

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
MONDAY, MAY 12, 1980

The House met at 3:00 p.m.

Mr. Speaker in the Chair

MR. SPEAKER (Simms): Order, please! I am sure hon. members would like to join with me in welcoming to the gallery today eight employees of CN Marine who are presently taking a French course and they are here with their two professors, Mr. LeClaire and Mr. Leangevin.

SOME HON. MEMBERS: Hear, hear!

ORAL QUESTIONS

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

MR. JAMIESON: Mr. Speaker, I have a question for the Minister of Labour and Manpower (Mr. Dinn) and if it is not possible for him to answer it in a sense off the cuff I will understand. He has been making references, as have members on both sides, to the increase in the size of the work force in Newfoundland. Given the comments which many of us heard over the weekend with regard to the excessive number of entrants into the fishery, does the minister have at his fingertips the size of the increase in terms of new entrants into the fishery and the extent to which they are in a sense major entrants into the fishery or just peripheral in terms of fishing effort?

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

MR. DINN: Mr. Speaker, a very, very difficult question to answer. The last time I saw figures on it for last year, it was something like - including plant workers, etc., and we measure this in man-days, so it does not necessarily mean that we have new people into the fishery - it is hard to get a real good fix on it - but in man-days it is something like 1500 people, you know, in man-days got into the fishery last year. Now a lot of that can be attributed to the plants in St. Anthony and along the St. Barbe coast open for longer periods of time can be attributed to people getting back into the fishery and, of course, more plant workers etc. But, no, I have not got a fix on exactly

MR. DINN: the number of people, but in man-days I believe the last figure I saw was something like 1500.

MR. JAMIESON: A supplementary.

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

MR. JAMIESON: I wonder if the minister would take under advisement a proposal that we take a look at it in the sense that - perhaps I can phrase my question this way - does someone who has spent, say, six or eight weeks in the squid fishery, let us say, which has had a very big expansion in the last little while, does he or she, because we discovered on the weekend there were quite a number of fisherpersons as well, constitute a new entrance into the work force? Would the hon. minister either, if he has the answer now give it or would he undertake to see what he can find out about it?

MR. SPEAKER (Simms)

The hon. the Minister of Labour and

Manpower.

MR. J. DINN:

Yes, Mr. Speaker, I will undertake to

attempt to get a fix on it, the difficulty here being that we do not have a lot of research staff in the Department of Labour and Manpower. We attempt to look at our Statistics Canada figures which are not very accurate and I will see, what, if anything, I can come up with for the hon. Leader of the Opposition.

MR. SPEAKER:

The hon. member for LaPoile.

MR. S. NEARY:

Mr. Speaker, in the absence of the

Minister of Supply and Services, I have to direct

my question to the hon. the Premier. Would the hon. the Premier give the House, the members, some idea when the supply of flags, the proposed new flag, the supply that is now on hand, could the hon. gentleman give us, not the precise date but, say, some idea when these flags were ordered?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, the right designation

for the minister to which the member for LaPoile (Mr. S. Neary) is talking about is the Minister of Public Works and Services (Mr. H. Young). There is not a Minister of Supply and Services in the government right now, there is the Minister of Public Works and Services, and I would have to check with that department to see if the hon. the member for LaPoile is talking about the sheet that has been sent out or talking about flags. I do not know that any flags have been ordered, because it would be rather presumptuous to order any flags except those that were necessary to show people what the proposed flag is and then, after the proposed flag has been fully debated, the bill, and whether it is passed or defeated at that point in time, we would move into the next phase as to whether in fact you would order any.

MR. S. NEARY:

Supplementary, Mr. Speaker.

MR. SPEAKER:

Supplementary, the hon. member for

LaPoile.

MR. S. NEARY:

That is precisely what I am trying to

MR. S. NEARY: find out, Mr. Speaker; How many flags were ordered? Was there one, two, half a dozen? How many? The hon. the Premier must have some idea seeing this bill is in the name of the hon. gentleman. How many flags are on hand at the present time?

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

PREMIER PECKFORD: There is one on hand right now which is downstairs in the lobby. I think the committee ordered a number of others so that they would be available for people to look at. So there is only, as far as I know, four or five flags. I would have to check with the members of the committee to find out. I have the answer coming here now.

The only flags that have been ordered, the Chairman of the Committee informs me, have been five that have been ordered by him as Chairman of the Committee.

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

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

MR. S. NEARY: I would assume, then, that these reports that we have been hearing on radio and so forth are untrue, that there are no boxes piled up in Confederation Building or any other building containing the proposed new flag, that the government was not presumptuous in assuming that this flag was going to be adopted by this House?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, we do not take actions on things unless and until it becomes law, and after that occurs then we take action.

MR. S. NEARY: (Inaudible)

PREMIER PECKFORD: So I can only tell the hon. member that once again the rumours

PREMIER PECKFORD: that he likes to begin and instigate, are, once again, totally and absolutely unfounded.

MR. NEARY: Unparliamentary, Sir, that is.

MR. SPEAKER (SIMMS): The hon. the member for Trinity-Bay de Verde.

MR. F. ROWE: Mr. Speaker, I would like to address my question to the Minister of Labour and Manpower (J. Dinn) or the Minister of Fisheries (J. Morgan), so probably both can listen and decide who would like to answer. There seems to be some confusion, at least through the media, as to exactly when the amendment to the Workers' Compensation Act for the fishermen is going to be brought in and in fact implemented. The Minister of Fisheries indicated in a Ministerial Statement that he hoped to get this thing in in time for late this fishing season or early next fishing season, and the Minister of Labour and Manpower in his statement indicated he hoped to get this legislation into the House so it can be implemented within the next few weeks, or at least brought into the House within the next few weeks. So, I wonder if either minister would undertake to inform the House as to exactly when the legislation will be coming in and when it could, in fact, be implemented?

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

MR. J. DINN: Mr. Speaker, as I understand it, this is hearsay right now because I have not actually seen it, but the draft, I believe, is on its way to my desk right now. If that draft is in order, then it will be in here as soon as possible, the draft amendment to the Workers' Compensation Legislation. So, all things being equal, all things going well, the legislation should be in the House tomorrow or the next day.

MR. F. ROWE: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. the member for Trinity - Bay de Verde.

MR. F. ROWE: I thank the minister for his answer, Mr. Speaker. If in fact this legislation is brought in in the next few days, I take it it will be a priority in terms of getting it through first, second and third reading, committee stage and what have you. That would be a priority. Well, the minister could probably answer when I get to the second part of it. If in fact it is passed within the next few weeks, what possibilities are there that this legislation will in fact be implemented in time for this to take in part of this fishing season?

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

MR. J. DINN: Mr. Speaker, you know, we have certain priorities in the House right now. We have the flag on right now and the -

SOME HON. MEMBERS: Oh, oh !

MR. J. DINN: - and the hon. the House Leader in conjunction with -

SOME HON. MEMBERS: Oh, oh !

MR. J. DINN: - the Premier and many other ministers decide on priorities in the House. Right now it is the flag.

SOME HON. MEMBERS: Oh, oh !

MR. SPEAKER (Simms): Order, please!

MR. J. DINN: Right after that or shortly thereafter, I would think that we bring in Workers' Compensation, if at all possible, if we can, if it is possible at all, I want Workers' Compensation for the fishermen for the remainder of the season when it is passed by this House, if it is passed by this House, and I would assume that it will be.

MR. F. ROWE: A final supplementary, Mr. Speaker.

MR. SPEAKER: A final Supplementary, the hon. the member for Trinity - Bay de Verde.

MR. F. ROWE: Mr. Speaker, with all due respect to the importance of having a distinctive flag for the Province of Newfoundland and Labrador, whether it will go through or not is another question, but does not the minister think that the importance of getting this legislation through for the fishermen is much more important than the flag? And if in fact it is brought into the House of Assembly, will not the flag debate be set aside in order to in fact try to deal -

MR. S. NEARY: Right on!

SOME HON. MEMBERS: Hear, hear.

MR. F. ROWE: -with that particular legislation.

MR. F. ROWE: I think it is far more important, Mr. Speaker, that this kind of legislation get through and I suggest that the hon. members opposite get their priorities straight.

SOME HON. MEMBERS: Hear, hear!

MR. J. DINN: Mr. Speaker, the hon. members opposite, who seem to be doing a lot of bounding on their desks had many, many years to bring in Workers' Compensation for fishermen and failed to do this.

SOME HON. MEMBERS: Oh, oh!

MR. J. DINN: Mr. Speaker, we intend to bring in Workers' Compensation as soon as the legislation is brought before the House. When the draft proposal arrives on my desk, when I see it tomorrow, if it is in order I will bring it into the House tomorrow. As to whether that will be number one tomorrow afternoon or number two tomorrow afternoon, that will be decided. The fact of the matter is that we cannot do anything with Workers' Compensation in this House until the legislation arrives.

MR. F. ROWE: A point of order, Mr. Speaker.

MR. SPEAKER (Simms): A point of order, the hon. member for Trinity - Bay de Verde.

MR. F. ROWE: The hon. minister should realize that, in fact, a Liberal administration did bring in Workers' Compensation for the deep-sea fishery in 1968 and were about to bring it in 1972 for the inshore fishermen except for one minor problem, we were turfed out of office.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

That obviously is not a point of order. The hon. member for Port au Port.

MR. J. HODDER: Mr. Speaker, a question for the Minister of Education (Ms. Verge). I understand that the Province annually receives some \$300,000 from the Federal Government air marked for bilingual education in the Province. I also have been told by french teachers across the Province that this year most of those funds have gone into the general revenue, and only a little over \$100,000 has been kept out which is supposed to be used for commitments which the government already made, and I would like to ask the minister why this unprecedented move has been taken to put funds earmarked for bilingual education into the general revenue?

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

MS. VERGE: Mr. Speaker, there are a number of reasons for this action.

AN HON. MEMBER:

MR. L. THOMS: No reason at all.

MR. SPEAKER: Order, please!

It is extremely difficult to hear the minister speaking. I would ask you to keep your mumbling down just a little.

The hon. the Minister of Education.

MS. VERGE: First of all, Mr. Speaker, the method of accounting for this funding from the Federal Government for bilingual programmes has been the subject of some controversy in the past as to whether it should have gone directly into general revenue or been applied directly for bilingual programmes. The Auditor General of our Province took the position in the past that it should always have gone into general revenue; however, the Secretary of State took an opposite position. At any rate, this is just an accounting detail.

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MS. VERGE: Most of the other provinces of Canada in the past did put the funding which they received into their general revenue and applied only a fraction of it rather than the total for bilingual programmes. Newfoundland and Labrador, on the other hand, in the past always scrupulously

MS VERGE: applied the funds for the bilingual programmes for which they were given by the federal government. Because of the actions of other provinces of the country, it seems the federal government have indicated that it will be moving out of this kind of funding. It is difficult to pin down their exact position at the moment, but as of about a year ago the Liberal Administration in office at the time indicated that over the next five years that it would be eliminating this kind of funding called formula grants for bilingual programmes. So that is one factor in our government's decision this year. The other factor, of course, is the competition for the spending of the tax dollars, the great demands on our treasury, and the needs in other areas. So that for these reasons, as the hon. member for Port au Port (Mr. Hodder) indicated, a decision was made this year to put the approximately \$300,000 from the Secretary of State for bilingual programmes into the general revenue fund and to use only about \$126,000 of it for bilingual programmes, to continue the important programmes.

SOME HON. MEMBERS: Oh, oh!

MR. HODDER: A supplementary.

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

MR. HODDER: As I understand from what the minister says, she has admitted to exactly what I said, that the \$200,000 has now been taken and thrown into the education system which was clearly earmarked for bilingual education. Could the minister tell me which programmes will be neglected this year? Because I understand from our officials that some programmes will be neglected. I believe some travel programmes to St. Pierre, travel to Quebec -

AN HON. MEMBER: All for naught.

MR. HODDER: - the Kindergarten to Grade III teachers, a certain bursary for that will be cut off, but I am not sure that they have all their priorities straightened out, Could the minister tell me what will be cut out in this programme?

MR. SPEAKER (Simms):

The hon. the Minister of Education.

MS VERGE:

Mr. Speaker, the important programmes, including the bursaries for high school students going to the Miquelon Island Summer School will be continued, as well as the funding of French language instruction in Labrador West. There are a number of programmes, approximately fifteen, which will possibly be eliminated, which will not be possible with the limited amount of funding which will remain. I cannot rattle off the complete list off the top of my head. I can say a couple of them; one is the supply of extra learning materials above and beyond the texts which would be normally required through the teaching of the curriculum, and another is grants for teachers upgrading their qualifications. I can undertake to supply the complete list tomorrow.

MR. SPEAKER:

A final supplementary, the hon. member for Port au Port.

MR. HODDER:

I would just like to ask the minister, does this mean that this is a withdrawal of the government's support and commitment to preserving the French culture and language in the Province,

MR. HODDER: particularly the French culture and language of the Newfoundland French?

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

MS VERGE: Mr. Speaker, our government has made a strong commitment to the teaching of French and to the language and also the culture over the past several years. Our Province has been outstanding in the context of the whole country in scrupulously applying the federal funds for bilingual programmes when most of the other provinces did not do that.

SOME HON. MEMBERS: Hear, hear!

MS. VERGE: Newfoundland and Labrador was an example, a leader for the whole country in implementing special bilingual programmes. The French teachers with whom I met just a couple of weeks ago at their Special Interest Council annual meeting in Corner Brook, told me about all the advances that have been made in teaching French in our schools in the past several years. The time has come, however, to look at other needs in education and to put an emphasis on some other areas while at the same time continuing what are considered to be the most important and essential extra and special bilingual programmes to enrich not only the French curriculum but the quality of the total educational experience for students.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I had indicated a final supplementary. A new question, the hon. the member for Bonavista North.

MR. STIRLING: I yield to my colleague from Eagle River (Mr. Hiscock), Mr. Speaker.

MR. SPEAKER: A new question, the hon. the member for Eagle River.

MR. HISCOCK: Un supplémentaire, Monsieur le Président.

MR. SPEAKER (Simms): Order, please!

I indicated a final supplementary.

Do you have a new question?

