supposed to be their opposite. As I understand it, Mr. Speaker, in the Western provinces the unemployment rate went up. So with this lovely global concept that the Leader of the Opposition wants to get across that unemployment went down in Canada, overall, yes, but if you look at various parts of Canada it did go up as it went up in the Western provinces for reasons which are obvious to anybody who has read the papers.

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. BARRY:

Thank you very much, Mr. Speaker. My question is to the Premier as well. Since we have seen the results over the last month of what happens when strong disparity exists between groups that are allegedly paid out of the same pocket, that is, provincial government employees, I would like to bring up one other group that I brought up before in the House

here and ask him to address them as well, that is, the people who do a lot of the cleaning for public building throughout the Province.

MR. SPEAKER:

Order, please!

The hon. member is making a speech.

MR. FENWICK:

My question to the Premier is this: Since virtually all the cleaners who clean this building and all the buildings that the provincial government owns in the Province are working at the minimum wage under contractors but doing the work of the Province, would he now take it as a principle of his government that their working conditions should be looked at and somewhere along the line they should achieve parity as well?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, as I understand it, most of the cleaning work that is done by government is done under contract. So, therefore, you have to go to tender. If you did not go to tender, of course, you would be in trouble that way. You must allow people to put in various bids based on how much they pay their employees, so you would be into a bit of a problem there. I know a number of years ago there had been cleaning services done in certain parts of government service, perhaps by government itself when they were hiring, where we did improve the situation at that point in time. I remember that vaguely, about five or six years ago.

So I do not know if it is an easy

matter to solve. All I can say to the hon. member right now is that I will take his idea under advisement and see if there is anything can be done. I do recognize that inherent in that system of contracting would be the problem of ensuring that people were allowed to bid at various rates in order for the taxpayer of Newfoundland to get the best deal.

MR. FENWICK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Menihek.

MR. FENWICK:

He is quite right, that when they are put out on tender the people who bid at the minimum wage are the ones who get the job. My question to the Premier is: In the federal jurisdiction, very often a requirement of the tenders is that a certain minimum wage be paid to these employees at a rough parallel with that which other government employees have. Is he willing to look into the situation and see if in future the contracts that go out from Public Works for this particular service stipulate that a minimum wage equal to that of other janitors in government service be paid to these employees?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, you cannot have two minimum wages. We already have one minimum wage in the Province and that is under law. The other thing I find a little bit strange is for the member for Menihek to bring up the federal government as an example because he would be the last one to bring up, before the House closed for Easter, that the

federal government also has essential services workers designated throughout its whole bureaucracy. It is somewhat inconsistent. It seems that when it is convenient for the hon. member he brings up something which he perceives as positive from the federal government, and that is fine to ask the Premier about. Something that the federal government is doing which is inconvenient, of course, he will not bring up.

So I do not know if you can have two minimum wages. What do you do then when you are doing capital construction on highways or you are building hospitals? You go to tender for that as well and various contractors come in at various levels. So you could not just do it for contracts that the government gave as it related to cleaning services, you would have to do it right across the system. Then you will have to pay more out, it would cost the government more in its capital budget. Then you would have some contractors complaining that they are not able to bid because it is out of their league to bid, they would not be able to pay the kind of wages necessary. So there are a lot of problems inherent in that concept and, whilst theoretically it might sound good as does socialism from time to time, when I wake up early in the morning, when the light of day comes it never looks half as good.

MR. SPEAKER:

The hon. the member for Stephenville.

MR. K. AYLWARD:

Thank you, Mr. Speaker.

I will put the question to the Premier today. The unemployment

rate for youth has gone up 3.8 per cent to 34.7 per cent. I would just like to ask the Premier does he have any plans to implement an employment programme to help youth obtain long-term employment, any plans whatsoever, in the next year or two? That is simply put.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Yes, Mr. Speaker, we do. We will be, through the Minister of Career Development and Advanced Studies (Mr. Power) over the period that this House is open, indicating what we are going to be doing there.

Some of the problems with youth unemployment have to do with getting the right skills and getting the right trades and so on, so you need to have really a two-tiered approach to those who are now qualified and cannot find jobs and those who are not qualified.

There is a lot to be said, as we have been doing over the last couple of years, for getting students who are now in some school or college a job for the Summer, which gives them money to go back the next year and, at the same time, experience in the field that they are studying. That is one area that we were very successful last year in getting over 5,000 young people into and we will be announcing programmes similarly to that as the session progresses. But as the hon. member raises it, it is a serious question not only in Newfoundland but right across Canada and we are going to try to address it this year.

MR. K. AYLWARD:

A supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Stephenville, a supplementary.

MR. K. AYLWARD:

It is fine to say that we are planning this, we are planning that, but for the last five years the unemployment rate has remained consistently high under this administration. They have made no attempts at all -

MR. SPEAKER:

Order, please! This is a supplementary, there is no need for a preamble,

MR. K. AYLWARD:

A new question?

MR. SPEAKER:

A question, please.

MR. K. AYLWARD:

We have a catastrophe out there in youth unemployment and I am asking today are you going to make a commitment to do something about it instead of saying, "In a year or two we have plans"? How many plans are you going to make before you do something about it? It is the highest anywhere in North America right now, in this jurisdiction. It is the highest. Are you going to do something about it and give a commitment to the young people of Newfoundland, who are leaving this Province in droves, going away and they are coming back? Your administration has been in there seven years and you have not done anything consistent yet, and there are things that you can do and you will not do them which do not cost a lot of money. You do not want to do them. I ask: Are you going to do them? Are you going to attempt to solve the problem so

young people can stay around here and do something for this Province?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Absolutely yes, Mr. Speaker.

MR. FUREY::

Mr. Speaker, a supplementary.

MR. SPEAKER:

A final supplementary on that question, the hon. the member for St. Barbe.

MR. FUREY:

The Premier and his administration have been elected nearly a year now and unemployment amongst young people between sixteen and twenty-four is around 40 per cent, was your mandate to create work for those young people a falsehood?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

No, Mr. Speaker.

MR. FLIGHT:

A very simple question, Mr. Speaker.

MR. SPEAKER:

A final supplementary, then.

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

I wonder if the Premier would consider diverting the money he is wasting on his silly propaganda programme in the media towards creating jobs for young Newfoundlanders? At least he would create a dozen jobs and

twelve jobs is twelve jobs. Stop spending the money so foolishly, insulting people with their own money, and cut out the Goebbels-like propaganda campaign we are seeing in the media and spend the money to create jobs where they are needed.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please! Order, please!

The hon. the Premier.

PREMIER PECKFORD:

Is that a question? Is that an interrogative or is that an imperative? I am not sure how to interpret that question, Mr. Speaker. It seems like the member for Windsor - Buchans is the habit of ordering people around. Well, here is one he is not going to order around. If he wants to ask a question then ask it properly.

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

Very simply, would the Premier consider stopping funding that silly propaganda programme and use the money that he saves to create jobs for young people in this Province?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, we are going to spend about twenty or thirty times what

the ad campaign costs on creating youth employment this Summer - twenty to thirty times, if not thirty to forty times. I know it grates the member for Windsor - Buchans and all members opposite because as we get our message out, when the people of Newfoundland see it is fair and reasonable, down go the Liberals, up come the NDP, and the PCs remain the Government of Newfoundland.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I wonder if the Premier would indicate how the ad campaign and the propaganda campaign went astray when the Government House Leader (Mr. Marshall) one day reported to the media that, no, there is absolutely no need to worry about falling oil prices in the oil industry because Newfoundland was not in production? As long as we are not in production we are immune from falling oil prices! Is that not wonderful? We can all pray that we never get into production, then we will stay immune. I wonder if the Premier can explain how his propaganda campaign went off the rails when the very next day Petro-Canada announces layoffs in the offshore here in this Province?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I think what we are talking about is whether in fact a

potential development becomes a reality over the next four or five years, namely Hibernia. The House Leader was saying that because we are not now in production and will not be until 1991 if the Hibernia plan, as proposed by Mobil, goes ahead, obviously the greatest concern that we have is what the price of oil is going to be when the first barrel rolls off into production, as opposed to Saudi Arabia or Norway or Mexico or Columbia, or some of the other producers, who are already in production and therefore have to suffer these lower prices now. That is what we were talking about and we find no inconsistency in that. Would the Leader of the Opposition now, because he is on the opposite side of the House, like to see a stop to all development? His members were talking about where are all the jobs and employment and now he is up trying to throw cold water on oil development in Newfoundland. Well, that is fine with me, Mr. Speaker. We will proceed on our agenda. Our biggest concern is what the price of oil is going to be in 1991.

MR. BARRY:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the Leader of the Opposition.

MR. BARRY:

In his On Camera interview on Wednesday, for the first time, Mr. Speaker, the Premier indicated that there might be some hitch in his agenda. He has refused to admit this in the House of Assembly. Mr. Speaker, we would like to ask the Premier what did he mean by his remark that there is some doubt, that he is unable to say now whether or not

development will commence on the Hibernia project this year?

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, between our ad campaign and that On Camera interview I did, I have the Liberals over there all excited, that is all I have heard since the House opened today. I must go on TV again, Mr. Speaker. It seems like I have them all upset. Between the ad campaign and the interview now I do not know which one that would take first place, whether it would be the ad campaign or On Camera interview. But I have heard more and more comments about On Camera interviews from the opposite side over the last while! All I said, Mr. Speaker, in the interview was that there are a lot of people around, like the Leader of the Opposition, who want to see this thing stopped and who are trying to create a psychology that somehow, because the price -

MR. FUREY:

You are all washed up, 'Brian'.

SOME HON. MEMBERS:

Oh, oh!

PREMIER PECKFORD:

I am trying to answer a question, Mr. Speaker, but the members over there just cannot keep quiet, so I ask for some silence.

MR. SPEAKER:

Order, please!

PREMIER PECKFORD:

Mr. Speaker, what I am saying is

that people like the Leader of the Opposition like to try to create as much uncertainty as they can. Of course, that will have an impact when you have people around like the Leader of the Opposition who wants to put a negative tone and a negative atmosphere on everything that goes on in Newfoundland and goes on in Canada. For our part we are going to put our best foot forward to see that it goes ahead.

MR. BARRY:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, again we have the Premier avoiding answering the question, and I would like him to explain. This is the first time, Mr. Speaker, anywhere, in the House of Assembly or out of the House of Assembly, that the Premier has expressed doubt as to whether the Hibernia project will proceed.

MR. BUTT:

Is this a supplementary question, Mr. Speaker?

MR. FUREY:

It is a new question.

MR. SPEAKER:

Order, please!

MR. BARRY:

Is the Premier aware that there are a lot of people in this Province who are investing money on the assumption that the Premier's word can be believed when he says that Hibernia will start this year? Is the Premier aware that there are men and women affecting their lives by making



decisions on the basis that Hibernia will go ahead? He owes it to them, so will he now explain what does he mean that there is now a doubt as to whether Hibernia will start this year?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, as I just explained, there are people around like the Leader of the Opposition who are creating this kind of psychology, people talking about the falling prices as if the first barrel of oil was going to come off Hibernia this year. You know, we are negotiating, Mr. Speaker, with the oil companies and the federal government. Does the Leader of the Opposition not understand that or has he forgotten everything about what he learned over here when he went over there? Does he not realize that there are negotiations going on? This \$5 billion project has to be negotiated by the oil companies, the federal government and the Province, and we are in the midst of those negotiations now. So what does the Leader of the Opposition want me to do, tell him all about the negotiations? I know he is jealous of the member for St. John's East. He does not want it to go ahead, so his jealousy can come out on the member for St. John's East. Every day he gets up he sees red when he thinks about the member for St. John's East. He already has the Atlantic Accord now and the member for St. John's East might get the Hibernia development going. This would be the final nail in the coffin of the ego of the Leader of the Opposition, if ever that happened, Mr. Speaker.

So all I can say to the Leader of

the Opposition, as I can to all the people of Newfoundland, is that we are in the process of trying to negotiate an early beginning to Hibernia and we are hopeful that we are going to be able to succeed in that.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, I have a question for the Minister of Finance. Up to the adjournment of the House on March 25, the minister was attaching some extreme urgency and immediacy to the passage of Interim Supply. In view of the fact that Interim Supply was not passed by the House, I wonder if the minister can indicate whether or not salaries were paid and government bills were paid and, if so, what arrangements were made to pay these salaries and to pay these bills since Interim Supply was not passed?

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, before the House adjourned we indicated that even though we very much deprecated the action of the Opposition in refusing to pass Interim Supply which was needed to pay government bills and to pay for the people serving government, nevertheless, in view of and despite that, we would make every possible effort to make sure that no one suffered unduly from that tremendous hesitation on the part of the Opposition.

I am glad to report to the House

that we did indeed succeed in putting in place arrangements whereby people who worked and deserved to be paid were paid, and people who supplied services and materials to government were in actual fact paid for them.

MR. LUSH:

A supplementary, Mr Speaker.

MR. SPEAKER:

The hon. member for Bonavista North.

MR. LUSH:

Mr. Speaker, I would like to address the question again to the Minister of Finance. Inasmuch as he did not answer the question I asked, what were the arrangements? He said arrangements were made. This is very important because, in view of the fact that Interim Supply was not passed, there did not seem to be too many options available to the minister, so just where did the money come from and what arrangements were made?

MR. SPEAKER:

The hon. Minister of Finance.

DR. COLLINS:

Mr Speaker there are arrangements available to government through the Financial Administration Act and those arrangements were pursued.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. member for Bonavista North.

MR. LUSH:

I wonder if the minister can indicate whether the arrangements made were through the issuing of Special Warrants?

MR. SPEAKER:

The hon. Minister of Finance.

DR. COLLINS:

Mr. Speaker, the hon member is the Finance critic, I understand, for the Opposition, and I am sure he is aware that if the House does not appropriate funds for certain services the only other way that I know of to get those funds flowing is through a Special Warrant. As the money was not appropriated by the House because of the delaying action, you could even say it was more that delaying action, it was obstruction, of the Opposition, we obviously had to go to the only alternative route and that was by Special Warrant.

MR. LUSH:

A supplementary, Mr. Speaker.

MR. SPEAKER:

That was the final supplementary on that question.

MR. LUSH:

Mr. Speaker, in view of the circumstances.

MR. SPEAKER:

I have already recognized the hon. member for a final supplementary.

MR. LUSH:

In view of the circumstances -

MR. SPEAKER:

I am going to recognize the hon. member for Menihek.

MR. LUSH:

Sorry!

MR. FENWICK:

Thank you, Mr. Speaker.

My question is for the Premier. I would like to pursue a subject that was brought up by the Leader of the Opposition. We have a

problem in terms of the perception of when the offshore oil development will proceed. In Alberta we have over 3000 people laid off in the last month or so as a result of declining oil prices. My question to the Premier is this: There are really only two ways to continue to allow the cash flow needed for these companies in order to pursue this development at this time. One is the support price on Canadian oil and the other is some sort of a grant system to the drilling companies in order to keep them going like the old PIP programme. My question to the Premier is which of these two avenues, if any, is he pursuing with the federal government to see that our offshore oil development continues on at a reasonable pace over the next year or so?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I cannot answer that question right now, we are into negotiations. I am not going to give away my hand at this point in time while confidential negotiations are going on between the Government of Canada and the companies and ourselves. We are negotiating and we are looking at all avenues which are available to see that the development goes ahead. Which ones will finally be negotiated out by the three parties we will have to wait and see. But obviously there are -

MR. FLIGHT:

(Inaudible) in the paper.

PREMIER PECKFORD:

Mr. Speaker, may I have silence, please?

MR. SPEAKER:

Order, please!

I would ask all hon. members to wait until their opportunities to speak, and that goes on my left as well as on my right.

The hon. the Premier.

PREMIER PECKFORD:

Thank you, Mr. Speaker. As I was saying, before I was rudely interrupted by the member for Windsor - Buchans, all I can say to the hon. member for Menihek is that there are a number of avenues we have to explore to try to get it going and two of them are two that the member mentioned. There are others that are available and they are all now being examined. There have been meetings in the last week between the governments and we will be meeting with the companies again. There are various proposals on the table now from all the parties. So we are getting together to see if we can work something out. So that is all we can really say at this point in time. We want to make sure that we protect our position so that down the road, if the price of oil does go up or even goes up by 1991, that we will be protected and still get some revenue.

At the same time, we are putting proposals on dealing with industrial benefits to see that we get a good share of the jobs in every aspect of the development. So there are a lot of things at stake here in the industrial benefits package and in the financial package. Both of those have to come together. So if in five years we can negotiate 3,000 or 4,000 more jobs and for those five years take a reduction of 5 per cent on the financial side, it might be worth our while. So

those are the other things that have to go into it as well.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

I want to ask a question of the Minister of Finance. In answer to a previous question, the minister indicated that the salaries and bills were paid by the issuing of Special Warrants. I wonder, in view of the unusualness of the circumstances that surrounded this particular situation, if the minister can indicate to the House whether or not he sought legal advice before making these arrangements?

MR. MARSHALL:

A point or order, Mr. Speaker.

MR. SPEAKER:

Order, please!

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

MR. MARSHALL:

It is quite obvious, Mr. Speaker, and it is well known that one is not allowed to ask a minister of the Crown as to what legal advice he did or he did not get. I know the hon. gentlemen tried valiantly to block social assistance recipients and pensioners from getting their money as a result of their antics at the end of March. The minister has indicated that there were Special Warrants issued, but it is not in order for the hon. gentleman to ask as to the nature and the extent of any legal advice we obtained.

MR. BARRY:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, in the late 1960s that same member and certain other members opposite, including the former Attorney General, the Minister for Intergovernmental Affairs (Mr. Ottenheimer), pointed out, and pointed out quite correctly, that Special Warrants were an exceptional measure that were not to be taken lightly, Mr. Speaker. And we now have a situation where the House was recessed by the decision of government when they could foresee the necessity, contrary to The Financial Administration Act, they could foresee the need for expenditures. They ignored the act and the member for Bonavista South is pointing out that there may very well be illegal activity on the part of the Minister of Finance and the administration in this case.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

Now, Mr. Speaker, we are not going to sit here and listen to that rubbish by the Government House Leader (Mr. Marshall) saying that we are not entitled to know whether the Minister of Finance and government acted legally in seeking Special Warrants in their circumstance. Now we ask you to direct the Minister of Finance to answer that question. The people of this Province should know.

PREMIER PECKFORD:

To that point of order, Mr.

Speaker.

MR. SPEAKER:

To that point of order, the hon. the Premier-

PREMIER PECKFORD:

Let us get the matter straight here. The Opposition, before the House closed for Easter, filibustered and did everything in its power to stop us from being able to spend money during Easter to pay for social assistance recipients, pensioners and all the rest of it. They did everything in the world, Mr. Speaker, to do that.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! Order, please!

PREMIER PECKFORD:

We have exercised our responsibilities as a government, Mr. Speaker, and we will continue to do so. And we will not have the Leader of the Opposition or anybody opposite stop us from doing it. One gets the impression that the Leader of the Opposition does not realize that the last election is over and that he lost and somebody else won.

MR. SPEAKER:

To that point of order, I am going to look into that a little bit more, but offhand I cannot order any minister to answer a question.

PREMIER PECKFORD:

Exactly! That was my other point.

MR. SPEAKER:

And I certainly do not have to rule on legal matters, either. But I will look into the matter and, if I feel I should say anything more about it, I will

speak more.

MR. MARSHALL:

Mr. Speaker, can I just refer Your Honour, when he is looking into it, to Beauchesne, Page 130, where it is out of order to ask questions of ministers 'to seek information about matters which are in their nature secret, such as decisions or proceedings of a Cabinet, advise given to Crown by Law Officers, etc.' It is very plain for those who know the rules that the hon. gentleman there opposite obviously do not.

MR. SPEAKER:

I am going to reserve ruling on that and have something further to say about it tomorrow.

The time for Oral Questions has now expired.

MR. BARRY:

On a matter of privilege, Mr. Speaker.

MR. SPEAKER:

On a matter of privilege, the hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, we just heard the Minister of Finance admit in response to the member for Bonavista North, that he has sought and obtained Special Warrants when Section 28 of The Financial Administration Act, Mr. Speaker, sets out that the expenditures must be such as have not been foreseen; and when we had a situation where the Opposition was ready, willing and able to keep the House open, told government that, and as a matter of fact fought all night to try and keep the House open so that we could continue debating Interim Supply with a view to having Interim Supply completed, Mr.

Speaker, before the end of the month if at all possible. We saw the administration close the House in February on short notice -

MR. TULK:

Because their Atlantic Accord did not fly.

MR. BARRY:

- they hoisted their sails and ran, Mr. Speaker, and now we have the admission that the Minister of Finance has gone out and obtained Special Warrants. We would ask Your Honour to consider the fact that the privileges of this House have been breached. The very reason, the very essence for a House of Assembly, for any parliament in the British democratic system is to control the purse strings. If the Minister of Finance (Dr. Collins) is to be able to go out and casually stroll down to His Honour and obtain Special Warrants when the House of Assembly could have been kept in session, Mr. Speaker, that is an insult to every member of this House, it is an abuse, Mr. Speaker, of the Office of the Minister of Finance and it is an insult to the very principles upon which this House of Assembly is based. It is a very serious matter.

Your Honour it has come up time after time, fortunately not for some years now but in the early 1970s, late 1960s this battle was fought out, and I thought never again would we see, Mr. Speaker, the abuse of Special Warrants which we are now seeing the Minister of Finance engaging in. Mr. Speaker, we would ask you to look into this matter, look into the Financial Administration Act, and determine whether or not the Minister of Finance and this administration is showing contempt

for the House of Assembly.

MR. MARSHALL:

Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council, to that point of order.

MR. MARSHALL:

Mr. Speaker, what a silly point of order, addressing Your Honour as if Your Honour was a grade school teacher and he should discipline him. What does he want? Perhaps the Minister of Finance should go over and stand in the corner for the rest of the afternoon for passing a Special Warrant to see that the social assistance recipients were paid, the pensioners were paid, and the hospital workers were paid. Make no wonder nobody in the Province takes the hon. gentlemen seriously.

Look, Mr. Speaker, I say to the hon. gentleman, first of all, this is a matter for the Auditor General to pass on and knowing the Auditor General I am quite sure he will pass on it. In the meantime, all of the people who have cashed their cheques are enjoying the money and they will continue to do so because we are the government and we are going to govern notwithstanding the fact of the conduct of the oafs in the Opposition there opposite who are attempting to hold this Province to ransom on a matter that was totally and absolutely unrelated to the Interim Supply.

So, Mr. Speaker, let it be known that what the hon. gentlemen there opposite were doing was, as I say, refusing to pass supply because they were attaching another condition that was totally unrelated to it. With respect to that, they succeeded in making

some of the cheques late. Those people who received cheques late over the past week or so can thank the Opposition, but we are the government and we govern.

But on the point of order, as I say, to hear the hon. gentlemen there opposite, he wants to report what the Minister of Finance said to the Speaker. So what is the Speaker supposed to do? What are we supposed to do? Tie the hon. the Minister of Finance to the Table there and give him forty lashes maybe because, Mr. Speaker, he dared to take measures to protect the people of the Province of Newfoundland against the tyranny of an ineffective and stupid Opposition, led by a more ineffective and stupid Opposition leader.

MR. TULK:

To that point of privilege, Mr. Speaker.

MR. SPEAKER:

I have heard sufficient.

MR. TULK:

Are we going to have two and one, Mr. Speaker, and not two and two?

MR. SPEAKER:

I have grave doubts in my mind of whether this comes in under my jurisdiction. I want to look into that in the first place.

Presenting Reports by  
Standing and Special Committees

MR. SPEAKER:

Order, please!

DR. COLLINS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Finance.

SOME HON. MEMBERS:

Hear, hear!

DR. COLLINS:

Mr. Speaker, I wish to table copies of Special Warrants.

MR. OTTENHEIMER:

What do they permit? Do they permit people to get their cheques? Are they those?

DR. COLLINS:

Yes, to some extent, but not the ones that were referred to just a moment ago. I am going to come to that in a moment. These are related to Transportation, which had to do with snow clearing; to Education, which had to do with bilingual education; and to Social Services, which had to do with the community development fund. These are the final Warrants that relate to the fiscal year 1985-86.

Mr. Speaker, whilst I am on my feet, I would like to table Special Warrants that relate to fiscal 1986-87, covering the same amount as the Interim Supply Bill, and with that Special Warrant, which comes to a total of seven hundred and fifteen million three hundred and thirty-odd thousand dollars, I would table also certain documents. Mr. Speaker, the documents relate to the fact that when the Special Warrant was presented to His Honour at the request of Cabinet, His Honour signed the Special Warrant; the Special Warrant was then transmitted to the Comptroller General, and the Comptroller General wrote, as he is required to do under the Financial Administration Act and as he had done several times in the past, to indicated to the Secretary of Treasury Board that he was unable

to service the Special Warrant because the House of Assembly had not voted these allocations. Accordingly, the Secretary of Treasury Board -

MR. BARRY:

What?

DR. COLLINS:

I cannot deliver my remarks with all this false surprise across the way. It is sort of putting me off. This false, pseudo-surprise.

The Secretary of Treasury Board, having so received a communication from the Comptroller General, brought this to the attention of Treasury Board. Treasury Board met on the matter and pursuant to the Financial Administration Act deemed the objection of the Comptroller insufficient to hold up the expenditure of funds, and, according to the Financial Administration Act, ordered that the Special Warrant be serviced. Having received that information from the Treasury Board - again, as I say, fully pursuant to the Financial Administration Act - the Comptroller General fully accepted the ruling of Treasury Board and did service the Warrants and paid, as was required, those due monies from government after the end of the fiscal year and into the early part of the new fiscal year. Mr. Speaker, as hon. members know this has been done a number of times in the past when for a number of reasons Interim Supply was not passed before the end of the fiscal year.