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

MR. HISCOCK: A new question.

Je veux poser une question au ministre d'Education (Ms. Verge). Je pense ici dans la Province de Terre Neuve et Labrador, nous avons un bon programme pour tous de langue française, c'est vrai, d'accord le gouvernement fédéral il a nous donné d'argent, et maintenant, maintenant le programme commencé, et maintenant beaucoup d'étudiants, beaucoup de professeurs dans les écoles secondaires dans la Province de Terre Neuve et Labrador, pourquoi pas avec de l'argent du gouvernement fédéral?

MR. STAGG: A point of order.

MR. SPEAKER: Order, please!

A point of order. The hon.

the member for Stephenville.

MR. STAGG: The hon. member is engaging in debate.

SOME HON. MEMBERS: Sit down! Sit down!

MR. SPEAKER: Order, please!

MR. STAGG: I am one of the gentlemen on this side who can understand what he is saying. He is obviously into debate, he is not asking a question.

MR. THOMS: Sit down!

MR. SPEAKER: Order, please!

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

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

MR. JAMIESON: Monsieur le Président, je pense qu'il y est très important à comprendre que cette chambre est bilingue. Therefore, it is perfectly in order for the hon. member to ask his question in Canada's

MR. JAMIESON: second official language.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER(Simms): Order, please!

To the point of order. I believe the hon. minister is ready to respond, if the hon. member is finished asking his question.

MR. HISCOCK: (inaudible)

MR. SPEAKER: I direct the hon. member to ask his question.

MR. HISCOCK: Okay. Peut-être le raison le député de Stephenville (Mr. Stagg) n'a pas compris ma question parce que j'étais très fâché avec la réponse au gouvernement.

MR. JAMIESON: Mais oui, mais oui.

MR. SPEAKER: Order, please!

MR. HISCOCK: Pourquoi? Ma question c'est simplement, pourquoi maintenant nous avons un bon programme de français à Terre Neuve et Labrador, pourquoi tout couper maintenant?

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

MS VERGE: Mr. Speaker, I am unable to understand or respond in French, which I think is an indication -

MR. THOMS: The reason why we (inaudible)

MR. SPEAKER: Order, please!

MS VERGE: - how the French instruction in our schools has improved since the time when I went to high school. I took French as it was then taught but, unfortunately, I did not learn how to speak French or understand spoken French. But I could refer this to my colleague the hon. the Minister of Justice.

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

MR. WARREN: Bay. I think they have been left vacant now for two or three years, have not been used. Does the Minister of Municipal Affairs and Housing, in conjunction with the Minister of Education, have any intention of moving some of those units along the Labrador coast to accommodate teachers for the coming year, in education?

MR. OTTENHEIMER: Je ne suis pas tout à fait sûr ce qu'est cette politique maintenant, mais auparavant et je crois que c'est pareil maintenant chaque effort, chaque effort est fait à Terre-Neuve pour accommoder nos concitoyens francophones. Par exemple, au Labrador depuis dix-sept, dix-huit ans il y a une lycée, n'est-ce pas, une école secondaire où toute l'instruction est en français. Et ça existe depuis dix-sept, dix-huit ans. Aussi, à Port au Port il y a une première, deuxième, troisième année pour les élèves qui veulent être instruits en français. Alors, je crois que si l'on regarde le pourcentage de francophones à Terre Neuve vis à vis toute la population nos efforts sont vraiment très, très bons.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Excusez-moi.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: While I realize Beauchesne's precedent allows questions to be asked or answered in both languages, our own House rules are sort of silent on it with the exception of petitions, where it says, "Petitions must be written in English and accompanied by a translation". Maybe I could make the same suggestion - for the benefit of the Speaker, at least.

The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, my question is to the Minister of Municipal Affairs and Housing. I understand -

MR. HISCOCK: In eskimo, in Inuit. My second language is Inuit.

MR. WARREN: Probably I could yield to the Premier, if he would like to speak.

MR. SPEAKER: Order, please!

MR. WARREN: I should like to ask a question pertaining to a number of units, of mobile trailers that were left vacant in Happy Valley - Goose

MR. SPEAKER (Simms): The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR: Mr. Speaker, ever since these units became vacant and available to the Housing Corporation, we have looked at various options of utilizing them, putting them to good use. A number of them have been moved to various parts of Labrador, and indeed the Island of Newfoundland. This is one option that we will be exploring and my colleagues and I are looking at it now to see what needs to be done for the teachers in Labrador, and if this is a viable solution then indeed we will explore it.

MR. WARREN: A supplementary.

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

MR. WARREN: Mr. Speaker, I understand that there has been a brief presented to the Minister of Education (Ms Verge) and I believe to the Minister of Municipal Affairs and Housing (Mr. Windsor) since March 25th. I am just wondering what has taken place for the last month and a half pertaining to the school boards and the departments concerned in particular to those units or to other accommodations, if there are any other accommodations available? Have both ministers been in contact with the school boards concerned and have they been notified that your departments are looking into the possibility of having those units transported to the coast?

MR. SPEAKER: The hon. minister.

MR. WINDSOR: I said in answer to the main question, Mr. Speaker, that we are looking at a number of alternatives, this being one of them. We have made no decision to this point in time as to which course of action we will take. The issue is under very active consideration, and my colleagues and I, in fact, are at the moment engaged in discussions on it and some decision hopefully will be forthcoming in the very near future. I do not know if any of my colleagues want to expand on that one.

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

MR. WARREN: My final supplementary would be probably to the Minister of Education (Ms Verge). Taking everything into consideration, and if as the news reports say that there is a possibility that Cartwright may be without six teachers for the beginning of the new school year, 1980, does the minister have any plans to alleviate this teacher shortage because of lack of housing in Cartwright?

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

MS VERGE: Mr. Speaker, as the hon. member well knows I have received a brief, a written submission from the Labrador East Integrated School Board dealing with this question of the problem of suitable housing for the teachers in Cartwright as well as a number of other communities served by that school board. That brief is now being discussed among the officials of my department and I will be meeting with my colleagues, the Minister of Municipal Affairs and Housing (Mr. Windsor) and the Minister of Rural, Agricultural and Northern Development (Mr. Goudie) on it. It involves a number of complex issues dealing with the respective responsibilities of the local School Board, the Education Department, the Housing Department, the mandate of the Newfoundland and Labrador Housing Corporation and all of these will be looked at in trying to come to grips with the problem of ensuring that there are qualified teachers in Cartwright for next September.

MR. SPEAKER: The hon. member for Bonavista North.

MR. STIRLING: Thank you, Mr. Speaker. A foreign language to most fishermen. I have a question to the Minister of Fisheries (Mr. Morgan). When he made his announcement about the further revision of the Fisheries Loan Board, he indicated that there would be a subsidized interest rate.

MR. L. STIRLING: Could the minister tell us when the new 8 per cent interest rate took effect? When did fishermen have to start paying the 8 per cent interest rate?

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

MR. J. MORGAN: Mr. Speaker, the new interest rate of 8 per cent, of course, was a budgetary measure taken by this administration and it was announced in the budget and I was of the opinion the day it was announced it became effective.

MR. L. STIRLING: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. member for Bonavista North.

MR. L. STIRLING: Mr. Speaker, is it true that fishermen who were looking for additional money were told that their whole loan, the loan that they had before and the new loan, would be at the higher interest rate the 8 per cent interest rate?

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

MR. J. MORGAN: No, Mr. Speaker.

MR. L. STIRLING: Final supplementary, Mr. Speaker.

MR. SPEAKER: Final supplementary, the hon. member for Bonavista North.

MR. L. STIRLING: Mr. Speaker, the answer I would like to know from the Minister of Fisheries is: by what authority he can charge the 8 per cent interest rate because that authority has not been granted by this House. It may be in keeping with the same kind of question that my colleague from LaPoile (Mr. S. Neary) asked. If it is true that it is now being charged, it is being charged without the authority of the House.

MR. S. NEARY: He does not know.

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

MR. J. MORGAN: Mr. Speaker, the regulations governing the Loan Board as I announced last Friday, did not also get the approval of the House. They were done by the provincial Cabinet. We are on this side of the Assembly to make decisions, we make them accordingly; therefore, the 8 per cent was the same type of decision.

MR. L. THOMS: Mr. Speaker.

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MR. SPEAKER: (Simms)

The hon. member for Grand Bank.

MR. L. THOMS:

Supplementary, Mr. Speaker.

MR. SPEAKER:

I indicated a final supplementary.

MR. L. THOMS:

Well, it is a new question, Mr. Speaker.

MR. SPEAKER:

New question.

MR. L. THOMS:

Merci.

SOME HON. MEMBERS:

Oh, oh.

MR. L. THOMS:

Mr. Speaker, a question to the Minister of Fisheries (Mr. J. Morgan). In his Ministerial Statement on Friday, he indicated that the loans would be made directly to the fishermen or to groups of fishermen, but there would be no loans made to companies. I am wondering if this means that a group of fishermen could not incorporate - and I am thinking about all of the advantages of incorporation to a group of people who wanted to become incorporated - does this mean that two or three or four or whatever fishermen could not become a legal entity and then obtain loans under the Fisheries Loan Board?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. J. MORGAN:

Mr. Speaker, I thank the hon. gentleman for asking that question because it needed to be clarified because it did say in the new regulations that the loans would be made available to fishermen and to groups of fishermen, not to companies. But what we are referring to, of course, is that loans will not be made to companies like processing companies involved in the fishing processing sector, but the aspect now being referred to by fishermen getting together and forming companies or associations,

MR. MORGAN: in fact, and becoming a legal corporation, in many cases they do that, that this regulation is not ruling out that kind of a set up. So we will be making loans to fishermen or groups of fishermen, whether it is partnerships or in forming their own companies. When we say companies in this case under the regulation, we are talking about companies other than people involved in the harvesting sector; for example, companies involved in processing.

MR. SPEAKER (Simms): Order, please! The time for Oral Questions has expired.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN:

MR. SPEAKER: The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, some time last week the hon. member for LaPoile (Mr. Neary) asked me the status with respect to an amount of approximately \$2.7 million owed originally Labrador Linerboard and now, since their divestiture, the Province, by a German company, Schurfeld and Company, and also asked me if I would table a copy of the contract between Labrador Linerboard and that German company which I will do.

Yes, there is an amount of \$2.7 million owned, in our opinion, by that German company, previously to Labrador linerboard, now to the Province. There have been negotiations with respect to that matter, so far without success. The government intends a further - one further effort at negotiation. And if that does not resolve the question then we shall - there are two courses open, in the contract there is an arbitration clause - clause 11, provides for arbitration - so if the negotiations do not meet -

MR. NEARY: Is there a dispute?

MR. OTTENHEIMER: There is a dispute, yes. Yes. There is a dispute. They claim they do not owe \$2.7 million. They are not necessarily claiming they do not owe anything, there could well be a dispute on the amount. So if through negotiation it is not solved, then the arbitration clause of the contract would become operative and of course there is the final recourse and that would be in the courts. But we are going to try one final effort at negotiation. I agree it is a lot of

MR. OTTENHEIMER: money and certainly we shall do everything possible to recouperate it.

MR. NEARY: If you had known about that since '74, why did you wait so long?

MR. OTTENHEIMER: I will table a copy of the contract.

MR. NEARY: Only for me, now, you would not know a thing about it.

MR. SPEAKER(Simms): Any more answers?

Presenting Petitions.

Orders of the Day.

MR. W. ROWE: Mr. Speaker, petitions.

MR. SPEAKER: Order, please!

MR. W. ROWE: Your Honour called petitions.

MR. SPEAKER: I am sorry.

The hon. member for Twillingate.

MR. W. ROWE: Mr. Speaker, I beg leave to present a petition which I have received from some sixty students of the New World Island East Elementary School, the students who were in the gallery on Friday morning, Your Honour may recall. I could not present a petition then as I would have liked, but we agreed, of course, to forgo petition period so we could get into the flag debate.

Mr. Speaker, this petition is on the subject, as I have already indicated to the minister, is on the subject very kindly raised by my hon. friend and colleague, the member for Port au Port (Mr. Hodder) district. It

MR. W.N. ROWE:

concerns the diverting of federal funds which apparently - there seems to be a great deal of confusion on the issue - were earmarked for the teaching of French, bilingual education in the Province, and equipment facilities, trips back and forth between here and St. Pierre and Miquelon and so on.

Mr. Speaker, the petition itself, which, as I say, comes from the elementary students and their teachers at the New World Island East Elementary School, grades V and VI, sixty of them, is addressed to the hon. members of the House and says as follows: "We want to tell you that we do not agree with what you are planning to do" - this is obviously meant for the Minister of Education (Ms Verge) - "with the money the federal government sent you. We think the money should still be used for education in French. We know people that have worked in other places in Canada like Labrador and Alberta and so" - they mention the camaraderie and so on back and forth throughout Canada and they say, "we also like learning about other people in our country, how they live, how they speak. Some ways to do this are to meet French people, to see films in French, to read new books. We hear that all these things are going to be cut down if we do not use the federal money for French and we do not want this to happen. We enjoy learning the French language and about French people. Please help us to continue doing this." This is signed by sixty students from that school and I believe copies have already been forwarded to the Minister of Education.

Mr. Speaker, I would like to support completely and utterly the prayer of this petition, the substance of the petition. It is buttressed by a telegram from the - a copy of a telegram really, the

MR. W.N. ROWE: minister got the original - staff of the New World Island East Elementary School in which they say, "We feel that removing formula grants from specific areas of education, that is French, and channelling them into general revenue can only be the first step in regression" - and presumably in education. "It seems logical that your next step can only be to reverse the direction of the arrow on our new provincial flag. Thoughtfully, the staff of the New World Island East Elementary School, Baxter Woodford, Principal."

Sir, I would like to support the petition. I can scarcely credit, in fact, what I am hearing if, in fact, what I have heard is the actual situation, that the provincial government would use funds earmarked by the federal government for specific areas of French training in the Province.