MR. BARRY:

Never before!

#### Notices of Motion

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce the following bills:

"An Act To Amend The Land Development Act." (Bill No. 5).

"An Act To Amend The Labrador Linerboard Limited Agreement Act, 1979 In Order To Ratify, Confirm And Adopt An Amending Agreement Entered Into Between Her Majesty The Queen In Right Of The Province Represented By The Honourable The Minister Of Forest Resources and Lands And Abitibi-Price Inc." (Bill No. 6).

MR. DINN:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister responsible for Housing.

MR. DINN:

Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Newfoundland And Labrador Housing Corporation Act". (Bill No. 17)

MR. SPEAKER:

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce the following bills:

"An Act To Amend The District Court Act, 1976". (Bill No. 9).

"An Act To Revise And Reform The



Law Respecting Corporations".  
(Bill No. 20)

"An Act To Amend The Justices And  
Other Public Authorities  
(Protection) Act". (Bill No. 8)

"An Act To Amend The Prisons Act,  
The Royal Newfoundland  
Constabulary Act And The St.  
John's Fire Department Act,  
1972". (Bill No. 12)

"An Act To Amend The Queen's  
Counsel Act." (Bill No. 13)

"An Act To Amend The Law Society  
Act, 1977." (Bill No. 11)

"An Act To Amend The Department Of  
Justice Act." (Bill No. 7)

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, I give notice that I  
will on tomorrow ask leave to  
introduce a Bill entitled, "An Act  
To Amend The Income Tax Act."  
(Bill No. 4)

MR. SPEAKER:

The hon. the Minister of  
Environment.

MR. BUTT:

Mr. Speaker, I give notice that I  
will on tomorrow ask leave to  
introduce a Bill entitled, "An Act  
To Amend The Department Of  
Environment Act." (Bill No. 3)

### Petitions

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Thank you very much, Mr. Speaker.  
I have a petition with 332 names  
of signatories to it from various  
places in the Province. It is a  
familiar petition, since it is now  
somewhere around 1,000 names that  
we have on petitions that we have  
introduced in the House over the  
last couple of months. I will  
repeat the prayer of the petition  
for the Minister of Finance, who  
is now probably getting used to  
hearing it:

"We, the undersigned, petition the  
provincial government to either  
eliminate the 12 per cent sales  
tax on cable service in rural  
areas, or else find some way of  
lowering it so that we do not pay  
a much larger amount in sales tax  
on our cable service in rural  
areas than do people in urban  
areas, such as St. John's."

This comes from Heart's Delight,  
Fox Harbour, Winterton and a  
number of other places, Mr.  
Speaker. Just to repeat the  
argument behind it, cable service  
in rural areas of the Province  
ranges anywhere from a low of  
nineteen or twenty dollars to as  
high as twenty-five dollars in  
some places. The cable service in  
St. John's, for example, is  
somewhere around eleven dollars.  
Since there is a 12 per cent sales  
tax on both services, it means,  
effectively, that rural  
subscribers are paying twice as  
much tax for essentially the same  
kind of service. It is a very  
inequitable way of doing it, since  
their costs are higher to start  
with.

We have had repeated requests to  
the Minister of Finance to include  
it in his budget. He has not, but  
I want to assure him that there  
are thousands and thousands of

other people out there who are looking forward to cable service in rural areas, or already have it, who feel that they are being unfairly treated by this provision and would very much look forward to an appropriate change in the regulations.

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, just a very brief word in support of the petition. I have indicated to the hon. member that it did not seem required to comment on this through the budgetary process but we are looking at it through other means. It is not really a simple matter, but we are looking into it and we will do what we can in terms of making sure that there is equitable treatment across the Province.

MR. WARREN:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Torngat Mountains.

MR. WARREN:

Mr. Speaker, I rise to present a petition on behalf of sixty-four residents of the community of Paradise River in the district of Eagle River. I should start off, Mr. Speaker, by saying it is most unusual. I will read the first paragraph of a letter I received from the hon. member for Eagle River in which he says: "Enclosed is a letter and a petition that I have received from the community of Paradise River." I also notice, Mr. Speaker, that there are two other letters attached to the letter from Paradise River. They are all original, Mr. Speaker. It comes about because

the member had written to Paradise River requesting that a petition be circulated.

I am quite honoured, Mr. Speaker, to have the privilege of presenting the petition, and also to have the member for Eagle River put confidence in me by abdicating his duties and asking me to present a petition on behalf of his district.

SOME HON. MEMBERS:

Hear, hear!

MR. WARREN:

Mr. Speaker, I will read the prayer of the petition: 'A multimillion airstrip has been completed in Paradise River and it is now in its second year of use. There is presently no road through the town joining the town to the airstrip. Accessibility to the airstrip is poor. It is hazardous for people requiring medical attention, when they must be flown in to receive this attention. We, the undersigned, support the idea of a road being built through the town of Paradise River to link it with the airstrip as soon as possible.'

I have no problem whatsoever, Mr. Speaker, in supporting this request. I notice the hon. member did not put his name on it, but I did, gratefully, put my name on the petition. There are sixty-four names there of people who are genuinely interested in making sure that the people in Paradise River have a road link through the community connecting with the road that goes to the airstrip. I have no problem in supporting the petition and I would like to advise the hon. member, and any member opposite, that if they do not want to present petitions in this House, I

will gladly do so. You have been elected by the people and I would like you to stand up and speak on behalf of the people.

Thank you very much, Mr. Speaker.

MR. HISCOCK:  
Mr. Speaker.

MR. SPEAKER:  
The hon. member for Eagle River.

MR. HISCOCK:  
Mr. Speaker, I am pleased that the member for Torngat Mountains (Mr. Warren) presented a petition that was sent to me. I sent him a copy of the petition and the letter, since he is a Parliamentary Secretary to the minister responsible for Labrador. I talked to the Premier over Christmas, at the Christmas party, and told him about the road. He asked how large it was and I told him it was about a kilometer. He said he would see what he could do, have a look at it, and maybe put it in the budget. I sent a letter to the people of Paradise River saying that if they wanted a road to circulate a petition, which they did, and it came to me.

As Parliamentary Secretary to the minister responsible for Labrador, I felt, as I said in the last sentence of the letter, that this would be a chance for the member for Torngat Mountains to show the residents of Labrador, not just Torngat Mountains but Labrador, that he could exert some influence on the government. Here is the community of Paradise River with a federal airstrip - all they have is a cow path through their community leading to it - and old age people and people who are sick have to walk or be carried to that airstrip. You are only talking about three or four kilometres

from the airstrip road to the cow path. It is the responsibility of this government to provide secondary roads, and I hope, Mr. Speaker, that the Minister of Transportation (Mr. Dawe) will get up and support this petition. And since it was presented by a member on the government side, there will be two speakers. Also, will the Premier live up to his word, given to me at Christmastime, and look at this. Because it is unbelievable that a community would have a \$3 million airstrip with no way to get to it. It is like building a house and having no doors to get in or out. With regard to the petition, I will be dealing with that later.

I regret, Mr. Speaker, that the member for Torngat Mountains, the Parliamentary Secretary to the minister responsible for Labrador, did not say that he would make sure that this request was honoured. It was my intention to send him a copy of the letter and the petition, but by mistake the original was sent. I went over and asked him for the original back but because he, as other hon. members in this House, wants to make political points, he said, 'No, I have it now and I am going to present it.' Mr. Speaker, I have never seen anything like it before in my seven years in the House, and all because a mistake was made in the office and he was sent the original petition instead of a copy. He then gets up and makes all those silly little points saying, 'I am presenting the petition even though it was a mistake.' I say to the member for Torngat Mountains, he has presented it, the people in Paradise River wait in anticipation, and I hope the Minister of Transportation (Mr. Dawe) will listen to what the

Premier says. The Premier is supposed to be a man of his word. He said he would look at this and possibly have it in the budget. I will tell the minister it is only a kilometer; you can have members of your own department build the road, you do not need a construction company.

All the money you saved because of the strike, perhaps some of that money can go towards this road. Again I would say, Mr. Speaker, that it is unbelievable that senior citizens and people who are sick have to use that cow path in freezing temperatures in the winter, in rain, in all types of weather to get to the airstrip in Paradise River. We have something like \$30 million for road construction, so I would ask the Minister of Transportation to allot \$150,000 or \$200,000 and use workers from his own department, if necessary, to make sure that road is done. If that road is not done, then all I can say, Mr. Speaker, is that the member for Torngat Mountains, the Parliamentary Secretary, is more concerned with making little political points than using his influence. Since he has crossed the floor, he should be able to do something for the people of Labrador.

I regret, Mr. Speaker, the original petition was sent to him by mistake. I regret his character is such that he did not have the decency to send it back to me and get the one he was supposed to get. He got up and made the nitty points, 'The member for Eagle River is abdicating his duty and I, the Parliamentary Secretary, will present the petition.

Mr. Speaker, he can get up and

pound his chest all he likes, but the fact remains that Paradise River is a community with a \$3 million airstrip which needs a connecting road to it. There is no earthly reason why there should be an airstrip in this Province with no way to get to it. I hope the Minister of Transportation will get up and support this petition. And not only support it, but tell the people of Paradise River that money has been allocated in the budget and that his department will build this road.

MR. SPEAKER:

Order, please! The hon. member's time has elapsed.

MR. HISCOCK:

In closing, Mr. Speaker, in the conversation I had with the Premier I was assured by him, almost 90 per cent, that it would be in the budget. I hope that when the Minister of Transportation rises he will give me the assurance that the Premier was not making small political points, like the member for Torngat Mountains. Thank you, Mr. Speaker.

MR. DAWE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister for Transportation.

MR. DAWE:

Mr. Speaker, I would like to stand and support the petition very ably presented by my colleague, the member for Torngat Mountains. Very often the member for Eagle River (Mr. Hiscock) tries to enunciate some kind of logic, but it is almost always convoluted so I had difficulty in trying to rationalize anything he said. I

did notice that he indicated he sent the original petition to the member for Torngat Mountains by mistake. Mr. Speaker, in reading the letter it says 'Enclosed is a letter and a petition.' It does not say a copy of a petition or anything else, and nowhere does it ask for the original to be returned. I understand he did not, himself, ask to have the original returned for presentation to the Legislature. I am sure my colleague for Torngat Mountains naturally assumed from the contents of the letter, and not having any other contact with the member for Eagle River, that the member, as is indicated - I appreciate as he does the confidence of the member for Eagle River, that the member for Torngat Mountains in his capacity as Parliamentary Secretary to the Minister of Rural Agricultural and Northern Development does indeed have influence. As a matter of fact, Mr. Speaker, before the petition was presented by him he met with me and we talked about the issue, and I have assured him, and he is going to assure the people in Paradise River, that the people from my department will be in there as soon as weather permits to do the necessary cost estimates and to look at a schedule for making sure that this particular road and connection is made.

Mr. Speaker, there are a number of other airstrips in Labrador, both on the South Coast of Labrador and in Northern Labrador, where this sort of a system has been created over the past number of years, a system by the way, Mr. Speaker, that we did not exactly get full support from the member for Eagle River (Mr. Hiscock) for, but the airstrip system is in place. There are coastal boats in place,

which he was against at the time as well, and they are being improved. We will be doing what we can to make sure that there is an adequate connection from the various communities in Labrador to the thirteen airstrips that we have so that people can avail of the services that are there in a more equitable way.

I would just like to point out, in talking to my colleague from Torngat Mountains (Mr. Warren), I understand the member for Eagle River (Mr. Hiscock) referred to a cow path. I would just like to point out that as far as I know, and as far as the member for Torngat Mountains knows, there are no cows in Paradise River.

MR. HISCOCK:

A point of privilege, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Eagle River on a point of privilege.

MR. HISCOCK:

We have just finished with the presentation of a petition for the district of Eagle River where I ended up sending the letter and the petition. The Minister of Transportation (Mr. Dawe) is quite correct when he said I did not say a copy of a petition. I ended up sending the petition to Mr. Warren in his capacity as parliamentary secretary and I ended up saying in the last letter that this would be a chance to show the residents of Labrador that you have influence.

The member for Torngat Mountains (Mr. Warren) sent me a note saying he was going to present the petition. I said, "Well, he cannot do that because I have the original." So I ended up sending up to the office and getting what I thought was the original but, by

mistake, the original petition was sent to Mr. Warren. In the rights of a Member of the House of Assembly, when petitions are sent to you, normally the member in the district presents them. If they go to another member, then the other member has the right to do it because you have two people on each side speak. The petition was sent to him by mistake but the concern of the petition and the letter was not sent to him by mistake. It was sent to him out of a concern that the residents of Labrador need that road. As parliamentary secretary, not minister for Labrador and having no minister for Labrador, I ended up sending it to him in that capacity to ask him to use his influence and, as a former colleague, hoping that he could do that. He has been going all around the Province -

MR. SPEAKER (McNicholas):  
Order, please!