The minister mentioned the gaps in her own education, and she is a very well educated person, the gaps in her own education because of the lack of this kind of training earlier. And here we have a group of students in grades V and VI who, of their own volition - what would they be? Ten or eleven years of age - have already been exposed to French immersion, French training, speaking and travel back and forth in order to try to learn the French language, the French culture in our country. Mr. Speaker, I think it would be a very retrograde step indeed if this Province were to take that money from specific areas of French education and to put it into the general revenue of the Province and perhaps we will find that the whole French programme, which I understand has been admirable in the Province over the last two or three years, would suffer very greatly as a result.

Mr. Speaker, with great pleasure I ask that this petition be laid on the table

MR. W.N. ROWE: of the House and referred to the department to which it relates, the Department of Education.

SOME HON. MEMBERS: Hear, hear!

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

MS. VERGE: Mr. Speaker, just a brief response. I will be glad to accept the petition from the students. I already received the telegram from the principal and am responding to that. I will respond directly to the students. And the comments which I made a little earlier in response to the questions from the hon. member for Port au Port (Mr. Hodder), I think are relevant for this purpose as well and I will not repeat them now.

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

MR. HODDER: Mr. Speaker, I wish to support the petition which was presented by my friend and colleague from Twillingate.

Mr. Speaker, I represent a district which, I suppose, is the only district - perhaps the member for Stephenville (Mr. Stagg) has some claim - where French Newfoundlanders reside, where French is spoken in the homes. In many of the communities throughout the district and then throughout the Bay St. George region, you get a number of families who speak French in their homes. I have been, since I have been the member for that particular district, trying to preserve and do everything that I possibly can to encourage the Department of Education

MR. J. HODDER: to try and preserve the French language in Newfoundland. The people of Port au Port, the people of Cape of St. George, the people of Mainland, the people of Black Duck Brook, the people of these French speaking communities are in no way, I suppose, likened to the French of Quebec in that for many years they were in some ways ashamed of their language because they felt they were different. And in the last ten years, I suppose, Mr. Speaker, the people of the region have developed a pride in their language and we and the French group in the area La Terre -Nouveaux Français have been trying to do everything in their power to preserve this language. The only thing that has been forthcoming, and not through the efforts of this government either, Mr. Speaker, has been a French immersion course at Cape St. George which is progressing through the school.

But, Mr. Speaker, we have the situation on the Northern part of the Port au Port peninsula where the French are bused some ten miles, twelve miles into a predominantly English speaking community with English speaking teachers and, Mr. Speaker, their language and their culture are constantly being eroded. Now, Mr. Speaker, that \$300,000-many of the students from the area which I represent have had the opportunities to go to St. Pierre, to go to Quebec, and they have taken advantage of those bursaries and the newspapers and the multi-media that has been sent to them.

Now, Mr. Speaker, this, whether the minister wants to believe it or not, is a blow at the French culture in Newfoundland. And I would say, Mr. Speaker, for four years in a row I stood in this House and was told by, I think, three different Ministers of Transportation and Communications that the people in that area would get bilingual

MR. J. HODDER: road signs but for some reason or other, Mr. Speaker, that has never happened. And this government has consistently over the past ten years ignored the French speaking Newfoundlanders. And I feel, Mr. Speaker, that this move by the Department of Education to take the \$300,000 and to shove it into general revenue, and what happens then, Mr. Speaker, is that once it is put into general revenue then you have to take your chances with these programmes.

So, Mr. Speaker, I see that my time has run out, but I feel that this is a most callous development and I feel that the minister must and should - she told me in committee last year that she would do everything in her power to preserve the French language in the Port au Port area, which is the only area where we have French Newfoundlanders who have been there before most of our forefathers came to this area, it was one of the first settled areas, it was the French Shore of Newfoundland. And I would ask, Mr. Speaker, the minister to re-consider, but not only to re-consider this move of shoving a couple hundred thousand dollars in the general revenue, but I would also ask her to re-consider and to cast her mind and start to go out and visit the schools in this area and see the conditions under which French students have to come into English schools particularly in the Lourdes area where two French communities are served by an English school with teachers who do not have the expertise to teach them the French that they should learn, to come out and have a look at it and to try and do something for these people so they can maintain their culture and their heritage.

MR. SPEAKER (Simms): Any further petitions?

MR. SPEAKER (Simms):

The hon. the member for

Carbonsar.

MR. R. MOORES:

On a point of privilege, Mr.

Speaker, As is the custom of this House before the Orders of the Day go ahead, I would like to bring to the House's attention my very serious disgruntlement with certain words attributed to me in the Evening Telegram, the weekend edition, in which it was alleged that myself and another of my colleagues were screaming out certain remarks in relation to a speech that I made on the flag debate on Friday morning. Mr. Speaker, when one screams it is either a subconscious emotional reaction, and if not subconscious then it is deliberate. And in this case I recall that when I was raising my voice in this direction I simultaneously reached to pick up a piece of paper and went closer to the microphones. But in any event, Mr. Speaker, the indiscriminate use of terminology on behalf of the press such as this is not only uncalled for but it is, in my opinion, rather petty and irresponsible. It slurred not only the tenor of my remarks but it slurred the tenor of the whole flag debate for Friday morning. And I believe that the reporter for the

MR. R. MOORES: Evening Telegram, in this case

Mr. Wakeham, if he is covering the House proceedings and if he is not either half asleep or partially inebriated or wholly disinterested, then he should ask his superiors to place somebody else to cover the proceedings of the House and give us all a fair break, Mr. Speaker.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: (Simms) To the point of privilege, the hon. member for LaPoile.

MR. S. NEARY: Mr. Speaker, as Your Honour knows I have been concerned about this matter for some time of reporters, who are supposed to be the eyes and ears of this House for the people of this Province, in their reporting of the sessions of the House to interject little editorial comments in their news reporting, sarcasm most of the time. Now, Your Honour, it is about time that we had some kind of a ruling on whether or not this is parliamentary. These people are in the press gallery because Your Honour and the House have allowed them to go there, and if they do not report accurately - if they are writing editorial columns, if they are writing columns that is a different matter. If they are like Wick Collins or Ron Pumphrey, writing a column, that is a different matter - but when they are reporting from the House they should report accurately and not put sarcastic remarks -

MR. F. STAGG: They do a good job of reporting.

MR. NEARY: They do a good job. Well, the Evening Telegram is notorious, Mr. Speaker, notorious for sliding in little bits of sarcasm and editorial comment in their news reporting which, in my opinion, is an abuse of the privilege of this House. And I believe, Mr. Speaker, they are not writing editorials, they are not columnists, they are news reporters and the people out there, people out across Newfoundland and Labrador have to read this as if it was gospel, as if it was an actual fact, as if it actually happened in the House.

MR. F. WHITE:

That is why we should have the TVs here.

MR. S. NEARY:

Well, maybe that is one reason we should have television in the House and the microphones in here. But I believe, Mr. Speaker, that we should have some kind of a ruling as to whether or not this is an abuse of a parliamentary right that we give the press for sitting up and taking notes, nobody else is allowed to take notes except the press, and if they are taking notes they should report the House accurately.

SOME HON. MEMBERS:

Here, here.

MR. SPEAKER:

To a point of privilege, the Hon. the President of the Council.

MR. W. MARSHALL:

Mr. Speaker, the hon. member for Carbonear's (Mr. R. Moores) point of privilege was a point of privilege not ingrained in the rules of the House but one which is customary to be raised, and while I may disagree, and I do disagree with the content of it, certainly he was entitled to bring it up in accordance with the custom. But the hon. member for LaPoile is grossly out of order by getting up and being allowed to make a speech in the House under the guise of a point of privilege. He had no point of privilege, he had no business being on his feet at the particular time. All I would say to the hon. member, who is advocating censorship of the press and restrictions of freedoms, that those days past in 1971 when he and his colleagues passed out of government.

SOME HON. MEMBERS:

Hear, hear.

MR. SPEAKER:

With respect to the point of privilege, I would rule that there is no prima facie case in this particular matter. The hon. member for Carbonear has taken the opportunity to clarify remarks that were attributed to him. In respect to the other matter, which I think is a sort of a different matter but perhaps somewhat connected, the hon. member for LaPoile knows that I am doing some private research on that particular matter and I will discuss that with him outside the House sometime.

ORDERS OF THE DAY

MR. MARSHALL

Motion 4 - Bill No. 45.

On motion, the hon. the Minister of Health to introduce a bill, "An Act To Amend The Human Tissue Act, 1971", carried. (Bill No. 45)

On motion, Bill No. 45 read a first time, ordered read a second time on tomorrow.

MR. MARSHALL:

Motion 5 - Bill No. 46.

On motion, the hon. the Minister of Labour and Manpower to introduce a bill, "An Act To Amend The Workers' Compensation Act". (Bill No. 46)

On motion, Bill No. 46 read a first time, ordered read a second time on tomorrow.

MR. SPEAKER:

Order 40, Second Reading of a Bill

entitled "An Act To Adopt A Flag For the Province",

The hon. the member for St. Barbe.

MR. T. BENNETT: Thank you, Mr. Speaker. I hope you ladies and gentlemen do not expect me to say too many words in French, although my greatgrandfather never did learn to speak English. I am having a pretty rough time learning to speak English myself. I am getting there. First of all, I most certainly would like to congratulate those gentlemen who put so much effort, energy and time - the committee, in other words, the committee on the flag or the creation or the design - I would like to congratulate them on their efforts and I think they have been congratulated by other speakers before me.

I would like, Mr. Speaker, to begin by saying we shall rant and we will roar like true Newfoundlanders, and truer words were never spoken than we shall rant and roar like true Newfoundlanders when it comes to this flag debate, because I have heard more ranting and roaring around the Province about this particular issue than anything else in my short term of office as member for a district. I do not know, Mr. Speaker, if it would be in order to congratulate the Premier. He is a brave man, it seems, to risk, to go out on a limb - his political career. I do not know if I should congratulate him on what might very well be political suicide. I do not know if we do congratulate people for committing suicide or not. But it seems to me that this is such a controversial issue around the Province that I think probably the Premier of the Province should indeed take another look and delay his final decision to accept the design that has been put forward to the House of Assembly.

Undoubtably the artist was a good one; undoubtably. He has justifiably generated a lot of praise for his abilities. A few days ago, back in my district, I was overhearing a couple of ladies debating about the flag and one lady said, ' You know, all that cost for a flag.' And they said to me, Do you know how much it cost the Province? Do you think that money could have been more

MR. T. BENNETT: wisely spent?' I said I really do not know how many dollars, and I did not want to get into an argument over dollars. And one of them said, ' How much did the artist get?' And the other one said, ' I do not know what he got, but he should have got ten years.' So that was the opinions of these ladies. They were not very happy with the design. Every, bar none, every person I speak with, inside the House of Assembly and outside, are in agreement that we have grown up, we have reached an age of maturity and indeed we should have a Provincial flag.

I can find, I think probably nobody in my district who will support the design that was put forward to the House of Assembly. Mr. Speaker, I am only here in the House of Assembly as a member because the people in the district saw fit to elect me to the House of Assembly to be their spokesman, to be their representative, to express their views. And the views of the people in my district, their views are, Sir, that they do not want that particular design. I know that many of them when asked what design they would like to see, they do not always come forward, and I must agree that they have had an opportunity, like I did myself, I had an opportunity to come and look at the designs put forward before they came to the House of Assembly. And many people had the same opportunity and they did not,^{so} if the Premier and the present government see fit to ram this down the throats of the electorate, so be it. We are stuck - we are stuck with it. I hope the Premier does not take that approach because I feel it will hurt him terribly. I do not think it will hurt me politically. I am not able to support it. I have made my views known, and my views and my opinion have been formulated by the people from the district I represent.

They have been very adamant in their objection. The people around this Province, Mr. Speaker, are a brave people. They are a brave people, they are rough, they are rough and ready. They are

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MR. T. BENNETT: humble. They are independent but they are very very loyal, very loyal people. And when a cause presents itself, the people of this Province rally, and, as we read in the history books, and as I remember and a lot of hon. gentlemen here in this House, and possibly

MR. BENNETT: one hon.lady in this House I doubt if the Minister of Education (Ms Verge) can remember-some of the rallying around to support the cause of freedom that we were faced with, 1939 especially is the time that I remember, and I have read extensively back in the 1914-1918 era, great World War I, and that is a time when my own father spent eight years at sea and that is a time when I had four uncles on the front line. Four of my uncles were on the front line, I suspect as foot soldiers. One of them was buried at Gallipoli as a result, and he was buried for a cause, he gave his life. When the war was over, the three remaining soldiers who survived were broken, physically and mentally. One of them went to Australia where he in turn supported the flag, the Union Jack that he fought for, one of them went to Toronto, one of them stayed in England, my mother came to Newfoundland. I have been steeped in a tradition that has been supported by a Union Jack and by a Legion and by men, veterans who have gone out, gone through the years longer than I can remember, they have gone out to fight to give me the freedom to stand in this House of Assembly and express my views as I see, and the only reason that I am here, and the only reason that we have the Premier here, is because of the freedom of speech that we have enjoyed.

SOME HON.MEMBERS: Hear, hear!

MR. BENNETT: I agree it is time that we shucked using or gave up using the Union Jack completely and entirely, and created our own identity. It is long past due, we need it, and the time has come that we should have it. Nobody, but nobody that I have spoken with, especially the veterans, can see anything to identify with in the new design, to identify with the risks and the heritage, the bravery and the humbleness that has been expressed. We have not seen pickets from our Legionnaires. They have approached in a very humble manner and they have only asked that the Premier should shelve the proposed flag for a short while, come back in the Fall. I am not asking, Mr. Speaker, that we should lay on another committee, another Chairman or another artist.

MR. BENNETT: I think now the Committee has a better idea of what the people want. I think the Premier has got a better idea of what the people want. I think the people around the Province have a better idea. All of a sudden they are hit in the face with this. They have not seen it. They have not had time to absorb or to express an opinion, and I do not want to sacrifice the rest of our thousands of years down the road that we have to fly on our flagstaffs something that people are so objectionable to. I think that we have the opportunity at this time - while I respect the opinions of those who have designed this and helped with it, worked at it, I respect it. It is very difficult for me to stand up and cut down the hon. gentleman who sits next to me here. They have people to represent in their districts, and I think they have done a commendable job. Undoubtedly the designer of this flag, Mr. Pratt, put forward the best effort, the best that he knew how, but I do think, given another chance, he would do a better job that would be more acceptable

MR. BENNETT: and I do not think it is necessary that we cram this through the House of Assembly in the next twenty-four hours. I do think that we have time; we have lived with a flag for 400 years and surely goodness we can live with what we have in place, we can live with it for the next six months.

We have always heard, Mr. Speaker, the sun never sets on the Union Jack. The sun never sets on the Union Jack. The great British empire of which we have been a part - okay, so a lot of people might feel it is time for us to cut loose from Britian, but it is not so easy to cut loose from the people who gave their lives so we could have the freedom that we have enjoyed flying the Union Jack, or living with the Union Jack.

People who have travelled all over the world, Australia, New Zealand, Africa, all over the world, they have travelled and they have carried and they have fought for, like Newfoundlanders have done, and continue to do. And I feel, Mr. Speaker, that the only thing that people are asking the Premier, and the committee and the House of Assembly to do is to shelve ramming this through the House of Assembly until people have had time to express more of their views and until there is another design that can be more acceptable, more desirable, more distinct, something that would embody that part of the Union Jack that we have been so proud of down through the years, something that has seen literally thousands of our men buried at sea while shrouded in the Union Jack over their coffins, hundreds of thousands of men fought and died on the battle fields of Europe and they carried the Union Jack and they came home to Newfoundland and they lived in peace and quiet because so many of their comrades fought for the cause.

I am certainly not suggesting that we should keep the Union Jack completely and entirely, but I think there is too much onus from our Legionnaires around the Province, they are too anxious, they desperately want to see that Union Jack somewhere embodied in a flag that would be recognized as a provincial flag. And to me it seems, Mr. Speaker, as though they would not care less if they put a polar bear, lobster or anything else, but they do want to have that recognition.

MR. BENNETT: And that recognition has gone all over the world, and the recognition that they fought so bravely for.

I understand the people of Labrador are not very anxious that we should snatch their flag or bring their flag onto the Island and use it as our provincial flag. But, Mr. Speaker, Labrador and Newfoundland is one province and I would be very happy myself to see one provincial flag introduced that would cover both territories.

MR. NEARY: Hear, hear! Right on.

MR. BENNETT: I think it is a shame, I think it is a pity, it is too bad that we have to - it is another stroke of separatism, I feel, in this House of Assembly that we have to vote for, we have to say yes or we have to say no - well, I have to say no myself - and it is unfortunate the people of Quebec are faced with a similar vote, to vote yes or to vote no. What is it going to be? We seem to be copying off them and to me it is a little further line of separation, and this I feel sad about. I think there should be compromise.

MR. T. BENNETT: There is room for compromise. We need a new flag, we need our own identity. We have given up a lot of our men and our women on the battlefields of Britian, Europe, all over the world, on the oceans of the world. We fought for that Union Jack and we are proud of it and we will do the same thing again. There has been all kinds of suggestions that we should have polar bears, codfish, Coat of Arms, but the one thing that has been hammered into me in my district, the one and only thing that has come at me from my district, is let us make sure there is some recognition for the flag somewhere that we fought for during both World Wars. We are not asking very much. One gentleman here in the lobby Friday, he said, "We are not asking for very much, 2 per cent; let us have 2 per cent of the total in recognition of those who have gone before." That is not too much, 2 per cent, and that gentleman did not care if you put an iceberg on the rest of the flag.

I think we should respect their views. They respected us, they respected the youth of the Province and of the country and they went out prepared to lay down their lives for a cause to give us the freedom to stand up in this House of Assembly and express our views. They did it while flying the Union Jack, Mr. Speaker, not Hammer and Sickle or Swastika. We have had a lot of people that have come from those countries -

MR. STAGG: What are you saying?

MR. HANCOCK: He is making sense, which is something you can not do.

MR. T. BENNETT: - who presently live under dictatorship, they have not got the same freedom that we have. They have come into our country and they have been welcomed into our country and they are very happy to recognize the fact that we have freedom. They recognize the freedom that we enjoy and they want to stay and enjoy it with us and they are not going back to their own Iron Curtain countries or to their own Communist countries where they have not got the same freedom that we have.

MR. T. BENNETT: I do not want to see this Province cut off from a traditional flag completely and entirely. I would like to see something added to it to identify Newfoundland, to identify the oldest colony of the British Empire. Newfoundland is the oldest, undoubtedly the first overseas colony to fly the Union Jack. I am not ashamed of my name, I am glad with the name I have, I am happy with my name: Why should we be ashamed or afraid to display the name of our heritage? The Union Jack or the flag that a country carries is the name, it is an identifying element of the country it represents. Ships at sea, airplanes, the sports fields, it is the name, the identification, it is identifying the land to which you belong, and I am not ashamed of the land to which I belong. I am not ashamed of my name and I am not ashamed to carry my name and I am not ashamed to carry the flag that represents my country; as a matter of fact, I am very proud to carry it. I am proud to carry the name, Mr. Speaker, that I have. Somebody else gave it to me, just like somebody else gave me the Union Jack and the Maple Leaf. I am proud to carry it and I want to continue to carry a part of that Union Jack.

I was not old enough to go over in
the 1939 battle

MR. T. BENNETT: for the country. I just was under the wire, I was just under the wire in age, but a lot of my friends went over there. Some of them came back, a lot of them did not come back and, as I speak to these men around, a lot of them are reluctant to express views. They are back home. They spend their time in the fishing boats or in woods operations or just working for a living in the Province to support the economy of the country and to feed and educate their families. But when they rallied round, Mr. Speaker, and when they went out prepared to lay down their lives, we all know from coast to coast, we know the flag that they were flying. And it has been four hundred years it has been flying over this island rock and I, myself, I am not very anxious to support any flag for this Province unless it has a little bit of that heritage that has been blended into our lives all down through the years.

We may not appreciate the colonialism under which we lived, a lot of people do not, but I would rather have experienced some of that and the freedom that went with it than have experienced the dictatorship of some of the other countries that were not flying the Union Jack. When the Americans came over here, they flew the Union Jack alongside their Stars and Stripes. As a matter of fact, when they gained their freedom from Britain, they did not take the Union Jack and trample it in the mud. They took it and blended it in with the Stars and Stripes, the thirteen stripes and the thirteen stars, but they made it up from the colours that they had been fighting with and fighting for and fighting under. And they have become a great nation and I cannot see myself throwing out the Union Jack and making absolutely no representation or identifying of the Union Jack on a flag that would represent this Province.

We need a flag, Mr. Speaker, and we need a distinct flag. We have the committee in place that can go back and have it redesigned that would be acceptable. It may not be acceptable to

MR. T. BENNETT: eighty per cent of our people but I am sure they could have a design that would be accepted by fifty-one per cent which right now, I think it is opposed by eighty per cent. It is rejected by eighty per cent.

I would like to plead with the hon. gentlemen who presently form the government, I would like to plead with them that they should really take this more seriously. I really think they should take it more seriously because I feel that they are the ones who will pay on election day. I have enjoyed my short experience in the House of Assembly with all of the people that I have become exposed to, and after the next election, Mr. Speaker, a lot of these gentlemen will not be here - possibly some of the ladies - after the next election. I may not be here myself, but it would be kind of nice to see some of the old faces. But I would bet you dollars to doughnuts, Mr. Speaker, that this will be a big issue in the next election. It will be a big issue. This will bubble to the surface and I cannot express strongly enough the need that the Premier should shelve it - shelve it for six months, come back in six months time with a new design. Do not come back with this design, come back with a new one that will be more acceptable. You come back with something that definitely identifies the Union Jack and definitely relates to something with the Province and I will accept it. I will vote for it. But at this time I am not able to vote for this particular design. And I could not go back to my district, I would be lynched back in St. Barbe District if I supported that. I would be in a lot of trouble and I know it.

Mr. Speaker, we have been a

MR. T. BENNETT: lucky people. We have enjoyed a lot of freedom and we presently enjoy the freedom of being able to debate, express our opinions, our views, our likes and our dislikes. If we do not like our Premier, the people out there decide; if we do not like certain hon. gentlemen, members for districts, the people out there decide, a free vote. I am little reluctant to believe that this is going to be a free vote in the House of Assembly. I hesitate to suggest that this will be a free vote when it comes to a vote. And this side of the House is outvoted, Mr. Speaker, so I guess there is going to be a lot of weeping and gnashing of teeth, probably, on the day that this is passed. Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. F. STAGG: Mr. Speaker.

MR. SPEAKER (Butt): The hon. member for Stephenville.

SOME HON. MEMBERS: Hear, hear!

MR. F. STAGG: Mr. Speaker, and colleagues on both sides of the House, I certainly appreciate the thunderous round of applause in anticipation of my submission in this debate. I would first like to direct myself to the comments made by the member for St. Barbe (Mr. Bennett). I would like to ask him, if he would, when Mansard transcribes his speech if he might read it again-or read it, because he was extemporaneous for large portions of his speech and I am sure that he said some things that when they are reduced to print that he will not agree with. He was talking about Nazism and dictatorships and all sorts of things that I think when they are written down -

MR. E. HISCOCK: Mr. Speaker, a point of order.

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

MR. E. HISCOCK: I think that if the member for Stephenville (Mr. Stagg) had been listening to the questions and the words that were given by the member for St. Barbe (Mr. Bennett) he would have taken them in context and not taken them out of context as he is doing.

MR. E. STAGG: Now, Mr. Speaker, you notice I did not sit down while the hon. member stood because it is not a point of order that he is rising on. And the hon. member is rising on a difference of opinion, or whatever. I will sit down for the Speaker's ruling.

MR. SPEAKER (Butt): To the point of order, I would rule that there is no point of order but a difference of opinion.
The hon. member for Stephenville.

MR. E. STAGG: Mr. Speaker, the hon. member who just rose on a point of order was a member of the Flag Committee and I wonder if this is indicative of the kind of harassment I might expect throughout the debate. I was merely asking that the member for St. Barbe read his speech when Hansard prints it, because I am sure there are things in it that when he sees them printed he will not agree it. And this is the sort of thing that all members should do. On occasion one gets up and wanders around, not really having all your thoughts that coherently prepared and you say things, really, that you would like to withdraw. So I am sure there are some items in that hon. member's speech that on reflection he might -

MR. SPEAKER: The hon. member for St. Barbe.

MR. T. BENNETT: Mr. Speaker, I would like to ask the hon. gentleman if he is debating the flag or if he is trying to discredit what I have said about it in my speech?

MR. E. STAGG: Well, again, Mr. Speaker, there is no point of order, but I will wait for Your Honour to discard this spurious interjection.

MR. SPEAKER (Butt): In this particular case I would rule there is no point of order but the hon. member for St. Barbe (Mr. Bennett) rose on the occasion to clarify remarks that were previously said about him.

The hon. member for Stephenville.

MR. F. STAGG: If the hon. member does not want some suggestions in that regard, well, then I will just leave him alone. I will read his speech, however.

Now, Mr. Speaker, the Select Committee on the Flag made up of seven members of this House of Assembly, seven members elected by probably 15,000 or 20,000 people in entirety - they got a couple of thousand votes each - they are here because they have a duty, they are here because it is their responsibility to represent the people who voted for them. The Select Committee route was decided as a wise and expeditious way of providing a flag for this Province. And I want to refer to Thursday, November 8th. last year when the Premier gave notice that he would introduce a motion which said, "Be it resolved that a Select Committee of this hon. House on all matters relating to the adoption of a flag for the Province and to

MR. STAGG: recommend a specific design therefore.

BE IT FURTHER RESOLVED that the Select Committee have power to sit at all times whether or not the House is in session, adjourned or prorogued, and in relation to the matters to them referred the power to send for persons, papers and records.

BE IT FURTHER RESOLVED that the Select Committee report back to this hon. House with its views or recommendations in connection therewith on or before the 30th. day of April, 1980.

Now that is how the Committee came into being. The Premier gave notice. And what is the next document we have in this saga? Well, on November 23rd., Friday, November 23rd., last year it was moved by the hon. the Premier, and seconded by the hon. Leader of the Opposition (Mr. Jamieson) that the following members be appointed to a Select Committee to enquire into and to hear evidence on all matters relating to the adoption of a flag for the Province, and to recommend a specific design therefor. And the seven members were named; the member for St. John's North (Mr. J. Carter), the Chairman; the members for Kilbride (Mr. Aylward); Menihek (Mr. Walsh); Fortune-Hermitage (Mr. Stewart); Port au Port (Mr. Hodder); Grand Bank (Mr. Thoms); and Eagle River (Mr. Hiscock). Mr. Speaker put the question, the motion was carried.

Now what does all that mean? That means that it was the unanimous consent of this House that seven members of this House go out, hear what the people of the Province had to say, to meet in various places in this Province, to hear what they had to say, to accept from the people their recommendations, their designs, and generally to hear from them, and to come back with a recommendation for a specific design for a specific flag. That is what the Committee was told to do unanimously. That is what it was told to do -

SOME HON. MEMBERS: Oh, oh!

MR. STAGG: - unanimously, that is what it was told to do unanimously by the fifty-one members who voted on that occasion. Mr. Speaker did not have a vote. That is what the Committee was told to

MR. STAGG: do. And the seven members went out and, lo and behold, they brought forth a flag. They brought forth a flag in due course. What more can you ask of them? Where did they meet? Did they meet in secret? Did they meet in camera? Did they meet down at the tavern? Is that what they did? Is that where they met? No, they did not. Here is where they met. They met at St. John's, Labrador City, Happy Valley, Nain, Makkovik, Davis Inlet, Hopedeale, St. Anthony, Harbour Breton, Burgeo, Port aux Basques, Gander, Twillingate, Fogo, Greenspond, Valleyfield, Grand Falls, Stephenville, Corner Brook, Marystown, Grand Bank, Placentia, Clarenville, Bonavista, Harbour Grace, Bell Island, and once again in St. John's.

MR. NEARY: Then ignored it all.

MR. STAGG: Now what can you say? What can you say about a group that did that in the dead of Winter? What more can you say than, "Well done! Well done! You are to be commended. You are a group of Newfoundlanders who went out and saw what needed to be done and you went out and did the job."