The hon. the member is not getting to the point of privilege he is trying to make.

MR. HISCOCK:  
Mr. Speaker, I will come to the point of privilege. A petition was sent to me and the office sent it to him by mistake. I ended up going over and asking the member for Torngat Mountains (Mr. Warren) to return the original petition because it was sent by mistake. I said he could have a copy of it and when I presented the petition, because it was sent to me, he could get up and speak on it. Instead, he said, "No, I have it, I will present it." He got up and tried to make all the silly points on it, Mr. Speaker. I am glad to hear the Minister of Transportation (Mr. Dawe). That is the main point, but I am

saying, as a Member of the House of Assembly, going and asking another hon. member when a small mistake is made, and you ask for the honour, the dignity, of another member of this House of Assembly to try and correct it, when another hon. member on the -

MR. SPEAKER:  
Order, please!

The hon. member is repeating all the time. I have the point he is trying to make.

MR. HISCOCK:  
In concluding, Mr. Speaker, on a point of privilege, the member for Torngat Mountains (Mr. Warren) abused the privilege of this House by not treating another hon. member in the same way that this House is supposed to by having the decency and the honour of returning something that was sent by mistake.

MR. WARREN:  
Mr. Speaker, to that point of privilege.

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

MR. WARREN:  
Mr. Speaker, I do not know why the hon. gentlemen are so upset. I did exactly what I was required to do. I carried out his requirements. He wrote me a letter. In the letter he said, "enclosed is a letter and a petition that I received from the community of Paradise River." He enclosed it, he sent it to me, and I even had the courtesy of advising him that I was going to present it in the House. In fact, I could have presented it even without advising him. I even gave him that much courtesy in letting

him know so he could be prepared to take the slack for giving up his duties for the Eagle River district. That is all I could do. If he did not want to present it, I cannot help it. It is not my problem. Some one has to present an original petition. I took the original petition and presented it, which he requested me to do. He sent it over to me and did not say it was a copy. All he said was, "Enclosed is a letter and a petition." The letter and the petition, Mr. Speaker, were the original. I had no other alternative, as an elected member by the people of Newfoundland and Labrador, but to bring it into this hon. House. If the hon. member for Eagle River (Mr. Hiscock) could not do it or did not want to do it, I am sorry I embarrassed him.

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER (McNicholas):  
Order, please!

MR. TULK:  
Are we allowed to address nonsense like that in this place?

MR. BARRY:  
Mr. Speaker, this is unheard of.

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

The hon. member has not made a prima facie case of breach of privilege. There is a difference of opinion between two hon. members and that is all.

MR. TULK:  
On a point of privilege.

MR. SPEAKER:  
A point of privilege, the hon. the member for Fogo.

MR. TULK:  
I will approach it from a little different point of view than the member for Eagle River (Mr. Hiscock). Let me point out this to Your Honour.

MR. SPEAKER:  
Order, please!

I have already ruled there is no prima facie case of breach of privilege in the one that was raised by the hon. member for Eagle River.

MR. TULK:  
I am making another point of privilege, Your Honour.

MR. SPEAKER:  
That is alright.

The hon. the member for Fogo.

MR. TULK:  
Mr. Speaker, I refer Your Honour to Section 16, page 11 of Beauchesne. It says, "the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its members and the vindication of its own authority and dignity."

It is the same type of thing that we saw go on with the member for Bonavista South (Mr. Morgan) that I am going to make here, the point of privilege which, by the way, has not been dealt with yet by this House. We will address that some other time.

The member for Eagle River is a member which should, as part of his duties, present petitions in this House. He sent what he thought was a copy to the member for Torngat Mountains (Mr. Warren).

MR. SPEAKER:

Order, please!

I have already ruled there is no prima facie case in that particular case.

MR. TULK:

I am making a new one.

MR. SPEAKER:

It is exactly the same one.

MR. TULK:

It is not the same one, Mr. Speaker.

MR. BARRY:

It is not the same one.

MR. TULK:

I am pointing out that the new point of privilege that I am talking about refers to all of us. The member for Torngat Mountains (Mr. Warren) has impeded upon the right of every member in this House to present a petition from his district by a dishonourable action on his part.

MR. SPEAKER:

Order, please!

I have already said there is no point of privilege.

MR. TULK:

The member for Eagle River rose on his own point of privilege.

MR. SPEAKER:

Order, please!

I have already ruled on that matter. There is no prima facie case.

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

What kind of a place are we in?

MR. BARRY:

Is this what will go on in this session now?

#### Orders of the Day

MR. MARSHALL:

Motion 1, Mr. Speaker.

MR. SPEAKER:

Motion 1.

On motion, that the House resolve itself into a Committee of the Whole on Supply to consider certain Resolutions for the Granting of Interim Supply to Her Majesty, Mr. Speaker left the Chair.

#### Committee of the Whole on Supply

MR. CHAIRMAN (Greening):

Order, please!

DR. COLLINS:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Chairman, we are continuing debate in Committee on the resolution that relates to Bill 18 and even though Interim Supply has been obtained now for the amount involved, we still have to get the resolution passed and we still have to introduce the bill because the Special Warrant will remain in effect until such time as the Interim Supply Bill itself is passed. Then, of course, the permission of the House is obtained for that expenditure. That is not in any way to take away from the validity of the Special Warrant.



Mr. Chairman, there is not much to be said. I think it has all been said before. There was really very little need for extended debate on this resolution. In most instances it only takes, perhaps, a few hours to pass the Interim Supply Bill because the same subjects can be debated quite fully when the main estimates are introduced. Of course, the main estimates were introduced at the time of the Budget Speech.

Mr. Chairman, I will just encourage members of the Committee dispose of this matter that is before us and then we can get on to the other needs of the people of the Province that require attention by hon. members. I move the resolution.

MR. LUSH:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Chairman, what we have seen here today, the result of the actions of the government and the Minister of Finance (Dr. Collins) since the House adjourned on March 25, is the reduction of this hon. House, Mr. Chairman, to nothing, to not even a kind of a meeting that one would convene in someone's kitchen. We have taken away the powers of the House of Assembly. We have eroded them and we have reduced them to nothing. We have seen evidence of this today when the Minister of Finance indicated the arrangements that were made and the process that was followed.

Mr. Chairman, the Leader of the Opposition, when he spoke on a point of order, pointed out how,

in the past, hon. members of the government objected to the issuing of Special Warrants and rightly so. Special Warrants are a very unique situation that a government finds itself in and it is not to be abused. Whenever the House of Assembly can be open, this is where we deal with the voting and the approving of expenditures of public money. But in this particular case, this was not done.

Let me point out, Mr. Chairman, to you and to hon. members why it is that in this particular situation it was certainly an illegal act to issue these Special Warrants. As I pointed out, number one, Parliament should never abuse its rights in terms of issuing Special Warrants. It is an area or an avenue that is open to a government but only under an extreme situation and with extreme circumstances. I point out to the Minister of Finance and to all hon. members that these extreme circumstances did not exist in this particular case.

Normally, Special Warrants are issued during the fiscal year after the budget has been approved, after all expenditures have been approved and somewhere along the line, the government finds that it is short on money. Most likely it is in a particular department. What it normally does, at that particular point, is to ask for the permission to spend monies within the department, transferring it under separate heads. For example, it might be that under one head, the department did not spend the money and now they are short on money. They can transfer that to another head. That is generally what happens. It is the transferring between subheads within a department. That is an area that

is open. That is generally the procedure. But the monies have been passed by the Legislature and they have been approved. Under a particular subhead, we did not have the monies, so that arrangement is there. There is nothing against democracy or the rules of Parliament to stop a government from taking that procedure.

The other case requiring the issuing of Special Warrants, Mr. Chairman, is when there is not appropriate funds under these subheads. When the money is not there, then we can go for the issuing of the Special Warrants, particularly in an emergency and the government needs the money. So we have that area open. But do not forget the underscoring point: The Legislature has approved the expenditures of the moneys. They have been approved. We have approved the appropriation of these funds.

In this particular case, we had a new session and a new budget was brought down. There was nothing approved. It is normal for a government to come in while the budget is being approved or while the estimates are being approved and look for Interim Supply. There was plenty of time to debate that and it would have been approved, but the government wanted to close down the House on March 25 when the Opposition was trying to stand firm and keep the House open to try to solve that unfortunate labour dispute with NAPE and with the Department of Labour. That is why we were keeping the House open. But the government decided that was not going to be and they closed the House without the passage of the Supply bill.

Mr. Speaker, they, in their wisdom, then decided that they were going to issue Special Warrants. We say that that contravenes the Financial Administration Act. There is nothing in the act that gives the government that kind of leeway, to issue Special Warrants when the funds have not been voted upon, when the budget has not been approved for that particular year. That is the difference in this particular case as to what normally is the situation. What we have here was an abnormal situation, and the government, in their arrogance, decided that they were going to dismiss parliamentary procedure, they were going to dismiss tradition and they were going to ram it through and issue Special Warrants.

What we are doing here today, Mr. Chairman, is just a farce. If this is allowed to happen then, of course, Parliament need not exist in this Province. We need not have a House of Assembly because the government can take things in their own hands and do precisely what they wish. That is the arrogance we have seen displayed in this particular session of the House of Assembly.

Mr. Chairman, the salient point is, in this particular case, when funds have not been voted upon, when expenditures have not been approved, there must have been a situation of extreme urgency that nobody foresaw. Everybody, Mr. Chairman, foresaw this situation. Everybody knew exactly what the circumstances were. I say, because of that, the government certainly broke the law.

Mr. Chairman, it gets down to another point. The hon. the House Leader (Mr. Marshall) got up on a

point of order to say that I was not permitted to ask the questions that I was asking. Mr. Chairman, I ask this: How can some member on this side of the House question the legality of a matter? How can somebody on this side of the House question whether the government has done something properly? Are we going to stymie debate? Are we going to hamstring members so that they cannot question the government on matters of legality, on matters of proper conduct? Certainly, we must be allowed to ask these questions. We must be allowed to find out whether or not the government is acting properly, whether they are acting according to the laws of the land, and we suggest in this particular case-

MR. MARSHALL:

Are you complaining that people were paid the money they were due?

MR. LUSH:

Mr Chairman, that is not the point in question. The hon. the Government House Leader (Mr. Marshall) is just trying to distract me, he is just trying to take away from the point of legality. No one is talking about whether or not these people should have been denied their cheque. Nobody talked about that, and we on this side of the House were not going to do that because we were prepared to come back the next day and the next night and debate, Mr. Chairman.

MR. TULK:

We did not have to leave in February.

MR. LUSH:

Exactly. We had plenty of time. This was not an unforeseen circumstance, this was not an unforeseen eventuality, this circumstance was seen back in

February and we could have all been here debating Interim Supply all during February. We could have been here debating two or three days longer than we did but the government could not take the heat. They wanted to get out of here and get away from the labour dispute. That is what they wanted to do. They wanted to cut out from under that responsibility, to cut out from under the heat and to disregard the laws of this hon. House of Assembly. That is what they did, Mr. Chairman, and what we are doing here today is just a farce. We never now need to debate. This government can carry on and govern this Province in the most dictatorial manner possible, in the most dictatorial way that was ever heard of, by issuing Special Warrants. That is what they now can do.

There was a time when the hon. the House Leader (Mr. Marshall) would not agree to that kind of a system. There was a time when he spoke out vehemently against that kind of democracy, democracy practiced under that particular kind of procedure.

MR. DECKER:

He is not going to run anymore.

MR. LUSH:

Well, maybe he is not going to run anymore but I certainly would not want him to bring his government in disrepute because he is not going to run anymore.

Mr. Chairman, I will conclude my few remarks by simply summing up and saying that what we are now into is a farce of the worst kind. The issuing of the Special Warrants to pay salaries and the bills of the Province after March 25 was against the rules and the regulations of the Financial

Administration Act. The Minister of Finance (Dr. Collins) should stand in his place and tell us on what authority the Special Warrants were issued, on whose advice, where he got the advice and to level with this House of Assembly, to level with the people of this Province and tell us on what authority these Special Warrants were issued. Mr. Chairman, this action sure appears to be contravening the Financial Administration Act, Section 28 and Subsection 3. Would the minister get up in his place and tell us how it was that he wiggled his way out of this one?

The Comptroller of the Province was right in the first instance when he would not be a signature to these documents. That indicates in itself that this government was certainly on delicate ground. Mr. Chairman, I think we have proven that it was illegal but it is at best an act of impropriety, that the government should try and govern this Province by the issuing of Special Warrants. The hon. gentlemen can laugh and smirk but the people of this Province are not laughing, the people of this Province are not smirking when they realize that this government have become so arrogant that they have said "we are going to do away with the House of Assembly. We are not going to go back there and approve expenditures. We will do this through the issuing of Special Warrants." They have reduced us, Mr. Chairman, to a banana republic. We are not practicing the rules of British Parliamentary procedure as we know it.