SOME HON. MEMBERS: Hear, hear!

MR. STAGG: I know on the day that they met in Stephenville, the day they met in Stephenville and the day they met in Corner Brook - they went to Stephenville in the morning and to Corner Brook in the afternoon - it was a blizzard. It was a blizzard in both communities. Yet they met and they had submissions in both communities. And they had some 500 or 700 designs submitted to them.

MR. WARREN: I wonder.

MR. STAGG: The member for Torngat Mountains (Mr. Warren) over there, Mr. Speaker, is interjecting. I am not sure which language he is speaking in at this time -

MR. WARREN: (Inaudible).

MR. STAGG: - but it is certainly provocative -

MR. SPEAKER: (Butt) Order, please!

MR. STAGG: - and I am somewhat put off by him.

MR. STAGG: That had some 500 or 600 designs, a lot of designs presented to them, none of which was the status quo. The status quo is the Union Jack. The Union Jack is the flag of Newfoundland at the present time. Now there is nothing particularly Newfoundlandish about the Union Jack, except our previous association with it. When you see the flag, the Union Jack, flying, one automatically thinks of the British Empire or England. Unless the person is told specifically, "No, that is the Newfoundland delegation", or, "That is the Newfoundland flag", you do not know. The Union Jack - there is no more patriotic person in this Chamber, and I am not going to drape myself in the flag as some hon. members opposite have. Usually if one goes around draping oneself in a flag, they are about to be tossed over the side or whatever. That may be, figuratively speaking, what may be happening to some members who are draping themselves in the flag. I will not parade my patriotism around any more than anyone else, except to say that I am as much - I recognize the contribution that the British Empire and England has made to Newfoundland as well as anybody else, but I am not cowed by it and I am not a person who will say that because there were certain contributing factors from England or from the Empire.

MR. F. STAGG: that we must necessarily be subservient and servile and that we must have their flag and no other. We will be the only Province in Canada that would have it. There are only three or four of the Provinces in Canada that have the Union Jack in their flag and in the course of looking at this subject I looked at the various flags, various provincial flags that are posted up in our common room and I looked at the flag of Manitoba. The flag of Manitoba has the Union Jack up in the top left-hand corner and a buffalo down on the fly, as it is called, and the flag of Alberta has the Union Jack up in the top left-hand corner, and a Coat of Arms down on the fly. Well, their flags look similar. Ontario has a similar design, so really there is nothing unique about them. New Brunswick and Prince Edward Island have flags where they have the aristocratic British lion, and in the case of Prince Edward Island it is perched over a grove of trees, and in the case of New Brunswick it is over an ancient Viking boat, at least one of these boats with oars, nothing really that signifies or has great significance for these provinces yet they seem to have accepted them. I do not think there can be any greater patriots as far as allegiance to the British Empire is concerned than the United Empire Loyalists, the United Empire Loyalists who peopled the Maritime Provinces. You go up into New Brunswick where I attended university for some years, and all you run across are Loyalists and there are people who literally drape themselves in the flag.

They are the great patriots in the British monarchical tradition, and the people of Nova Scotia similarly and to some extent the people of Prince Edward Island. There is no move among these people to have their flags changed and yet no one says that they are separatists, if you voice approval for this flag in this House, one is frequently met by the provocative gestures, in the one case, and the provocative behaviour of the member for Bonavista North (Mr. L. Stirling), who on many occasions has taken this flag and has made vulgar gestures with it -

SOME HON. MEMBERS:

Oh, oh.

MR. F. STAGG: - has made vulgar gestures with this flag, yes, he has and -

SOME HON. MEMBERS Oh, oh.

MR. F. STAGG: - he particularly made them, yes he did make them and it is on the record in the Resources Committee of last week that I accused the member for Bonavista North (Mr. L. Stirling) of making vulgar gestures with our flag and he has done it.

AN HON. MEMBER: He is not here.

MR. F. STAGG: Well, if he is not here to defend himself he had better read Hansard, because he has done it and he has done it when it was presented here in the House. And that sort of thing, even for a flag or a document that is not yet passed, is unseemly and I deplore it. And yet I understand - I was not here on Friday, Mr. Speaker, I took a couple of days off to go back to my district because I have been here practically full-time from the time the House has been open - but I went back and I did read the gentleman's speech, but I believe he was playing to the galleries here on Friday. I wonder did he make a similar gesture on Friday with the flag? I think his whole behaviour in this matter has been deplorable.

AN HON. MEMBER: I should raise a point of order.

MR. F. STAGG: What do you mean, point of order? I think his behaviour has been deplorable and his debate was rambling. It was long but it was relatively incoherent.

Now, has this debate become a partisan issue? I submit it has become a partisan issue, Mr. Speaker, it has become a partisan issue and it was not meant to be a partisan issue. There could be no more democratic way of presenting anything in this House than to ask for a Select Committee of members of both sides of the House to go out across the Province, to hear submissions from 'the people', as hon. members opposite are now prone to quote -

SOME HON. MEMBERS: Oh, oh.

MR. F. STAGG: - hear submissions from the people, hear and see submissions from the people and then to come back here with a recommendation for their peers. The seven members unaminously come back

MR. F. STAGG: with a recommendation, they had some assistance from another great Newfoundlander, Christopher Pratt, who hon. members opposite, whether obliquely or overtly, are criticizing.

MR. G. WARREN: A good Tory.

MR. F. STAGG: A good Tory, the man says. There it is. The member for Torngat Mountains (Mr. G. Warren) says, "Good Tory", as if that were to disqualify him, I suppose. Did the three members of the committee say, "He is a Tory, we can not have him"? Yes, that would have been the hon. member's vote. Are there any Liberal artists?

MR. G. WARREN: Yes.

MR. F. STAGG: Are there? Well, you know, are there any Liberals?

SOME HON. MEMBERS: Oh, oh.

MR. F. STAGG: Christopher Pratt: I do not know if there is a more successful Newfoundland artist, if there is an artist more recognized among his peers than Christopher Pratt, and he helped out the Committee. Now, you can say that the Committee are liars; you can say, if you want to, that the member for Kilbride (Mr. Aylward) when he spoke lied to the House. There are hon. members who might say that. But what the member for Kilbride said was that if Mr. Pratt had been left on his own to create a flag, this would not have been the flag that he would have created. And he came to that realization, he came to that decision because the members of the Committee indicated that the flag should be geometric, it should be geometric. And whoever the individual was who wrote the letter to the Daily News last week, I wish I had it here because I would read it into the record, and he said the variety of opinions on what should be in the flag - and he reduced it to some extent to absurdity when he talked about how some people said it should be a codfish, a Newfoundland dog, a caribou, a boy picking bakeapples and a Carnation Milk can or whatever and that sort of thing - these are the sorts of things that all of us believe and know are in some ways symbolic of this Province. We will go along with that.

AN HON. MEMBER: Good Luck butter.

MR. F. STAGG: Good Luck butter, yes. Good Luck butter that has taken Beethoven to sell their product, and make excellent ads, all of those things. So this is the sort of thing that the Committee was faced with. They were faced with a multitude of objects that were all typical Newfoundlandia - the Newfoundland dog and the Labrador Retriever and all that sort of thing. So they decided that the flag should be geometric, Well, is that really something that you should not support them in? I think that the flag -

MR. D. HANCOCK: Are you serious (inaudible)

MR. F. STAGG: The hon. member for St. Mary's -
The Capes has distinguished himself by not speaking very often in
the House, Mr. Speaker. Maybe he will grace us in this debate.

MR. D. HANCOCK: I will have my turn.

MR. SPEAKER: Order, please.

MR. F. STAGG: Now, Mr. Speaker, I submit that the
Flag Committee in agreeing that the flag should be geometric made a
wise decision because there could be no more controversial subject than,
say, to have put a Pitcher Plant there, or to have put a caribou there, or
to have put a Newfoundland dog there, or to have put one of these other
objects there.

AN. HON. MEMBER: Or put a Liberal there.

AN HON. MEMBER: That would not be representative.

MR. F. STAGG: Or a Liberal there, yes or whatever.

Maybe the hon. members opposite would have gone along with a big 'L'
in the middle of it, yes. So I am satisfied that they came to a
reasonable and logical conclusion in saying that the flag should be
geometric. Now, what about the design that they have come up with?
Hon. members opposite have decided, for some reason or other, that they
are critics, that they are art critics. They do not like the design.
It is an aesthetic thing with them, aesthetic. And it has become a
partisan issue. I have seen this sort of thing before, Mr. Speaker.
I have seen hon. members opposite, the group that were responsible
and their predecessors who were responsible for the introduction of
School Tax into Newfoundland, get up and almost win an election in 1975
by opposing School Tax when it was they who brought it in. That is their
sort of thing! Once the hon. members opposite find out that something
may have some appeal across the Province, they are on the bandwagon even
if it means that their buddies, the member for Port au Port (Mr. Hodder),
and the member for Eagle River (Mr. Hiscock) and the member for Grand
Bank (Mr. Thoms), even if it means scuttling them. And I submit, Mr.

MR. F. STAGG:

Speaker, that it is not a free vote on the opposite side. The lead-off speaker for the Opposition, or one of the lead-off speakers for the Opposition was the Leader of the Opposition, who said that he does not support it. I must say it was not one of his better efforts. The Leader of the Opposition is known for his great debating ability. He is renowned for his ability to spin enrapturing tales . And his

MR. F. STAGG: storytelling ability and his speech-making ability are legend in this Province. As a matter of fact, he was at a very early age, I believe, enlisted by a group of Newfoundlanders who thought we should have economic union with the United States. Well, he has come to his - he certainly came around from that point of view, later.

MR. D. JAMIESON: You are certainly rambling now.

MR. F. STAGG: Well, if I am rambling, Mr.Speaker, I am rambling on some very -

MR. L. THOMS: You are no rambling rose.

MR. F. STAGG: - fertile ground. So, the Leader of the Opposition, for whom I have the greatest respect-and I cannot get angry at the Leader of the Opposition. I like him- he decides, for whatever reason,that he is not going to support it. Now he has three members over there, three members of the Flag Committee who are honour bound to support this. Not only are they honour bound to support it, I believe they are going to support it,and I know that the member for Grand Bank(L. Thoms) is going to support it.

MR. J. HODDER: The more you speak, the less chance there is of it

MR. F. STAGG: Well, if the more I speak -

SOME HON. MEMBERS: Hear, hear.

MR. F. STAGG: If the hon. member from Port au Port (J. Hodder) indicates that what I have to say is going to persuade him to vote against this flag, then maybe I would suggest that the hon. member might be just looking for an out. But I do not think that these three members of the Flag Committee from the Opposition side of this House are going to vote against this flag,but I have yet to hear any other hon. member on the other side break ranks in the free vote tradition, in the free vote

MR. F. STAGG: tradition that was sanctioned here by our leader. We have had one of our members on this side of the House, the member for St. John's Centre (P. McNicholas) -

AN. HON. MEMBER: And more to come.

MR. F. STAGG: - speak out and say that he cannot support the flag. It is a matter he explained himself adequately. I do not agree with him -

MR. D. JAMIESON: On a point of order, Mr. Speaker.

MR. SPEAKER (Butt): On a point of order, the hon. the Leader of the Opposition.

MR. D. JAMIESON: I welcome the fact that the hon. the member says he cannot get mad at me, but surely goodness I cannot get mad at him either, other than if he is going to make these kind of statements, he should make them fully, namely that it was I, as the Leader of the Opposition, who informed the House first and indicated there was going to be a free vote on this side. I hoped, as a matter of guidance, but apart from everything else, to keep the record straight, surely that ought to be on the record if the hon. member speaks.

MR. SPEAKER: Once again there is no point of order but the hon. the Leader of the Opposition wanted to set the record straight. The hon. the member for Stephenville.

MR. F. STAGG: Well, I know, Mr. Speaker, that the hon. the Leader of the Opposition called for a free vote. That was before the Open Line programs were seemingly striking a responsive nerve -

SOME HON. MEMBERS: Oh, oh!

MR. F. STAGG: - across the Province and there may have been something - there may have been some people who are - there might be some political advantage to be gained from it. Well, it is a free vote on this side. It is a free vote on this side and I am a person who is going to support the flag. I agreed with the original designation of the Select

MR. F. STAGG: Committee I agreed with the terms of reference and I still agree with it, and I agree with this flag. It is not only an adequate flag, it is a superior flag. It will be the greatest flag of any Provincial government or of any province. It will be the most distinctive flag. You will not see it fly and wonder if it is Alberta or Manitoba, as Manitoba and Alberta - the problems they have.

You will know that it is Newfoundland. You will know that it is Newfoundland. But back to whether or not this is a partisan issue. Yes, I would say that hon. members opposite, for whatever reason, now are in a position that they have to back up their leader, and with the exception of the three hon. members who are on the Flag Committee and are honour bound to support it, I doubt whether any other member over there is going to break ranks with the Leader of the Opposition. But I will say this, I will say this to any hon. member opposite who has leadership aspirations, any hon. member opposite who has leadership aspirations, those of you who vote for this flag will curry more favour with the delegates to that convention than those of you who vote against it, because, voting against it, you associate yourselves with a kind of heinous remarks and gestures and so on made by people like the member for Bonavista North (L. Stirling). So I would suggest to you, just

MR. F. STAGG: from a person who has observed leadership campaigns, been to a few that the best and most advantageous route for you to follow is your own conscience and not fall into line because the Leader of the Opposition for whatever reason has decided he is not going to support this flag.