Mr. Chairman, let the minister get in his place and admit to the people of this Province that what

he did was not correct, that it contravenes the Financial Administration Act and indeed it contravenes every Parliamentary procedure right throughout the Western world. Let the minister get in his place and admit the truth.

DR. COLLINS:  
Mr. Chairman.

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

SOME HON. MEMBERS:  
Hear, hear!

DR. COLLINS:  
Mr. Chairman, I think if one actually read back over Hansards, we would not need to go into another debate on this matter because it came up, I believe it was, in 1975 and it came up in 1979. I do not know but it came up later. It certainly came up before that. Exactly the same comments were made and exactly the same answers were given and the thing was put to bed the way it should be put to bed. Anyway, I suppose we do have to go over it again. The hon. member has left the Chamber but he may be within earshot.

As far as I remember, he was mistaken in the early part of his remarks. He seemed to indicate that in a certain programme in a department, if there is not sufficient funds in that, a Special Warrant has to be issued. Well, that is not the case of course. You can have transfer of funds within a department from one programme to another, from one subhead to another, under the authority of Treasury Board. As long as there is a countervailing savings there, Treasury Board can order that these funds be

allocated to another subhead. So he is not quite correct in that. You do not have to go through a Special Warrant.

You have to go through a Special Warrant when there is no countervailing savings present but still funds are needed or where there was not foreseen to be a need for that particular subhead or that particular programme and there is just nothing in the estimates to cover the activity that government wants to undertake. Therefore, there is no allocation. Then you have to go through a Special Warrant.

I would point out that once Special Warrants are issued, the Comptroller General has the authority, and he accepts that authority, to expend funds, even though the House has not voted the funds. But, that authority remains only in effect until such time as the House then ratifies that activity by passing a bill and it usually is an Interim Supply Bill or a Supplementary Supply Bill. So there is no illegality here.

MR. TULK:

A point of order, Mr. Chairman.

MR. CHAIRMAN:

A point of order, the hon. the member for Fogo.

MR. TULK:

It may or may not have been deliberate and perhaps the Clerks have mislaid something. That is possible I suppose. But I would like to ask the speaker, the Minister of Finance, to clarify for me that Mr. Bernard Carew, the Comptroller General, says that he had certain misgivings, objections, about passing those funds. That, I suppose, was

tabled or was given to the Minister of Finance or Treasury Board or somebody.

MR. FLIGHT:

He was overruled by the way.

MR. TULK:

He was overruled by Treasury Board, another bunch of politicians. I wonder if the Minister of Finance intends to table or if, indeed, he has tabled and the Clerks have not seen fit to give it to us, and I doubt that, the objections of Mr. Carew in the first instance to the spending of money through the Special Warrant.

DR. COLLINS:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Chairman, just to - I will get back to the point that the hon. member raised in a moment - but just to continue what I was saying there originally, once the -

MR. TULK:

I rose on a point of order, Mr. Chairman, to ask the Chair to rule of indeed there was a point of order. Is it information that should be before this House?

DR. COLLINS:

I was addressing the question.

MR. TULK:

No, no he was getting back and I would ask somebody to address the point of order.

MR. OTTENHEIMER:

There is no point of order.

MR. TULK:

You wait for the Chair to say that.

MR. OTTENHEIMER:

The hon. gentleman asked a question.

MR. TULK:

No, no.

MR. OTTENHEIMER:

The Minister of Finance (Dr. Collins) says, he is going to answer it in his own way.

MR. TULK:

I will ask the Chair to clarify, if indeed it had tabled, if not, why the Minister of Finance refused to table it?

MR. CHAIRMAN:

Is the Minister of Finance speaking to that point of order?

DR. COLLINS:

I am speaking to that point of order. I thought that the hon. member had risen to ask a question. I did not know he actually prefaced his remark as a point of order. But I will let the Chair rule on the point of order.

MR. CHAIRMAN:

There is no point of order.

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Chairman, just to go on, once the Interim Supply Bill or the Supplementary Supply Bill is passed, then the House has passed, has ratified, has made fully legal shall we say the Special Warrant and the actions of the Comptroller General. Up to that time, there has never been raised in this House any question that the Comptroller General was acting improperly if he actually serviced a Special Warrant.

MR. TULK:

On a point of order, Mr. Chairman.

MR. CHAIRMAN:

On a point of order, the hon. the member for Fogo.

MR. TULK:

I would ask Your Honour to rule that indeed there has been vital information connection with this whole affair withheld from this House. That was my point of order originally. Your Honour may not have understood it. I have a document in front of me which said that, "although my reservations as to the propriety of these expenditures and the existing circumstances remains unchanged", those are the words of the Comptroller General of Finance of the Province. He does have certain reservations which he obviously communicated to the government. They were there, and the Minister of Finance I do not believe has tabled this information.

MR. FLIGHT:

Why not?

MR. TULK:

And why not?

MR. DINN:

Nor does he have to.

MR. FLIGHT:

Yes, he does.

MR. TULK:

Why does he not table it? Of course he should table it. He owes it to this Legislature. If he is going to come in here and ask for funds, he owes it to this Legislature. He has a duty to table it and I would ask Your Honour to see that he does table.

MR. FLIGHT:

He tabled the rest, he tabled

everything else.

MR. OTTENHEIMER:

To that point of order.

MR. CHAIRMAN:

To that point of order, the hon. the Minister of Intergovernmental Affairs.

MR. OTTENHEIMER:

The Minister of Finance is in the process of explaining the whole process, but obviously there is no point of order.

MR. FLIGHT:

The Chairman will decide that, not the minister.

MR. CHAIRMAN (Greening):

To that point of order, there is no point of order.

The hon. the Minister of Finance.

DR. COLLINS:

I better deal with this matter because it seems to me the hon. member is confused. Look, the Cabinet presented His Honour with a Special Warrant. His Honour signed a Special Warrant. The Special Warrant was delivered to the Comptroller General. The Comptroller General then wrote a letter. He wrote a letter to the Secretary of Treasury Board. I just do not have a copy of it now. I think I tabled the only copy I had. Could I see the letter that was tabled?

MR. TULK:

That is the second letter. You did not table the first one.

MR. FLIGHT:

Another Auditor General scenario coming up here.

MR. MARSHALL:

And the second one will be as

accurate as the first.

DR. COLLINS:

This is a letter which the -

SOME HON. MEMBERS:

Oh, oh!

DR. COLLINS:

Mr. Chairman, that was suppose to be in the packet. If the hon. member wishes me to table this, I will be only too glad to do so. They are both on the same date, so which was first and which was second we will just have to get it from the context of the letter.

The is addressed to myself and to the President of Treasury Board (Mr. Windsor). It is signed by the Comptroller General. He says, "I received a copy of the Lieutenant Governor's warrant dated the 27 of March 1986," and this letter was written on the same day, "in the amount of," and we know the amount, \$715 million approximately, "issued under Section 28 (3) of The Financial Administration Act 1973, representing initial supply for the financial year commencing the 1 April 1986. It appears to me that there is no legislative authority for these expenditures and that, in accordance with Sections 29 and 32 of the Act, I must decline to issue money out of the Consolidated Revenue Fund pursuant to the above mentioned warrant."

"I understand that a Supply Act has not been passed by the Legislature and that the House of Assembly has not been adjourned for more than thirty days which conditions appear to be required under Section 28 (3) of the issue of the warrants." So, therefore, the Comptroller says, I cannot even though I this Warrant in my

hand, signed by His Honour the Lieutenant Governor, I cannot and I object to issuing the money out of that.

As I say, I tabled the other documents but what happened then was that this objection was brought to the attention of Treasury Board. Treasury Board had a meeting and it looked at the objections and the reason for the objections. Treasury Board came to the conclusion that those objections were not sufficient to warrant government not being able to pay its bills, which were legitimately due. So, what happened? The Treasury Board overruled the objections. Having done that, the Secretary of Treasury Board wrote to the Comptroller General saying "we have studied your objections, Treasury Board did not consider them weighty enough to have government go into default, because that is what it would amount to, and we now instruct you to actually pay out the money pursuant to the Special Warrant." That fully satisfied the Comptroller General and that was done according to the Financial Administration Act. This has happened any number of times in the past.

Mr. Chairman, now the question arose that was posed by the hon. the member for Bonavista North (Mr. Lush). Should His Honour, the Lieutenant-Governor, have signed that Special Warrant? He is saying that -

MR. TULK:

A point of order, Mr. Chairman.

MR. CHAIRMAN (Greening):

A point of order, the hon. the member for Fogo.

MR. TULK:

I understood the hon. gentleman as saying he was going to table the first letter. Is that correct?

DR. COLLINS:

Yes.

MR. TULK:

I wonder when it is tabled if I could have a copy of it?

MR. CHAIRMAN:

The hon. the Minister of Finance.

DR. COLLINS:

To that point of order, I will table it.

Mr. Chairman, that is what the hon. member is questioning. He is not questioning whether Treasury Board did right or whether the Comptroller General did right or whatever. He is asking whether it was proper for the Lieutenant-Governor to sign a Special Warrant. I am not going to get into questioning that. I am not going to question whether His Honour, the Lieutenant-Governor did something proper or improper. I will naturally assume that he did something totally proper. Why did he think it was totally proper? He knew that the House was going to adjourn on a certain date and that had been said many weeks before hand, that it was going to adjourn on a certain date, and that the members of the House knew that the Interim Supply Bill had to be passed before that time or the financial year would run out.

MR. CHAIRMAN:

Order, please!

The hon. minister's time is up.

DR. COLLINS:

I will get back to it later.



MR. BAKER:  
Mr. Chairman.

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

MR. BAKER:  
Thank you, Mr. Chairman.

There is some things going around in my mind. I have got to get some things straight here today. First of all, I understand that the Auditor General submitted a report and before anybody else could see it, there was a response done up by government which said the Auditor General did not know what he was talking about. Now the Comptroller General was told that he really does not know what he is talking about. I have not got it straight in my mind as to the function of these gentlemen.

For instance, what is the function of a Comptroller General? What is he supposed to do? What is his job description and to what extent is he allowed to carry out that particular function? He ruled on an act of government and said that it was not proper because there was no legislative authority. Then there was a meeting with Treasury Board and Treasury Board went back to him and said that it had to be done. He received legal advice or something which told him that there was nothing he can do about it and the fact that he okayed this particular transaction does not mean that he agreed with it. If my interpretation of what has been said about that second letter is correct, that he in fact said that he really could do nothing about it. He has been given legal advice and when Treasury Board says, in other words, that this is going to go through, it is going to go through. Is this the kind of

thing that is going on? I do not know. It seems to me as if these people, who are supposed to be the watchdogs of government spending, who are supposed to be overseeing government spending and making sure that there is nothing improper going on and all this kind of thing, that that is their job. To prevent government from doing something that is illegal or improper or misspending money, the misallocation of money, all this kind of thing, it seems to me that is their job. But it also seems to me that they can be so easily overruled as to be made totally ineffective in their job. That is the interpretation that I am making.

To go back a little bit to the Interim Supply Bill itself, one of the ways, and there are not very many of them, that an Opposition has to be effective - the Government House Leader (Mr. Marshall) knows that, he sat in Opposition long enough and he knows about the trials and tribulations of being in Opposition - but there are very few ways that an Opposition has to put pressure on government for anything. One of the ways is that when government makes a mistake, when government slips up, when government does not do things properly, when they get stuck for money, when an Interim Supply Bill comes up, Opposition can then put on some pressure by talking throughout the period allotted for Interim Supply and holding the bill up until they get their questions answered. It seems to me that that is deliberately built into our structure to help an Opposition be effective.

It also seems to me that what has happened here is that, through sheer weight of authority, the

government has removed this particular method that the Opposition has of being effective. This has been totally removed from us. Never again is it any good for us to try to get answers during Interim Supply because we know what is going to happen. Regardless of the thirty day rule, that the House is supposed to have been recessed for thirty days before the Special Warrants are allowed to become effective, in spite of this, at any point at all, the government can adjourn the House. It does not matter if we have agreed to a money bill or not. The government can adjourn the House, write their Special Warrants over the objection of the Comptroller General and get their money anyway. Now this is what is happening.

What is going to happen next? What other little scheme is going to be devised to try to squash the Opposition and to prevent them from doing the job that they want to do? I know that the Minister of Finance says "everything has been said about this Interim Supply Bill. It has all been said. All the questions have been asked and all the answers have been given." I have heard some questions. I have not really heard many answers. I have heard a fair amount of talk but whether it has been effective talk or just double talk is another question.

For instance, an Interim Supply Bill for \$715 million and a few odd cents. I will have the exact amount in a second. I have it here somewhere.

MR. TULK:  
\$715,330,900.

MR. BAKER:

Right. I thank my colleague from Fogo. Somebody ran off with my copy of the bill.