Now, I along with a lot of other members have been lobbied by the Royal Canadian Legion, I got a telegram from the Royal Canadian Legion in Stephenville Branch 35. And I am on the record as saying I am going to support the flag and they are on the record saying they do not support it imploring me to vote against it. Well, what do you do in the face of that? Well, I wrote the Royal Canadian Legion in Stephenville a letter and in the five minutes I have remaining I am going to read it, to Gordon Marshall, President: 'Dear Gordon: Thank you very much for your telegram of May 7th, outlining the position of Branch 35 of the Royal Canadian Legion in Stephenville concerning the proposed design for our provincial flag. I encourage all of your membership to take an active interest in all matters pertaining to the governing of this Province and I certainly respect your position on this matter. However, it is apparent that we have a distinct difference of opinion on the design for the proposed Newfoundland flag. I am taking the liberty of enclosing several copies of the proposed design along with the explanation of the symbolism encompassed in the flag. Quoting from a portion of the explanation you will note that, 'The blue section most reminiscent of the Union Jack represents our Commonwealth heritage which has so decisively shaped our present. The red and gold section, larger than the other represents our future. The two triangles outlined in red portray the mainland and the Island parts of our Province reaching forward together. A golden arrow points the way to what we believe will be a bright future surrounded by red to

MR. F. STAGG: indicate human effort, the arrow suggests that the future is for the making and not the taking. There is no group in this Province who has done more to assure us the right to have our own flag than has the Royal Canadian Legion. The lives and efforts extended by the Legionnaires in the Armed Forces of Canada and Newfoundland during two World Wars and the Korean conflict are very highly respected by me. Indeed, in any of your local efforts you can count on me for the strongest of support. However, I do see Newfoundland as having a distinct and unique role to play in this country, especially over the next twenty years. Symbolic of that role and our most distinct identity will be our new flag, consequently I must support it. For your further information this flag design was arrived at by seven members of the House of Assembly, four from the Progressive Conservative side and three from the Liberal side who went to all parts of the Province including Stephenville and accepted designs and suggestions from the Newfoundland people. Some 600 designs were submitted. One of the conclusions that the committee came to and one of the instructions they gave Christopher Pratt, the well-known Newfoundland artist was that the flag should be geometric in design largely because it was impossible to single out any specific Newfoundland object such as a caribou, Newfoundland dog or a codfish or the Coat of Arms or the Pitcher Plant which would satisfy all of the groups who had opinions in that direction. Consequently, you might say that the golden arrow indicating our bright future is the compromise to replace all of these objects. I trust that this letter and the explanation of my position will be of some assistance to you and I look forward to discussing this and other matters with you.

MR. F. STAGG: So, Mr. Speaker, that is how I replied to the Royal Canadian Legion in my district. Other members will be replying in a different way. Some hon. members opposite I have no doubt will try to fan the flames with their replies. My reply is that this House set about to get a distinctive Newfoundland flag. It set about in the most democratic way possible, it had representations from both sides of the House and in the tradition that has always been established the Government side had more members than the Opposition side however it was a unanimous choice. And how can hon. members opposite in all conscience vote non-confidence in the people that the Leader of the Opposition put on the committee?

MR. STAGG: I cannot see it! And I wonder how do these hon. members feel? I would not like to be part of a group, I would never be part of a group that would send you out to do something of this importance, send you out with our blessing and when you come back and you are sticking our there on the limb, to find that there is somebody in there sawing it off, sawing it off and hope, really, that you are unsuccessful. I have never seen a more dispicable political act whereby one group would try to do that sort of thing to their colleagues. There is no precedent for it that I am aware of. So I deplore it, Mr. Speaker.

I think that pretty well clues up my remarks, Mr. Speaker. I think my time is up. I am going to vote for the flag. I do not know how many members opposite are going to vote for it, or on this side are going to vote for it. We have not been whipped into line, I will tell you that. We have not been whipped into line. There is nobody holding anything over our heads to vote for it or else. But I will support it and I hope that there will be more than the three hon. members who were on that Flag Committee from the other side who will vote for it. That would give me some assurance that this is not entirely a partisan debate. Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. WHITE: Mr. Speaker, I do not think I have heard such utter nonsense in this House of Assembly before as I have heard here today, and I can fully understand it, Mr. Speaker, after the remarks that the hon. the member for Stephenville (Mr. Stagg) made

MR. WHITE: about the Premier today, when he was elected leader of the Conservative Party at that convention, I am sure he would do anything to get back into the favour of the Premier at the moment and I am sure that is one of the reasons.

There is no wonder, Mr. Speaker, that members on this side of the House, or so many members have decided to vote against this flag in view of comments that have come from the other side, like we just heard from the member for Stephenville, who has tried to turn this debate into a partisan issue, and we all thought that it was going to be a free vote and a free debate in this House.

Mr. Speaker, I think that the process of choosing a new flag for Newfoundland was the right process. I have wanted for years to see a new flag introduced into this Legislature and I was delighted a while back when a Committee was struck from among members here to hold hearings, travel around the Province, and bring back a design for a new flag. I think the Committee did a great job. I think they did their homework well. I think they were smart in authorizing Christopher Pratt to design a flag and to pick from that design. I think that the design they came up with is a magnificent design and I like it very, very much, Mr. Speaker.

I am not going to be very long in this debate, Mr. Speaker, I just want to make a few comments. I think the design, the geometric design is the kind of flag we need for Newfoundland. I think it is modern, I think it is symbolic in many ways. Depending on the point of view of the observer I think a lot of things can be seen in this flag and I think that in years to come young Newfoundlanders will grow to like this flag, honour this flag and respect this

MR. WHITE:

flag.

I had the opportunity yesterday - I have an eighteen month old son and each weekend that I see him, of course, I try to teach him new words and yesterday when I brought him to St. John's with me I took him around and I showed him all the flags I could find and I taught him a new word 'flag'. And I am sure than when he grows up he will love this flag of Newfoundland, if it goes through the House of Assembly.

But, Mr. Speaker, I am not going to vote for this flag.

SOME HON. MEMBERS:

Hear, hear!

MR. WHITE:

I am going to vote against

it and I have a number of reasons for doing so. Not because of the Royal Canadian Legion. I am not going to vote against it because the Royal Canadian Legion are against it, I am not against it because of that. As a matter of fact, a number of the Royal Canadian Legion members in Lewisporte said to me that I should vote for the flag. They came up to me, and thought that is was a pretty good design, and it was time that we had a new flag for Newfoundland.

One of the reasons I am going to vote against this flag, Mr. Speaker, is because of the half-hearted approach the government has used in bringing in this flag. They say that we are not going to replace the Union Jack with it, that the Union Jack and the new Newfoundland flag can fly together. Well, I disagree with that. I think if we are going to have a new flag for Newfoundland, then let it be a new flag for Newfoundland and let it replace the Union Jack as the official flag of Newfoundland and not just be wishy-washy about it and try to have the best of both worlds.

MR. WHITE: So that is one of the reasons why I am voting against this flag. I also think, Mr. Speaker, that the government has tried too fast and too hard to push this flag through the Legislature. One of the reasons so many people are against it throughout Newfoundland is because they have never even seen it. I have people come up to me in my own district and say, "I hope you are not voting for that flag". I have said to them, "Have you seen the flag?" "No, we have not seen the flag". So there are too many people, there are thousands of people throughout Newfoundland and Labrador who have not even seen the flag that they are going to have flying over Newfoundland, probably in a few weeks. So that is, Mr. Speaker, another reason why I am opposing this flag.

Another reason is because of the avalanche of public opinion throughout my own district against this flag.

MR. STAGG: You are scared now.

MR. WHITE: I am not scared. Now, I am not scared. The hon. the member for Stephenville -

MR. NEARY: He was elected as a servant of the people.

MR. WHITE: That is right.

MR. SPEAKER(Baird): Order, please!

MR. WHITE: I serve the people and I tend to go along with public is a fine way

MR. WHITE: opinion, if I think that is a fine way to do things. The avalanche of public opinion in my district, Mr. Speaker, has been unbelievable, and not only that, but from last weekend to this past weekend it grew even greater than it was before. First when the flag was passed around in the Legislature, this coloured brochure, I took it and I sent it out to every high school principal in my district. I said to them, "Please take this, show it to your students in assembly, take a vote, get the reaction of the staff and so on". Well, with the exception of one class who voted 63 per cent in favour of the flag, one class, the remainder has been unanimously against the flag in every other school, in every other classroom, teachers, students alike. I got a call today that the Campbellton Town Council, one of the largest towns in my district, met in emergency session and unanimously opposed the flag. Other councils are planning to do the same. So, Mr. Speaker -

MR. STAGG: You are scared (inaudible).

MR. WHITE: Scared of what? I mean I could tell the member for Stephenville (Mr. Stagg) that I am not scared of him -

MR. SPEAKER: (Simms) Order, please!

MR. WHITE: - or anyone else. Whether this flag issue means one single vote, I do not care because I do not think it does. I do not think it will cost the government one single vote to push this vote through the House, not a vote. I do not think they will win a vote on it by pushing this through the House of Assembly. I just think that the people of Newfoundland, if they are forced to accept this flag, will accept it as I will do and will grow to live with it and work with it down through the years.

So, Mr. Speaker, that is about all that I wanted to say on the flag issue. I like the new flag, I like the approach that was taken, but I cannot vote for it because of the partisan way the government has gone about trying to push this through the House, not giving the people enough time throughout Newfoundland to see the new flag, and I think it is something that could have been a great thing for Newfoundland. It could have been brought in, it could have been debated sensibly, we could almost have gotten unanimous

MR. WHITE: consent on this flag, but the way the government has approached this has been wrong, the way they have gone about it has been wrong -

MR. W. ROWE: Arrogant.

MR. WHITE: - and their arrogant approach in trying to force this on the people of Newfoundland has caused me, in the past four or five days, to change my mind and, whereas a week or so ago I intended to vote for the flag I am now saying no, and for the member for St. John's North (Mr. J. Carter) it is 'nicht'.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: (Simms) Before I recognize the hon. member for St. John's West, I would like to welcome to the galleries, and I am sure all hon. members would like to join me in issuing this welcome to the M.P. for Kingston, I think it is, Flora MacDonald, Kingston-The Islands.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for St. John's West.

MR. BARRETT: Thank you, Mr. Speaker.

I should first of all congratulate the members of the Select Committee of this House under the chairmanship of my distinguished colleague, the member for St. John's North (Mr. J. Carter), and I would compliment them on their initiative and their dedication and the fact that they were able to bring in a unanimous report to this House in the form of the flag design which we are now debating. This Committee, as has been expressed many times, has been formed with the unanimous consent of this House, comprising of members of both sides of this House, and has returned a unanimous report to the House for the adoption of the flag design that we now have before us.

I should probably indicate that I feel that this design is a design of the Committee, a design of the Committee that has been developed through many meetings and submissions. It is not the design of the artist. I like this flag. I can respond and I can relate to its design, but I have a different conviction than my colleague opposite, who also likes it but is voting against it. I like it and I will vote for it.

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Tape No. 1467

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MR. BARRETT:

I think that exception should be taken to the many derogatory remarks that are coming from some of the members opposite towards the artist who comprised this visual effect, Dr. Christopher Pratt. I am shocked at the way some members opposite have portrayed this very loyal Newfoundlander, this very sensitive Newfoundlander and this very intelligent Newfoundlander, a Newfoundlander who has emerged as one of this Province's and, indeed, this country's best known and most respected

MR. BARRETT:

artists. It is totally wrong, Mr. Speaker, criminally wrong that he should receive such personal abuse from members of the Opposition. This artist co-ordinated in a visual presentation the thoughts and the findings of this House of Assembly's Flag Committee, the thoughts and findings that were the culmination of several months study, of hours of research, numerous interviews, hearings throughout the Province and submissions from many interested groups and from individuals. Each person, I think, in this Province had a preconceived idea of what they would like to see in the way of a flag when this Flag Committee was first announced. It is only natural to assume that if you have a preconceived idea of what you would like to see in a flag visually, that if a designer or some committee came out with something that did not respond in all its ways to that preconceived idea that you have that the initial reaction would be that you are against the design. However, I think that one thing has come through from this particular design is that it is distinctive, it is individualistic, it is representative of this Province, it is representative without becoming a kaleidoscope of images, images that some members opposite suggest that we should portray on this flag. If one really got carried away with your imagination we should have on a single flag, a Union Jack, a caribou, a codfish, a Newfoundland dog, maybe a Labrador dog thrown in, a Beothuk Indian at least, a spruce bough, a fleur de lys because we do have a French section as was indicated here today, the Stars And Stripes at least to represent all the bases that the Americans have put here and so many of our people have become natives of that fair country. We should, I suppose, have a symbol of our mining industry represented and what about the forest industry, should we not have something representative of that, maybe a roll of newsprint? And certainly we could not forget a seal. We would have to have a seal on the flag and a pitcher plant as well. And all of this, Mr. Speaker, in beautiful living colour of pink, white and green. Now that is the provincial flag that is envisaged

MR. BARRETT:

I am sure by most members opposite. I am not quite sure how sizeable this piece of flag would have to be in order to incorporate all this and I do not know what kind of a visual effect it would have but I would suggest it would not be anything nearly as representative as what we have.

I find contrary to some of the comments being made opposite that there has been very little objection to this flag. The only objection that I can see is coming from one or two specific interest groups. From the individuals, from the normal, average individual constituent you get very, very little negative response. I am not getting any negative response in my district. I cannot find any members on this side who are getting an overwhelming amount of negative response. I suggest that the members opposite are probably getting it because maybe it is representative of the fact that most of the people in their districts are negative, I mean obviously to have voted for them.

There has been a great deal of discussion concerning this matter as it relates to the veterans of this Province and their having fought and died for the Union Jack. I feel that the Union Jack should be held in the highest regard and esteem and retained because of this. However I must disagree with this connotation of dying for a flag. I would be inclined to think that the veterans of this Province fought for the principle of freedom. They fought against oppression by dictatorship. I do not think they fought for a flag. A flag is a banner, it is a rallying point, it is an identification of a country or a region or an interest group but surely it is not something that our forefathers, our fathers, our brothers or our uncles or aunts went overseas and fought for. I am sure they went over and fought for something more representative than a piece of cloth emblematic of another country, not even our own country. Surely we can have a provincial flag that is distinctive of this Province without betraying our heritage. There is no suggestion on this side that the Royal Canadian Legion should

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MR. BARRETT:

not be able to carry the Royal Canadian Legion colours. The regimental colours of many battalions and military

MR. BARRETT: groups are carried along-
side the colours of their country, or the colours of
their Province. We are not telling the Legion to
throw out the colours of the Royal Canadian Legion,
colours that had been adapted because of their sincere
effort. We are not suggesting that at all. What we
are saying is that this Province deserves to have its
own distinctive flag not a glorified Union Jack, not
a representative Union Jack, a flag of this Province.

Mr. Speaker, I found, in
discussion with a great many people, that the youth of
our Province do and can identify with this new flag.
Contrary to several members opposite, again I cannot
find the overwhelming surge of negativism regarding
this particular design. I find that the youth of this
Province can very much identify with this flag and I
have no hesitancy whatsoever in supporting the flag
and all that it represents. Thank you.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: The hon. member (inaudible)

MR. LUSH: I have not even started
yet. You cannot be going to question me on my speech.

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: I am asking the hon.
member, did he really intend to speak?

MR. LUSH: Oh, yes.

SOME HON. MEMBERS: Oh, oh!

MR. LUSH: With some difficulty and
with great reluctance.

MR. SPEAKER: The hon. the member for
Terra Nova.

MR. LUSH: Mr. Speaker, it is with a great degree of difficulty that I have arrived at a position on this particular issue which we are debating today and have been debating for the past couple of days. I should say right from the beginning that it is not something that I speak to with a great degree of feeling or with a great degree of emotion.

I do not know how - it is very difficult, I suppose. A lot of people would think that particularly a politician should have some strong feelings about a flag. All I can say is that I would like to see a flag for Newfoundland. I have never been a person with any real strong attachment to any kind of a flag, any particular flag. I guess I am not an individual to get tied unto things and symbols and that sort of thing. So it is very, very difficult. I do what one has to do, has to do to a flag, naturally. Once it becomes a flag I honour it and respect it. I am not a rebellious citizen but I suppose, if one could be classified in a certain sense, I am somewhere between a flag - I am not a flag atheist I am almost a flag agnostic. So I find it very, very difficult to get up and speak in this particular debate.

Since I have no real strong attachment to a flag, when this Committee was established I certainly viewed the thing with an open mind, with a fair amount of flexibility, without any preconceived ideas, without any preconceived notions as to what design or what symbolism the flag should take. With that kind of preamble I could obviously only speak to this flag in terms of the kind of response that I was getting from my constituents. And, Mr. Speaker, it might very well be, as many members have advanced, and as has been suggested by many, many people, that maybe those people who are against the flag are the

MR. LUSH: most vociferous, that I cannot say. I can only say that the constituents that have been in touch with me, and, I might say, I have done my own soliciting as well in terms of phone calls and questionnaires to schools and this sort of thing, and the overriding response was that the people did not like the flag.

MR. T. LUSH: I am inclined to agree with the member from Lewisporte (Mr. White) but I believe that there are many people who once they have gotten used to the flag, I suppose, will learn to like it because they have no other choice. It is our flag and there are people who once you have a flag, it becomes symbolic of your Province for whatever reasons, then, because they are law abiding citizens, they have a lot of patriotism, that they will go along in support of this particular flag as I will, Mr. Speaker. So in view of the fact that I have had a large number of people, my constituents, who have indicated to me that they do not like the flag, and since I have no strong feelings about it, I think it would not be proper on my part to vote for a flag when a large number of people do not like that particular flag. Now, Mr. Speaker, on the process, I am not sure that there could have been another process. The idea of setting up a committee, I believe, was the right one. I am not sure though whether we could not have had a little more flexibility in terms of selecting it. I realize that there are a number of ways we could go but I am just wondering whether or not the Committee could not have been given the leeway of presenting, at least to the Legislature, two flags. I do not exactly agree with a referendum where people can select from umpteen flags, ten or a dozen, because I do not think you would get any unanimity with that kind of thing either. But I do believe that somehow there should have been some choice, this flag and another flag. A flag with symbolism that is reflective of Newfoundland tradition, Newfoundland culture, our past in some way. If one wants to find reasons for objecting to this flag, naturally there are several reasons, there are an abundant number of reasons that a person could find to support his negative response in not voting for this particular flag. The most preponderance of statements that I have been getting relate to the design of the flag. There is the

MR. T. LUSH: occasional person that will talk about its symbolism. Now, Mr. Speaker, there is no question about it that the symbolism is not exactly the kind of symbolism that Newfoundland can claim as being purely and uniquely symbolic of Newfoundland. If one studies flags, and it so happened that the Minister of Mines and Energy (Mr. Barry) and myself got onto the same book, as he pulled out a book here on Friday, and I myself went to that book looking at designs of flags and in looking at that immediately the conclusion that one comes to is that this flag is more of a national flag than a provincial or a state flag. It is more nationalistic in its symbolism and in its design. Now, we talk about being unique, I see nothing really unique in the flag apart from the arrow that most people seem to detest. Triangles and triangular design that is not exactly unique. If one looks at many of the flags of the world, as a matter of fact there are many, many flags with a triangular design. There are many many flags with a geometric design. In its symbolism, as I said before, in that it even lacks a universality. They have taken colours that do have some universality and attached our own particular symbolism to it. For example, again throughout the world it is not unusual to find flags with blue in them. Our flag the blue is supposed to represent the ocean. And it is not uncommon to find inland countries with no coastlines attached to them having blue. White in our flag is supposed to represent the ice and the snow. Now, if one knows about flags one will readily acknowledge that the flag of the State of Florida all its background is white. Now certainly goodness that white does not depict ice and snow in Florida. And one can go on. It is a universality of symbolism attached to it which says purity, and innocence and all that sort of thing. So about the only thing in it that applies to the universality of symbolism is red which invariably represents sacrifice and human effort and that kind of thing. But the other parts of it, the white and the blue, we have attached

MR. T. LUSH:

our own symbolism, so it does not fit in with any universality of symbolism. So Newfoundlanders have to unlearn, if you will, as they learned that blue represented a certain thing, now we have got to untrack ourselves. unlearn and find out and discover that this blue now, for us in our flag, represents the ocean, water and so on; and that the white represents ice and snow.

A lot of people would like to see, there is no question about that, some symbolism, something emblematic of Newfoundland culture and that is a rather obvious reason. Again, the hon. member for Stephenville (Mr. F. Stagg) in outlining about the Canadian flags, pointed out very well how just about all of the provinces do have some symbolism, have some emblem that is truly a reflection of that particular province's culture, history, whatever and, as I say, on our flag there is nothing that has any immediate symbolism or anything to reflect something that is uniquely, something that is positively and absolutely Newfoundland or Labrador. And, indeed, any of the symbolism that is there is rather hard to get at, the symbolism is absurd, it is certainly vague, very, very difficult to abstract, whatever one wants to say about symbolism, Mr. Speaker.

So there are many reasons that one can find not to support this particular flag. It is indeed unfortunate that we could not have had some choice and I am not suggesting, I am one of those people who believe that it should have gone to a referendum because that probably would be an alternate way, but I am just wondering whether or not this House of Assembly could not have been given more choices, let us say, in it and again without sounding as if I am being repetitive, I do believe that probably we could have been presented with two or three designs, the one that we have now with vague symbolism, absurd symbolism, if you will or one that showed something that was distinctively Newfoundland or one that people could relate to. And, Mr. Speaker, as I said before, I have no preconceived notions, no preconceived ideas as to what this flag should contain and since I do not that is why I can not speak to it with a great degree of emotion or a great degree of feeling and since it is that way and when I find out that

MR. T. LUSH: there is a lot of rejection of this flag, a lot of opposition, a lot of people opposed to it, I do not think that I should have the right to vote yes when I know that I am going against the will of a large number of people in this Province - a large number. And I think the government are acting a little too hastily in trying to push this flag through, not giving opposition groups in the Province enough time to organize and to really show their disapproval of this particular flag be it the design or whatever it is about the flag that people find offensive or which they find objectionable. I believe that the government could have taken its time to give the thing a chance, a time to get with the people and let them think about it very seriously and we could have the thing on display for a number of weeks. We have gone 500 years without a flag, there is no reason why this particular flag should be - well, without a distinctive flag a flag that we can, I suppose - yes, we have gone 500 years, I do not know if it is proper to count the time when we were a part of the Commonwealth and our own country and that sort of thing but certainly we have gone a number of years without our own distinctive flag and there is no need to be nasty in this particular instance right now. I am sure that the people of Newfoundland would not mind waiting a couple of months longer so that people from various walks of life could get a chance to express their feelings about this particular flag.

But, Mr. Speaker, I am sure there is some method whereby we could have come up with a flag that would be more popularly accepted than this particular flag is at the moment because I gather that the acceptance level for this flag now is pretty, pretty low. With the people to whom I speak I find very little approval of it. Most people who accept the flag are people like myself, people who do not feel very strong about it.

MR. STAGG: Why would you vote against it?

MR. T. LUSH: I have given my reasons, Mr. Speaker.

MR. FLIGHT: Like 'Barry', just like the Minister of Mines -

MR. LUSH: I have given my reasons why I do not think I should be voting for this flag, imposing a design and a symbolism upon people when there are a large number of people who do not like it. And I do not think I should have that privilege, I do not think I should have that authority to vote in favour of a flag when I know a large number of people in the Province, particularly a large number of my constituents are against this particular flag. So, Mr. Speaker, for that reason I do not think I should support it and I am -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (SIMMS): Order, please!

MR. LUSH: And I think I am outlining in graphic form, if you will, outlining very emphatically, accentuating in a demonstrative manner why people are objecting to this particular flag. As a matter of fact, Mr. Speaker, it is very difficult to find reasons why people should support the flag, very, very difficult to find out why they should support the flag.

MR. THOMS: There is no reason in the world - read my speech! Read my speech!

MR. LUSH: Now, Mr. Speaker, having said that I certainly want to commend the members of the Committee because I think they did what they were supposed to do. They certainly fulfilled their obligations in the hearings that they conducted and in the way they went about it. I have no particular disagreement with that other than they certainly worked within, I think, their terms of reference. Maybe within the terms of reference they should have been given a little more leeway, a few more options and possibly allowed to introduce to members a couple of designs, two or three designs because, as I said before, I do not think we could get down into eight or ten designs. You would find no agreement that way. But if you had a choice, an alternative selection maybe this would go over better with the people. We would find out that a lot of people would be accepting one flag or the other. Now we have one choice, that or nothing else, one choice, take it or leave it. And I think that is being unfair to the people of this Province and unfair to the people, Mr. Speaker, who have strong

MR. LUSH:

attachment to a flag. And I respect that, I respect the various groups around this Province who, for whatever reason, have a strong attachment to a particular flag. I respect that. I respect those people and I admire those people who feel very strongly attached to a flag. And again I think it is a terrible reflection on the attitude of the government of this Province to try and impose a flag on the people that totally disregards, totally rejects 300 years of history. I think it is absolutely ridiculous a government that would reject and deny a Province with so much culture, with so much heritage as this Province. And I think it was absolute folly to think that the people of this Province were going to accept the flag that just repudiated and rejected, if you will, our tradition. And as a matter of fact, when I was here going through great deliberations and contemplating as to which way I would vote on the flag, the Minister of Mines and Energy (Mr. Barry), I suppose, did more than anyone else to convince me not to vote for it when he got up here in the House and clearly enunciated, clearly articulated that he did not like this particular flag, did not like the design, Mr. Speaker, and knowing that the majority of the people in this Province felt exactly the way he did, said he did not like the flag but because he felt we should have a flag he was going to vote for it. Now, Mr. Speaker, what a position! What a stand! And then the symbolism to which he related did not sit with me too well either, the symbolism to which he related, the idea that we should have a flag, a new flag, that certainly did not show, did not reflect our past, did not reflect any of our culture because this flag should show a new beginning. Now, Mr. Speaker, what a lot of malarkey. And I, for one, would object to the flag just on that basis, to say that this flag for whatever reason, was going to be a new beginning. Going to forget. Mr. Speaker.

MR. T. LUSH: five hundred years of history, going to forget five hundred years of blood sweat and tears in this Province. Now, I could not buy that Mr. Speaker, and as at that point I was purely on the fence, right on the fence, vacillating back and forth, if you will, vacillating. And it was on the weekend, as I thought about the remarks of the Minister of Mines and Energy (Mr. Barry), that I clearly decided which way I was going to vote on this flag. Now, Mr. Speaker, I think I clearly, clearly -

MR. HODDER: Imagine letting Leo Barry (inaudible)

MR. G.FLIGHT: The Minister of Justice has second thoughts too (inaudible) look at him.

MR. T. LUSH: - put forth, clearly put forward my arguments why I would be voting against this flag. Neither do I agree with people who say " We should vote for this flag now because if we do not get a flag now we will never get a flag. Now, Mr. Speaker, what a lot of nonsense , what a lot of malarkey.

MR. FLIGHT: Nonsense. What a lot of nonsense.

MR. T. LUSH: Send the committee back to the drawing board again, send them back to the drawing board again, send them back under different terms of reference -

MR. FLIGHT: Get Mr. Blackwood to design a flag.

MR. T. LUSH: - and let us give people a better opportunity to state their views and let us incorporate them Because if one listens, certainly the committee went around and conducted their hearings, Mr. Speaker, there is no question about that, but I hear so many people who tell me of the designs that they presented and the speeches they made and the papers they presented and they see nothing at all that came out of their suggestions, nothing at all, Indeed, they have to look very hard within the flag to see anything that remotely resembled any suggestions at all from anybody.

MR. NEARY: What about (inaudible)

MR. T. LUSH: Now, Mr. Speaker, I suppose that it possibly was - there was a geography that we have in

MR. T. LUSH:

grade five that suggests that the Island of Newfoundland and Labrador that they resemble a triangle. Now, you have to stretch your imagination to say that it does but I suppose if you connect^{ed} up to various points of the most easterly point in Newfoundland or the most westerly point and went to the northern point it does become a triangle an isosceles triangle. And then, I suppose, if you did the same thing with Labrador that it does resemble a triangle but not in the design, the way they are on ~~the~~ flag. On the flag they are sort of upside down. It is not the triangle in its form the way it is on the map you see it should be just the opposite.

SOME HON MEMBERS:

Oh, oh !

MR. T. LUSH:

Right, So even with that you see they

have succeeded in rearranging that and making it difficult for somebody to see that that really is Newfoundland , that that really is Labrador.

MR. NEARY:

(inaudible) did not allow the artist to

say this is it. That is where they fell down on the job.