However, \$715,330,900. It seems to me that represents a significant amount out of the total budget. As a matter of fact, if you go down through the departments, and this has been pointed out to the Minister of Finance before, some departments are asking for around 90 per cent of their allocation for the year or close to it, a very high percentage of their allocation for the total year. This is supposed to be for twelve months. The Interim Supply is supposed to tide you over until the budget is passed, until we get through this seventy-five hours, tide you over for a month or so. It seems to me to be a sensible question to ask for an accounting in those departments of government that require a very large percentage of their budget as Interim Supply. That seems to be a logical, sensible question to ask and I think that question, if memory serves me correctly, has been asked about five or six times. I am not sure, I might have missed one of them in looking back through Hansard. It has been asked a number of times. I have yet to hear or read a specific answer regarding some of these departments.

So, this is an example of the kind of question that has been asked and there has been no answer coming forward from the Minister of Finance (Dr. Collins) and now we find that it is no good anyway. What is the point? The Government House Leader (Mr. Marshall) can close the House, get his warrants done up, over the objection of the Comptroller General, get the money and spend

it, and we have no way of putting pressure on to get answers to this kind of question.

That kind of bothers me because it seems to me what we are doing is fiddling around with the very structure of our democratic government; the very structure that guarantees that things are not totally one-sided once an election is over. The Government House Leader (Mr. Marshall) and the Premier and a couple of other members opposite have stated very emphatically what their attitude is regarding the last election and very briefly it is this: "Boys, we won, you lost and that is it. It is all over. You wait for another four years now and if you are dissatisfied with anything we are doing, you can persuade the people to vote against us so that people can vote against us. In the meantime, do not question, do not try to hold up legislation, do not try to put pressure on by using the rules of the House because we will simply overcome the rules of the House. The election was held a year ago, we are in power, we won a glorious victory, I believe 48 per cent of the vote, if my memory serves me correct, now for four years you fellows sit down there, shut up, be good little boys and mind your manners."

It seems to me that that is the attitude and when we try to use the rules of the House to make a point, to keep the House open a little bit longer to try to get the answers to some questions, we find that this can be easily circumvented. The Comptroller General, who did not agree with this particular transaction, was told that he can be overruled by Treasury Board anyway and, therefore, his authority is eroded but, more importantly as far as I

am concerned, the authority of the Opposition in the House has been seriously eroded. That is the problem. I am sure that there was some other way around, Mr. Government House Leader, this impasse with regard to the Interim Supply Bill. I am absolutely certain there was some other way around it.

I am certain that government knew, Mr. Chairman, a long time ago that Interim Supply was going to be needed. When the Atlantic Accord debate was not going well, the House was closed down. At that point the Government House Leader knew exactly when he was going to need Interim Supply. He also knew when he wrote us this famous letter giving us three days or else, he knew then what was going to happen to the Interim Supply Bill.

MR. CHAIRMAN (Greening):  
Order, please!

The hon. member's time is up.

MR. BAKER:  
May I have leave?

MR. MARSHALL:  
Mr. Chairman.

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

MR. MARSHALL:  
After listening for ten minutes to what we have listened to, we are hardly going to extend the misery.

MR. FLIGHT:  
Buy another page in The Newfoundland Herald and get a better photograph this time.

MR. MARSHALL:  
Mr. Chairman, all of this debate

about Special Warrants, Lieutenant-Governor's Warrants, quite frankly, having listened to the hon. gentleman there opposite, they themselves or some of them should be subjected to other types of Lieutenant-Governor's Warrants because they have not made any contribution to this debate at all with respect to the order of business of this Province. We heard the hon. the Finance critic. I suppose if there is anything I object to more than seeing a member of the Opposition wearing a Tory blue shirt and sitting on that side of the House, or just as incongruous as that was the hon. gentleman getting up and saying what he stated. You would swear that a crime had been committed to listen to the hon. gentleman. What does the hon. gentleman want? What is he proposing? What was he proposing to this House, that we not pay the salaries and not pay the social assistance recipients perhaps? To hear the hon. gentleman talking you would swear that he was going to advocate in his next breath that we should perhaps go out and collect the money back in from the people who were paid it.

The fact of the matter is, Mr. Chairman, despite all this yawing by the Opposition there opposite, the reason why Special Warrants were used in this particular case was because the hon. gentlemen there opposite were obstructing the orderly conduct and business of this House, which they have done in the past and they will continue to do in the future.

It was only last Fall, when Supplementary Supply was being considered, the hon. gentlemen there opposite spent the better part of four weeks debating it. Fifteen scheduled days for

government business in this House were used in debating Supplementary Supply.

On Interim Supply, we brought Interim Supply to the House before the House adjourned before Easter. Prior to that, we gave the hon. gentlemen there opposite adequate notice as to the programme that was going to be implemented. We suggested there should be three days for Interim Supply because the normal Easter recess would come in. I mean we cannot help it that Good Friday fell on that particular day which it did and that Easter Sunday followed afterwards. So we gave the hon. gentlemen there opposite plenty of notice with respect to it.

MR. FLIGHT:

You closed her up and went to Florida.

MR. MARSHALL:

Nobody went to Florida.

MR. CHAIRMAN:

Order, please! Could we have order, please!

MR. MARSHALL:

The Interim Supply, Mr. Chairman, was brought before this House and prior to us rising, we tabled the estimates for the year. The Minister of Finance gave his Budget Speech with respect to it. The very time we are using now takes away from the time on the main supply estimates, but the hon. gentlemen, what have they done in the past hour? They have done absolutely nothing except complain about the fact that Special Warrants were used. Special Warrants were used, Mr. Chairman, because they had to be. It is one thing to recognize the rights of an Opposition, a

minority, it is another thing to let the tyranny of the minority -

MR. TULK:

Of the majority. You have that wrong.

MR. MARSHALL:

No, the tyranny of the minority. There is such a thing as the tyranny of the minority. The hon. gentlemen there opposite could not respond. In the federal government, there are billions of dollars passed in a much shorter period of time than we had allocated for Interim Supply. There would have been time to pass three or four federal budgets in the time that it took the hon. gentlemen last year to debate Supplementary Supply. The hon. gentlemen are using up the time now of Committee where the hon. gentlemen could be specifically asking what this expenditure and this subhead was. Instead of that, they prefer to use the time allotted them to make general comments.

So I want to say, Mr. Chairman, that what was done was done strictly in accordance with the rules that were passed by this House. The Financial Administration Act has a provision so that Special Warrants can be issued. It has a provision that the Comptroller of the Treasury can make certain observations if he looks at the authority that is there and if he does not think it is sufficient in accordance with the Parliamentary practice of passing it in Parliament. But it also has provisions that Treasury Board can overrule that decision and that is exactly what we did.

Mr. Chairman, it has to be borne in mind why we could not use the Parliamentary process. We could

not use the Parliamentary process because of the obstruction of the hon. gentlemen there opposite. We have made a lot of progress in this Assembly in reforming the rules of this House since the days that the Conservative Governments took over.

I think it is necessary for this House, in a rational way, to address the reform of the rules of this House, particularly as they pertain to granting of supply, because the way in which it is in Committee of the Whole in this House on Interim Supply, well, you can talk on for a certain period of time. That is fine, but Supplementary Supply, as we saw the last time, can go on and on and on. So I think, Mr. Chairman, perhaps it is time to look at the rules.

The last time the rules of this House were revised was on July 23 of 1979, where we made some fairly meaningful changes in the rules when Mr. Don Jamieson was Leader of the Opposition. He had a more rational approach to parliament. We made rules which vastly increased the operations of this House but one of the areas which we did not touch was Interim Supply and Supplementary Supply. We were not inclined to do that because these measures relate to fiscal bills but we have seen how the Opposition cannot programme. They cannot partake meaningfully in the exercise of government. Perhaps what we should do is look at other jurisdictions to see what they do in this particular case with respect to finance bills, see how they conduct their affairs and bring those in because there is nothing that has been contributed by the members of the Opposition there opposite either last year or this year in any meaningful manner

when it comes to an enquiry into the financial affairs of this Province.

You can see it, Mr. Chairman, by the way they get up. They do not ask a question. They get up like the hon. the member for Gander (Mr. Baker) got up a moment ago. He talked for ten minutes but what he said in ten minutes he could have said in about sixty seconds. So, I think, Mr. Chairman, it is necessary, first of all, for this House to address perhaps a change of rules in the House itself, particularly as it pertains to Supplementary Supply and particularly as it pertains to Interim Supply. What we did we did within the law. We had to do it because we wanted to see Social Assistance recipients paid. We did not want to see their cheques delayed. Some of them were delayed, by the way.

MR. TULK:

Because of the strike.

MR. MARSHALL:

No, because of the actions of the hon. members of the Opposition. We wanted to see the people who were working in essential services get paid. We wanted to see the hospitals operating. We wanted to see the pensioners paid and we would be totally irresponsible if we had not taken the action that we have taken.

Mr. Chairman, we would have preferred it passed in this House but the reason that we had to take the action that we did was because of the way in which the hon. gentlemen there opposite conducted the affairs of the House. We saw today too with the Leader of the Opposition (Mr. Barry) get up and talk to the Speaker as if he was a schoolmaster or something.

What has been done? There has been absolutely nothing done by the ineffective Opposition there opposite since we have begun Interim Supply. You think they would pass it. Are the hon. gentlemen going to pass Interim Supply or do we go on and on and on? Can we get an orderly conduct of the business of the House? What possibly are the hon. gentlemen there opposite accomplishing by this particular debate except whining and bawling about the fact that Special Warrants were made, complaining over the fact that people in the Province were paid over the Easter period and the member for Bonavista North (Mr. Lush) almost insinuating that we take writs against people to recover the money that has been paid to them because they were paid illegally? That is how ridiculous the Opposition has gotten in this House with respect to these measures. I suggest we put that aside and the hon. gentlemen there opposite act like an Opposition. Ask questions about what the expenditure is and we would be quite happy to respond to them.

MR. TULK:

Mr. Chairman.

MR. CHAIRMAN (Greening):

The hon. the member for Fogo.

MR. TULK:

Mr. Chairman, I was about to ask the Government House Leader (Mr. Marshall) if he liked anybody in this world except himself?

MR. BAKER:

I like him.

MR. TULK:

Oh, I think he is a cute little fellow sometimes, he smiles. I would suggest to him that when he

puts those full page pictures in the papers that he would spend a little bit more money on doing up his face.

Mr. Chairman, let me come to what the issue of the day is, let me come to what we are seeing happening in this House in the last little while. First of all, a couple of weeks ago we had the Government House Leader come in and tell us in this House that if Interim Supply was not granted, if we did not give it to them right away, there were going to be people in this Province who would not receive the cheques to which they were entitled. That was on the first or second day that the House opened. Then after that, he told us that he was going to use some other mechanism. Everybody knows what it was. It was the Lieutenant-Governor's Warrant. That is what he was going to use.

Mr. Chairman, you have to ask yourself the question, first of all, as to why Interim Supply was not ready? Yes, the Government House Leader wrote us a letter in which he said, "You have three days. In the Opposition, that is all you are allowed." Well, I have to tell him that it is the right of the Opposition to use as many hours as they want to out of seventy-five, when fifteen times three is subtracted, which I think gives us thirty hours. It is our privilege, not his, when Interim Supply is going to pass.

Let me say something else to him. If he had been managing the affairs of this Province in the way that he should, and the affairs of this House in the way that he should, he could have kept the House open, I believe, it was on the 21 of February, and by the 31 March, the thirty hours would

have run out. So, it is that aspect of the case which is total mismanagement on the part of the Government House Leader.

Let us turn to what has happened in the meantime. Mr. Chairman, the Government House Leader, and I know that the Intergovernmental Affairs Minister (Mr. Ottenheimer) will not deny it, or I do not think he will, I have seen him do some strange things in the last little while, but I do not believe that he will, I would expect him not to - the Minister of Finance, well, I do not know what he would do, he would probably do anything - but the prime purpose of this Legislature is to see that the public purse is protected; is to see that funds are spent in the way they should be spent; is to keep a reign on government so that they do not use the funds of the Province contrary to what the people of this Province would want. We have in place an act and a person in this Province who is suppose to aid this Legislature to do that. The legislation is called The Financial Administration Act, and the person in place to help us see that funds are spent properly and that the proper procedure is followed is the Comptroller General of the Province. He guards against improper political action on the part of government.

In this case, what kind of scenario or what kind of scene did we see develop? The government, through its own mismanagement, could not get Interim Supply. So what did it do? It goes to Cabinet and it is going to have issued a Lieutenant-Governor's Warrant. It goes to the Comptroller General, and he says, "no," and, in my opinion, rightly so. We had the Minister of

Finance this evening, who did not in the beginning table his letter, but here is what the Comptroller General said as to why he should not, and he was perfectly in his right for saying it.

"I have received a copy of the Lieutenant Governor's warrant dated the 27 March 1986, in the amount of \$715,330,900 issued under Section 28 (3) of The Financial Administration Act 1973, representing an initial supply for the financial year commencing the 1 April, 1986. It appears to me that there is no legislative authority for these expenditures and that, in accordance with Sections 29 and 32 of the Act, I must decline to issue money out of the Consolidated Revenue Fund pursuant to the above note warranted.

"I understand that a Supply Act has not been passed by the Legislature and that the House of Assembly has not been adjourned for more than thirty days, which it must, which conditions appear to be required under Section 28 (3) for the issue of a warrant, Subsection (3)."

MR. BARRY:

Has he given any answers as to how he felt they could do it?

MR. TULK:

No, he has not. But what happens next?

MR. BARRY:

Look at this, "any expenditure not foreseen."

MR. TULK:

Not foreseen. And surely if the Minister of Finance and the Government House Leader -

DR. COLLINS:

On a point of order, Mr. Chairman.

MR. CHAIRMAN:

A point of order, the hon. the Minister of Finance.

DR. COLLINS:

I am sure the hon. member did not mean to mislead the Committee, even though he said this as an aside. When he was asked by the Leader of the Opposition (Mr. Barry) "has he given any answer to this point you are raising?" He said, "no, he has not." That is not true, because I did actually answer it. I cannot make people opposite listen. All I can do is say something and if they choose not to take it in or to tune themselves out, I cannot help that, but I did answer it and it is incorrect to say that I did not answer it.

MR. CHAIRMAN:

To that point of order, there is no point of order.

The hon. member for Fogo.

MR. TULK:

What do we see, Mr. Chairman? First of all, the Cabinet in this Province is made up of a group of politicians. They wanted the warrant. They went to the Comptroller General and he said, "No, you cannot have it." What did they do next? They go back to the same politicians who sit on Treasury Board and I will name them. The member for Mount Pearl (Mr. Windsor), the member for Humber East (Ms Verge), the member for Grand Falls (Mr. Simms), the member for Harbour Main (Mr. Doyle), the member for Exploits (Dr. Twomey), the member for Trinity North (Mr. Brett), the member for Harbour Grace (Mr. Young), the Minister of Finance (Dr. Collins) and the alternates,



of course, are the Minister of Intergovernmental Affairs (Mr. Ottenheimer) and the Minister of Education (Mr. Hearn). The same politicians that the Comptroller General has put in place to check made a decision not abide by his decision. That is essentially what happened. Even though he is put there for that purpose, to guard the public purse and to see that the legislature debates fully any supply bill before it is spent, we, the politicians, we, the people that he has put there to watch, are not going to abide by what he says. That is exactly the process that went on and the Government House Leader has the gall to come in here and tell us "you will only speak when I say so; you will only speak as long as I say so and if I do not like what you say, then I will use whatever means available to me to shut you up and to get my way in this Province." And the government wonders, the member for Pleasantville (Mr. Dinn) wonders, the Minister of Finance (Dr. Collins) wonders, why you have people in this Province engaged in an illegal strike. Is there anything left?

MR. PEACH:  
That is over 'boy'.

MR. TULK:  
Unlike the hon. member, I knew when it began. I know it is over and I knew when it began. Let me ask the Minister of Finance if he believes what he has done in the last month and a half, because that is when this took place, because the government should have foreseen, and that is what the Comptroller General is saying, they should have seen within thirty days of March 31 that they were going to need this money and they should have therefore kept

the House open on February 21 instead of closing it down. That is what the purpose of the legislation is. It is put there to see that government carries out its actions and that it manages the Province properly. But, no, this government, in its mismanagement and its arrogance says, in the same way as they have said to the Auditor General, we have seen this Minister of Finance have a go at the Auditor General. He is now making the Comptroller General of this Province one of the most ineffective servants. You might as well take him and throw him out. We have seen him do the same thing with unions and now, of course, he is trying to do it with the Opposition. Of course, the Government House Leader will stand up and try to bully us into subservience. I have to tell him, Mr. Chairman, that that is not about to happen.

MR. CHAIRMAN:  
Order, please!

The hon. member's time is up.

DR. COLLINS:  
Mr. Chairman.

MR. CHAIRMAN:  
The hon. Minister of Finance.

DR. COLLINS:  
We can go on a long time but I presume the members of the committee will not want to because the time that is being spent on the Interim Supply Bill really comes out of the time for the main estimates. I do not think we are getting anywhere with this debate. I can explain what happened and show that it is perfectly in order and all that type of thing, and members opposite will say, 'Go back to square one. Argue the whole thing

over again', not paying attention to the explanation given them. We can go on like that forever until finally, I suppose, the budget will be passed without anyone having a single look at it and, of course, that would be totally against the responsibilities of this Legislature. This Legislature, as has been said, was very largely put in place to guard the public purse and if the Legislature wastes time on inconsequential arguments and neglects to examine expenditure and revenue measures, well, I do not think the Legislature is doing a very good job.

Now, one of the points made by the hon. the member for Bonavista North (Mr. Lush) was that 'the House should not have closed just before Easter because we were willing to debate.' No one questions that. We know they were willing to debate. We were not interested in whether they were willing to debate, we were interested in whether they were willing to pass. Just because they were willing to debate did not do a single thing, it did not pay one cent of wages, it did not pay one bill, it did not pay one pension. The question is not whether they were willing to debate, no one questions that, the question was were you willing to pass? And the Opposition very clearly said, 'We are not willing to pass because we will not pass until an illegal strike is terminated. And there was absolutely no chance that that would be terminated, out of the mouth of the President of NAPE. He said, 'We will not terminate this illegal strike until government itself condones illegality by negotiating with us when we are on an illegal strike.'

Now he knew that that was a totally intolerable position to put the government in. Government cannot condone illegality. The President of NAPE said, 'We will not terminate this strike' and, therefore, the Opposition said, 'we will not pass the Interim Supply Bill.' I mean, that is straight out. So it was not a question of debate, it was a question of passing.

Now, the hon. member for Gander (Mr. Baker) says, 'By using this procedure', which is totally permitted by the Financial Administration Act, 'you are now preventing the Opposition becoming effective. If we argue you can do something else, therefore we are not effective.' Look, the question is not effectiveness, the question is obstruction. The Opposition was going to obstruct. It was not to be effective. Everyone wants the Opposition to be effective, but they wanted to obstruct. They said, 'We will put a stop to you paying your bills.' That is an obstruction.

Now, the Financial Administration Act was never intended to be used to get around effective and legitimate activity on the part of the Opposition, but it was put in place in a certain way to prevent unintelligent opposition. And this is what that Opposition was, it was unintelligent, it was obstructive, and it was designed to cause harm to whom? Who would have been harmed? Would this government have fallen if we had not been able to pay our bills after April 1? Of course it would not have. We probably would have gone in with 100 per cent of the vote the next time around. The people who would have been hurt were the workers and the suppliers and the pensioners. So the member

for Gander is saying, 'You must allow us the ability to hurt.' The Financial Administration Act says, 'We will allow the Opposition to oppose but we will put in a provision there so that if you get an unintelligent Opposition, if you get a totally obstructive Opposition, if you have to face a totally intransigent Opposition, there is a way government can act so that people are not hurt', and that is what was done.

Now, the other point that was raised was this is something new, this is the very first time, and this government is taking the laws on its back, is becoming totally arrogant and all the rest of it. That is the height of nonsense! All one has to do is go back into the legislative history of this Province and one will see that this provision has been used before. I do not think it has been used precisely for this reason, because in the past we have not had such an unintelligent, such an obstructionist, such an intransigent Opposition who deliberately wanted to hurt the people of this Province. In the past, it was used where an election was called, or that type of thing, and there was no opportunity for the Legislature to pass an Interim Supply Bill. Here the Legislature had every opportunity in the world to pass the Interim Supply Bill but the Opposition refused to do so. They said, 'We will not do so. We do not care how many people get hurt, we are going to embarrass the government', if that is what they thought it would be, and I am convinced it would not have been. That is where the Financial Administration Act now had to be brought in, that particular

clause, that particular provision, had to be brought in to get around that. In the past, it was used where there was no possible way - because the House was not sitting - for a Supply Bill to be passed.

We can go over these matters time and time again and I am sure I have not convinced a single soul over there. It is not that my eloquence has been lacking, I am amazed at my own eloquence, it is not that the weight of my argument has been light, because I have been putting forth very weighty arguments, founded in the Legislature, founded in the Statutes, and it is not that my voice is not carrying to the people opposite, even though it is a little bit rough and a little bit ragged, the point is that the ears are closed, the mind will not absorb, the cortex of the brain will not process. That is what is going on. No matter how many explanations I give, or how many times I do it, or how loudly I speak, the members opposite will not accept. So we may as well take the saw off, pass the resolution and get on to the real debate, which is the main estimates.

MR. CHAIRMAN:

The hon. the member for Gander.

SOME HON. MEMBERS:

Hear, hear!

MR. BAKER:

Thank you, Mr. Chairman. I saw the look of incredulity on the Chairman's face as the Minister of Finance went on with his diatribe, the usual thing that he has been saying day after day after day, the same thing, nothing new. I would simply like to point out, Mr. Chairman - I know you were amazed at this - that I thought

the Minister of Finance was finally going to answer that one question that I pointed out was asked six times before and I asked again just a few minute ago. I finally thought he was going to answer the question. I know you were shocked that he did not. The question pertains to the substance of the Supply Bill and it is one of the questions we have been trying to get at for days. And he has the gall to stand up and say we are obstructionists. Sure we are obstructionists, if that is your definition. If we are going to continue to ask a question that you are not going to answer, if we are not going to accept a non-answer, then, sure, we are obstructionists and we are proud of it. We are happy to do it.

I will not take up my full ten minutes, Mr. Chairman, because there are so many people on this side, and I have already had my chance, who want to make a contribution to this debate. I will simply ask that one question again, and I point out to the Minister of Finance that I believe this is either the eighth or ninth time now, why is it that for a thirty or forty or forty-five day Interim Supply some departments are requesting 80 per cent or 90 per cent of their total budget? Now, this is a simple question we have asked him and again there is no answer, a non-answer coming from the Minister of Finance.

MR. MARSHALL:  
One question!

MR. BAKER:  
Well, when he answers that one, I will ask him another one. The Government House Leader tries to give the impression that somehow the Opposition are obstructionists, we are going to

obstruct this Interim Supply and the budget and everything else, and we are going to hold this House up forever. I would like to remind him there is a seventy-five hour debate time limit, and that out of that comes Interim Supply and the budget debate and even, I guess, the time the Minister of Finance took for the presentation of the budget. There is a seventy-five hour limit, we cannot obstruct forever. He tried to give the impression to the press, and continues to try to give the impression to the press, that we could obstruct forever. We cannot obstruct forever. There is a time limit to the debate and, properly managed, Interim Supply could have easily been dealt with before the allotted time. I would simply like to point that out for the benefit of the Government House Leader.

I will conclude, Mr. Chairman, by simply going back again to that one question that I really would like the Minister of Finance to attempt an answer: Why is it that departments need 80 or 90 per cent of their total budget to cover a very short period? Is it an example of the take it or leave it attitude, the lax attitude that this government has towards Interim Supply? It has been taken for granted, and no wonder it has been taken for granted, because they know they can use their power to do what they want with it. Why is it, Mr. Finance Minister, that some departments have such a huge percentage of their budget in Interim Supply for a very short time period?

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

DR. COLLINS:  
Mr. Chairman, I am glad to see the

hon. member for Gander has got off the other old nonsense to get on to something that really concerns him. I think he asks a legitimate question there. He has not mentioned which departments he says are getting 80 per cent or 90 per cent, so I will have to go down through them: Consolidated Fund Services, in the Interim Supply bill there is only \$500,000, roughly; the gross amount for the whole year is \$463 million, so it is obviously not that one; Executive Council, \$2.2 million, Interim Supply, roughly; for the whole year it is \$8.5 million, so it is not that one; Interim Supply for Finance is \$15.8 million, the total amount for the year being \$42.3 million, it is not that one; Legislative, \$2.1 million, for the whole year \$7.7 million, it is not that one. I guess this is the one that he is concerned about: Public Works and Services, \$40,800,000, roughly, and for the whole year, in the budget it says the gross amount is only \$39 million. Now, that does need an explanation. The \$39 million that is in the budget is the expenditures for the department itself, but the Department of Public Works and Services expends a lot of money for other departments. For instance, if it rents something, Public Works actually rents it and then it will bill back to the other departments for that rent, if it repairs a building, if it builds a building, and so on and so forth. So the amount that is in the Interim Supply bill is the amount of money, the amount of cash flow, shall we say, that Public Works had to have to take care of all these other obligations. So it would be comparing apples with oranges to compare that \$40 million to the amount for the department alone in

the budget. That \$40 million covers not only the Department of Public Works' own expenditures, but also the expenditures it takes on in behalf of all the other fifteen or eighteen government departments, whatever it is, schools, everything else that has to be covered with cash flow.

For instance, under the Financial Administration Act, the Department of Public Works cannot enter into a year's contract, say, for rent, unless there is an allocation for the full year. That is what is required. So they have to have that amount of money voted by the Legislature before they can take on a year's contract. Now, you could say, well, they should only take on a three-month contract. The only thing is, landlords do not like to work that way and we have to work with landlords. Landlords say if you want a building for a year, you have to enter into a contract for a year. So, if we do that, we have to have that amount in the bill.

Now, Development and Tourism in Interim Supply, \$10.4 million, total for the year \$28.1 million, it is not that one; Environment, \$6.4 million in Interim Supply, \$9.1 million in the full budget. Now, again, that relates to cash flow. Environment has a lot of related revenue, mainly because of agreements with the federal government and so on. So the amount in the Interim Supply bill really is the expenditures they will incur, but they will get back a lot from the federal government because of those expenditures. So, again you are comparing a cash flow with the actual net expenditures of the department.

Fisheries, \$7 million in Interim Supply, \$27 million in the full

budget; Forestry, \$14 million, roughly, \$34 million in the main budget. That is reasonable; Mines and Energy, \$21 million, approximately, \$88 million in the full budget; Housing, \$2.8 million, over \$12 million in the full budget; \$15 million for RAND, \$38 million in the full budget; Transportation - now, here is another one - \$132.7 million in Interim Supply and \$192.5 million in the main budget. The reason for that is there was a lot of pre-tendering and pre-committing and that was explained when I introduced the Supply Bill, that there were going to be a lot of capital funds required for Transportation to enter into contracts early in the year so that building could start early in the year. Career Development, \$51.6 million, \$183 million full budget; Consumer Affairs, \$600,000, \$2.3 million in the main budget; Culture, Recreation and Youth, \$10.6 million, \$32.7 million in the full budget; Education, \$107.9 million, \$415.6 million in the main budget; Health, \$118.63 million and so on and so forth.

AN HON. MEMBER:

You have made your point.

DR. COLLINS:

Yes, okay. But, anyway, that is the explanation. It is a reasonable amount of money put in the budget to take care of obligations we have and, also, to put in a good amount of public works, which is designed to get early employment underway, without having to wait until the main budget is passed and we would miss some of the construction season.

SOME HON. MEMBERS:

Hear, hear!

MR. CHAIRMAN:

The hon. the Leader of the Opposition.

MR. BARRY:

Mr. Chairman, I have perused the documents which the Minister of Finance has tabled. We thank him for tabling these, even though I understand we had to go back to get a copy of the letter from Mr. Carew. Now, the Comptroller's letter states that there was no legislative authority for the payments.

I would like to ask the Minister of Finance to indicate now where he sees that there is legislative authority under the Financial Administration Act for making this payment. The Comptroller quite correctly referred to section 28, subsection (3) which says, "If, when the Legislature is not in session or when the House of Assembly has stood adjourned for more than thirty days" - we were not adjourned for more than thirty days, we are in session, and this is interesting also - "any expenditure not foreseen and not provided for by the Legislature in respect of a new service is urgently and immediately required for the public good, then upon the report of the minister", etc., etc., "that it is urgent", and so forth, "then there can be, by the Lieutenant Governor, a special warrant issued."

A subsequent section quite rightly has been pointed out as authorizing Treasury Board to judge the sufficiency of the objections of the Comptroller. Now, Mr. Chairman, we want an answer to this. Interim Supply, unfortunately, is not going to pass until we find where the Minister of Finance has gotten some vestige of legality for doing

what he has done. Now, maybe when the minister is ready to listen we can continue. Mr. Chairman, it is typical of the contempt that members opposite now have for the House that in the Estimates Committee, where the minister is supposed to be answering questions, we do not see him prepared to pay any attention so that he can answer the question. Obviously, he has no intention of answering the question as he has not answered a question here all afternoon, he has gotten up with a diatribe. Maybe if he paid some attention and listened to what the question was, then he would be able to answer it.

Mr. Chairman, I will say it for the record. The Minister of Finance does not want to listen to the question. I will say for the record that there is no legislative authority merely because Treasury Board overrules the Comptroller if, Mr. Chairman, Treasury Board does not point out where there is some section in the act to authorize the payment. Now I will just leave it at that.

Would the Minister of Finance indicate under what section of the Financial Administration Act, what subsection, what clause, does the minister find justification, legal authorization for making this special warrant?

MR. CHAIRMAN:

The hon. the Minister of Finance.

SOME HON. MEMBERS:

Hear, hear!

DR. COLLINS:

Mr. Chairman, I do not have the exact wording here, but in substance the Financial Administration Act states that if the Comptroller General receives a

Special Warrant for which he does not think there is authority given by the House for him to issue monies out of the Consolidated Fund pursuant to, he has to write to the Secretary of Treasury Board saying this is a fact and giving his objections, and giving his reasons for it. Treasury Board then looks at this, weighs on the one hand the objections, weighs on the other hand the needs and decides if there is a sufficiency, if one is more sufficient than the other. Then it will make a decision and if that decision is that they will overrule the Comptroller General's objection, the Comptroller General is then quite content to issue funds out of the Consolidated Fund pursuant to that Special Warrant. But that action has to take place. The Comptroller General quite properly, unless he knows there is a Supply Bill passed, will not issue funds out pursuant to a Special Warrant. But if that procedure is gone through, if it is validated, if the reason and the need for issuing the funds out is demonstrated and documented to him by Treasury Board, he is quite content then to pass it out. Now this is not overruling the authority of the Legislature. He only does that on the assurance that the Legislature ultimately will ratify that expenditure by passing either an Interim Supply Bill or a Supplementary Supply Bill.

MR. TULK:

How does he know that?

DR. COLLINS:

The hon. member says, how does he know that? The reason why he knows it is he says, look, I believe there is sense in the Legislature. If the Comptroller General thought for a minute there

is a bunch of crazy people up in that Legislature, they will never pass a bill, they will never pass an Interim Supply Bill, they will never pass a Supplementary Supply Bill, they will never pass the Main Estimates, he should not issue money out until the bill is passed. But the Comptroller General does not believe that. The Comptroller General believes that if the provisions of The Financial Administration Act are followed, he will issue monies even without the legislative authority of the Legislature behind it at that point in time because there are reasonable people up there, and government is doing a reasonable thing, and they will reasonably pass and ratify his actions through a subsequent Supply Bill. So that is the answer to it. That is how he knows.

What the Leader of the Opposition seems to be hung up on is how come Treasury Board can deem that the requirements for that Special Warrant are greater than the objections of the Comptroller General? All I can say is that is what is in The Financial Administration Act. Treasury Board just acted according to the provisions of The Financial Administration Act, and there is nothing more to it than that. Now if the Leader of the Opposition is questioning the right of His Honour to pass a Special Warrant, that is not a problem with me or with this government. He has a problem with the Lieutenant Governor, so I suggest he might go and speak to the Lieutenant Governor, if he wishes. I do not think it would be wise, because I think the Crown is held to be above any difficulties of this nature and we have to presume the Crown, in the person of His

Honour, acted properly, in the best interest of the people, and I do not think anybody in this House would want to question that. But once the Special Warrant is issued and that procedure is followed, the Comptroller General is quite content and everything is quite legitimate.

MR. BARRY:

Mr. Chairman.

MR. CHAIRMAN (Greening):

The hon. the Leader of the Opposition.

MR. BARRY:

Mr. Chairman, unfortunately, and we are going to have to spend some time on this, we have a very basic fundamental error or deliberate perversion of the Financial Administration Act by members opposite. Section 32 refers to 'Treasury Board being the judge of the sufficiency of the objections of the Comptroller' - that is fairly straightforward - 'and they sustain them or order payment to be made.' All right? But, Mr. Chairman, if you look at the Treasury Board Minute, what is the basis upon which Treasury Board acted? It says, "The board considered the sufficiency of the objections but was not able to sustain them on the grounds that the exigencies of the public service demand that issue of monies be made at this time out of the Consolidated Revenue Fund. The board noted that in the opinion of the minister signing the report attached to the Special Warrant 'If such expenditure is not made, grave damage to the interest of the Crown and to the public will occur from delaying the expenditure until legislative provision has been made.'"

Now, this may be correct, the



opinion of Treasury Board as to what will result and so forth may be correct, that is up for debate, but it still comes back down to whether or not the payment is authorized by the Financial Administration Act. The Financial Administration Act says, Section 29, 'The Comptroller shall see that no payment or commitment for the payment of any public money be made for which there is no legislative appropriation', and when you go back to Section 28 it talks about when Special Warrants are obtainable and there is no legislative authority for obtaining the Special Warrants, Treasury Board cannot ignore the Financial Administration Act. Even if it is completely correct that there is a severe, serious potential for damage to the public, Treasury Board cannot ignore the provisions of the Financial Administration Act and they, Treasury Board, have an obligation -

DR. COLLINS:  
So what should happen?

MR. BARRY:  
What should happen? What should happen is you should have kept the House open. If you did not keep the House open, then that serious public concern has got to be brought here to this House and this House, in total, has to take the responsibility.

MR. SIMMS:  
It was. It was.

MR. BARRY:  
No, Sir. No, Sir. Mr. Chairman, where are we now? Do we have a democracy? Where are we now? If the essence of democracy is having legislative authority for expenditures, where have we come to in this Province now? It has

now come down to the Treasury Board, the Star Chamber, the behind-closed-doors approach, that it will decide, the executive will decide, the junta will decide, the junta in Treasury Board, as to whether or not the problem is so serious as to justify special measures. Now what is the difference in what was done in Argentina? What is the difference in what was done in Argentina or Guatemala or all those places where people decide, well, there is a very serious problem in those countries, it was a very serious threat to public peace and safety, to law and order, because there is a left-wing insurgency and you get a junta to decide, 'All right, let us go in and let us wipe out those left-wing types.' Now, what is the difference here?

DR. J. COLLINS:  
That is a very poor comparison.

MR. BARRY:  
Is it? Oh, it is a very poor comparison.

DR. J. COLLINS:  
We were dealing with an intransigent Opposition and the Financial Administration Act -

MR. BARRY:  
Oh! Now the reason they can go and ignore the statute is because it is an intransigent Opposition, it is because the Opposition is not rolling over and playing dead. Well, gentlemen and lady opposite, I think you have done it again, I think your arrogance has done it again, just as you did in the NAPE situation, where you misread public opinion and had to back water like squid. Now they are tearing up the statutes of this Province, now they are, Mr. Chairman, ignoring the Financial Administration Act. I would

challenge the Government House Leader when we come back to this debate tomorrow, because there is, as the Government House Leader knows, a serious matter of principle at stake here -

DR. COLLINS:

It is a matter of your interpretation of the act.

MR. BARRY:

Yes, mine and the Comptroller's. Mr. Chairman, I have to confess they talk about the infallibility of the Pope, but of the Supreme Court they say the Justices of the Supreme Court are not the final decision makers because they are infallible, they are infallible because they are the final decision makers - they have the final say.

I am not infallible. I am prepared to admit in all humility that I am not infallible. I repeat that I am not infallible. I am prepared, Mr. Chairman, to say meekly and humbly that I am not infallible but, Mr. Chairman, I have set out my reasons. Now, if the minister does not want to table the legal opinion, at least the minister should try and give us some idea of where in this act the legal authority is contained. The minister should give us at least some hint of where my infallibility has broken down, where my interpretation of the act has gone astray. It is not enough for him to say it is the intransigence of the Opposition, because that permits the government to override the Opposition at any time and walk out of the House and issue a Special Warrant, if they want to do that, and, then, what is the point of this lovely Chamber?

MR. MARSHALL:

What point is it when you have people like bugle boy on the other side?

MR. BARRY:

I will be very happy to hear the Government House Leader explain the problem. I mean, what was I doing here? Have I gone on a personal attack? Is that what the Government House Leader is concerned about? Is he going to find a personal attack in this? Is that interpretation of the Financial Administration Act a personal attack on the Government House Leader? Or am I jealous? Is it my jealousy that is coming out? Is my jealousy distorting these words so that I am not reading them properly? What is the enlightened legal position the Government House Leader is going to give us in this House when this debate continues tomorrow, or whenever this Interim Supply Bill is called again?

Now, members opposite have not given us a shread of legal authority for this outrageous, unprecedented approach they have taken to issuing special warrants when the House of Assembly could have been open. They have made a mockery and a farce of this entire process and it is going to come back to haunt them.

MR. MARSHALL:

There is just a minute left, Mr. Chairman. The Leader of the Opposition gets all tied up in legalities. He spent before Easter trying to prevent the people of Newfoundland from getting their cheques and now, apparently, he wants to take them back from them.

Mr. Chairman, I move that the Committee rise and report progress, and tomorrow I will

enlighten the hon. the Leader of the Opposition, if it is possible.

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

MR. SPEAKER:

The hon. the member for Terra Nova.

MR. GREENING:

Mr. Speaker, the Committee of Supply has considered the matters to it referred and has directed me to report progress and ask leave to sit again.

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

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

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

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