MR. T. LUSH:

Mr. Speaker, from the more observant

types the people who look at it as a piece of art would say that the flag lacks balance, it lacks balance. As a matter of fact, I did not know I was going to be speaking this afternoon or I would have brought up and presented to the House a design that was submitted to me just this weekend from an art teacher in Glovertown and I believe that maybe the Chairman of the Flag Committee got it or will get it soon or maybe the Premier. I do not know

MR. NEARY:

He is going to get it in the next election.

MR. T. LUSH:

Yes. I do not know, but I know that I was not

the only one and he changed nothing at all other than to put in two more triangles to give it balance on the right where he thought it lacked balance

And so, Mr. Speaker, as I suggest, the people who are artists, the people who teach art in the schools they believe the flag to be out of balance, they believe it to be out of balance. Well again I would accept their

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MR. T. LUSH: views.

SOME HON. MEMBERS: Oh, oh!

MR. T. LUSH: But, Mr. Speaker, it is very difficult to make new points in this particular debate right now I suppose, just about everything that one would want to say has been said. But I have pointed out that I see nothing unique in the flag. It is not unique from the point of view of its colours, it is only unique in so much that we have attached a new symbolism to the colours, we have attached a new symbolism. It is not unique in terms of having triangles, because there are triangles on several flags in the world.

MR. NEARY: Walt Disney (inaudible)

MR. T. LUSH: The only thing that is unique in it is that particular arrow and I have heard some great interpretations of that the arrow. Some of them have been rather derisive and almost obscene about the arrow. Well that is certainly unique. All the flags that I have looked at and again I want to say I have not looked at a lot of them and I am not a student of vexillology which is the history of the symbolism of flags, and I just got down to it this weekend to take a look but of all the flags that I looked at I never saw an arrow on a flag. never saw an arrow, so that is -

MR. NEARY: That will indicate the way to the men's room.

MR. T. LUSH: And that, oddly enough, that bit of uniqueness that bit of differentness is what offends most people, that is what offends most people that arrow.

MR. WARREN: Yes.

MR. T. LUSH: And I have heard and I am sure hon. members will hear a lot more connotations put on that arrow, they call it anything but an arrow and -

MR. NEARY: Stab the Newfoundland people in the heart.

MR. LUSH: As a matter of fact, I have heard so many people say, "I could support that flag if that arrow were removed. If that arrow were removed, I could support that flag." Also, in its colours, of course, in its colours, the gold is not really - what shall I say? I was going to say not an acceptable colour in a flag, but let us say it is not the most popular. As a matter of fact, you will find that gold is not on too many flags. I believe, maybe, it might be on the Saskatchewan one, two in Canada, but out of the colours that are listed for flags, gold is not one of the colours listed. It is not one of the colours listed for -

MR. F. ROWE: It is yellow.

MR. LUSH: - well that is what it will be, and this is what a lot of other people are saying. Even though we have said that it is going to be gold, that when it comes out, really, on a cloth it is not going to be gold at all, it is going to be yellow. It is going to come out as yellow, because it is very, very difficult to get gold to come out on a fabric, so it is going to become a yellow streak, a yellow streak. But, again, I am not sensitive enough to be worried about that, because there are flags with yellow in them, there are flags with yellow in them, so that is not a real concern other than it is supposed to be gold and it is not going to come out as gold at all. And, again, I do not know if there is anywhere about any real universality of symbolism attached to gold, we say it is supposed to mean a bright future, looking forward to the future, and I suppose, again, that is a connotation, that is a symbolism, that we have fabricated ourselves. I suppose that is all right, because once students learn that gold means a bright future, well, they can learn that as well as learning anything else. That is the most predominant objection that I find with people, that arrow.

Well, Mr. Speaker, I would only wish that this flag were popular with the people of Newfoundland, so that I could stand here today and say that I would be supporting this

MR. LUSH: particular flag, but, Mr. Speaker, I have expressed my own personal reasons and because of the -

MR. NEARY: There are Newfoundlanders who will be ever grateful to you for voting against it.

MR. LUSH: - because of the vast number of people in my own district in particular -

MR. SPEAKER: (Baird) Order, please!

MR. LUSH: - who have expressed a negative view, who have asked me, as their member, not to vote for this particular flag -

MR. NEARY: Right on.

MR. LUSH: - and, Mr. Speaker, I have to go along with the wishes of the majority of my constituents, and I only wish that members on the other side would do exactly the same thing, because if they did this would not become the official flag of Newfoundland.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Conception Bay South.

SOME HON. MEMBERS: Hear, hear!

MR. BUTT: Mr. Speaker, well first of all, I should say as an officer of this House that I certainly do not intend to get into any kind of a partisan debate, but I would like to, first of all, congratulate the Committee, under the chairmanship of my hon. friend from St. John's North (Mr. J. Carter), who I think did an admirable job and certainly showed a high degree of courage in taking on a job like this, and also all hon. members on both sides who served on that Committee.

I must say that my initial reaction to the flag, when I first saw it, was rather cold. I was not totally comfortable with it, as the hon. the Minister of Mines and Energy (Mr. Barry) said the other day, but I am reminded now, since I have become quite comfortable actually with the design of the flag, I am reminded of something that the hon. member for St. John's North told me, that the more you look at this flag the more it grows on you, and I sincerely believe that. I honestly feel that the more you study this flag, the more Newfoundland you can see in it. Really, I suppose,

MR. BUTT: when it comes right down to it
beauty is in the eye of the beholder.

I have to just, basically, make a few remarks about the Canadian Legion because I am a former serviceman. I served in the Royal Canadian Navy. I was discharged September the 28th., 1963, and I have no trouble associating myself with these people. I have total respect for them. I think they have not only done a courageous job in the past but they are also doing an excellent job wherever the Legion institution is. Wherever they are in Newfoundland, I am sure they are doing it now. I know in my constituency of Conception Bay South, the Royal Canadian Legion is a great contributor to the community, not only to the war veterans but also to almost anybody in need. I, myself, called upon them on many occasions to support minor hockey and things of that nature

MR. J. BURT:

and they rose to the occasion every time. And I am sure that the Canadian Legion will also have a very good future and I feel quite certain about that.

MR. NEARY: The most savage protestor of this (inaudible) Conception Bay South.

MR. SPEAKER (Baird): Order, please.

MR. J. BURT: Now, Mr. Speaker, the hon.

member opposite—I thought that somebody should rise the other day, I certainly did not feel like doing it and tell him that the war was over, it ended in 1945.

MR. STAGG: The hon. member is over.

MR. SPEAKER: Order, please!

MR. J. BURT: Mr. Speaker, the initial reaction from a small group of people in my constituency was very negative and I must say that I gave this situation very serious consideration. I spent many troubled nights the first couple of nights. But as of late the response has just been totally, totally positive, absolutely and totally positive.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. J. BURT: And I feel that we have come here to represent the majority who put us here and we have to act it on their best behalf and sometimes in doing so we have to make difficult decisions. The other thing I would like to say about this committee, Mr. Speaker, is that it is comprised of all good Newfoundlanders on both sides of the House, all hon. men. The designer himself, a very distinguished Newfoundlander and no doubt 99 per cent of the people who made submissions were all Newfoundlanders. So the total of the ideas that came forward were all from the people of Newfoundland. I daresay there were very few with a CFA and I think that is very important since this flag no doubt I feel will certainly pass. I have to support this flag. I think that this House has to support this flag because the whole purpose of setting up a committee in the beginning—

MR. J. BURT: democracy prevailed all the way. And now, obviously, because the Leader of the Opposition, I am sorry to say, has taken offence to it and he is not going to vote for it there is a large majority in the Opposition who will not support this flag. That is truly unfortunate.

Anyway, Mr. Speaker, there have been many arguments put forward for and against this flag and I would simply like to go on record as supporting this flag. There have been some comments made to the direction of this government and the Leader of this government as being dictatorial and so on. Well, I can assure you that I stand here as a free man with a free vote on this flag. Nobody has told me how to vote on this flag, I can assure you. Things have changed, they really have.

MR. FLIGHT: (Inaudible) member, was it?

MR. J. BURT: I will tell you they certainly have changed and the P.C.'s made it change -

AN HON. MEMBER: (Inaudible).

MR. J. BURT: Yes without becoming too partisan. But if there is one thing that the hon. Frank Moores will go down in history for is that he brought democracy to this Province.

SOME HON. MEMBERS: Hear, hear.

MR. B. MEARY: The Moores administration was the most corrupt administration in the whole of Newfoundland's history.

MR. J. BURT: Now, Mr. Speaker, like I say without getting drawn into any partisan debate I would simply like to go on record as saying that I support this flag. I think it is a flag for the future and I am sure all Newfoundlanders will be very proud of it. Thank you.

SOME HON. MEMBERS: Hear, hear.

May 12 1980

Tapo No. 1475

DV - 3

MR. SPEAKER (Simms):

Does the hon. member wish to close the debate?

Does the hon. member wish to

SOME HON. MEMBERS:

The question, the question.

MR. SPEAKER:

Is the House ready for the question?

Is the House ready for the

AN HON. MEMBER:

No. Is the Premier going to speak?

MR. SPEAKER:

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

If the hon. minister speaks

MR. S. NEARY:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

A point of order, the hon.

MR. S. NEARY:

Mr. Speaker, since this bill was introduced in the name of the hon. the Premier surely, Mr. Speaker, you would expect the hon. gentleman to have a few words to say in defence of bringing this nonstopcity inflicting it on the people of this Province surely.

Mr. Speaker, since this bill

MR. SPEAKER:

Order, please!

That is not a point of order

I have checked precedence and any member may close or open the debate of a bill. If the hon. minister speaks now he will close the debate.

MR. S. ROWE:

Mr. Speaker,

MR. F. ROWE: No, Mr. Speaker. Mr. Speaker said if the minister speaks he now closes the debate so I rise to speak -

MR. SPEAKER: Does the hon. minister wish to yield?

MR. F. ROWE: The hon. minister has not spoken.

SOME HON. MEMBERS: Oh, oh.

MR. F. ROWE: Mr. Speaker, the minister has not -

MR. E. ROBERTS: A point of order, Mr. Speaker.

MR. SPEAKER: A point of order, the hon. member for the Strait of Belle Isle.

MR. E. ROBERTS: My understanding of the situation is that when a minister introduces a bill he has the right to speak to close the debate and Your Honour is required by Standing Orders as Your Honour, I thought was in the midst of doing in this case, to say that when the minister speaks if he speaks now he closes the debate or whatever the rubric is. That implies in it that the reason for doing that is quite clear, that if any hon. member who has not spoken wishes to speak, he has the opportunity to do so. I do not think it is a matter of the minister yielding although I would have thought from courtesy alone, and courtesy is what we would expect of the gentleman from St. George's (Mr. R. Dawe) that he would yield. But in any event, I would suggest the member has a right to be heard if he is in his place and has not spoken in the debate. All he does is stand and try and catch Your Honour's eye, even if Your Honour has recognized the minister and is in the midst of going through the rubric prescribed by our Standing Orders. Otherwise, Mr. Speaker, we are surely in a situation whereby members are denied their right to speak and that, I know, is the last thing in the world that Your Honour or any Speaker would ever wish to tolerate, Sir.

SOME HON. MEMBER: Hear, hear.

PREMIER BECKFORD: Mr. Speaker, to that point of order.

MR. SPEAKER: To the point of order, the hon. the Premier.

PREMIER PECKFORD: I think the point of order brought up by the Opposition House Leader, the member for the Strait of Belle Isle (Mr. E. Roberts), is a good one and I agree with him wholeheartedly. The reason why I had not gotten up was because earlier, about half an hour ago, because I want to speak on this debate, it was primarily because when the hon. member for Terra Nova (Mr. T. Lush) got up there was a pause, that was about half an hour, forty-five minutes ago, the hon. the member for Trinity - Bay de Verde (Mr. F. Rowe) also got up at the same time as the member for Terra Nova got up and so we just anticipated that there were another five or six speakers on the opposite side who wanted to speak in the debate. And obviously if there is an hon. member on either side of the House who still wants to speak, they should have the right to speak in this kind of debate because I want to speak in it as well.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER (Sir): To the point of order, it is quite true the hon. member for the Strait of Belle Isle has pointed out clearly that an hon. member in this House has the right to speak to any debate. I obviously recognized the hon. minister because there was nobody else standing at the time. The Chair has no other alternative in that particular case.

The hon. member for Trinity - Bay de Verde.

MR. F. ROWE: Mr. Speaker, let me first of all congratulate the members of the Select Committee for the job that they have done and Mr. Christopher Pratt, the artist, who made a number of designs one of which, of course, the Committee had to accept and they agreed to accept it unanimously. That, Sir, is probably the problem with this particular flag design, that the Committee in fact agreed amongst themselves to accept a design unanimously before it was brought before the House itself. Personally, I think the members of the Committee had what you might indicate to be a mission impossible in this particular situation in the sense that obviously there is no group of people and there is no single artist in this Province, no group that can bring in any design that is going to be 100 per cent accepted by the people of this Province or in fact any other province. And they had a very difficult

MR. F. ROWE: job to do and they are to be commended for the job, in fact, that they did do. They had a mandate, they completed it. However, Mr. Speaker, the unfortunate thing about it is that -

MR. MARSHALL: Is the hon. gentleman (inaudible)?

MR. F. ROWE: - yes, I will going on to 6:00.

Mr. Speaker, when the flag was first unveiled in this House I personally could not accept the particular design that was shown on the floor of this House. I found it to be terribly complex. I know we were looking for something that was symbolic but this, Sir, to be quite frank, was so symbolic that it takes sort of an artistic abstract kind of a genius to actually interpret that particular design. It is a very difficult piece of symbolism to interpret.

MR. F. ROWE:

I read the notes and I might add, Mr. Speaker, that the notes under this particular flag have changed. The explanatory notes under this particular flag have changed from the first edition. This is what we might call the second edition of the explanatory notes for this particular flag. I, even having studied the explanatory notes, could not get up several days later and without these notes explain in a definitive way and in an accurate way what in fact all the symbolism represented in that flag, not to mention the fact that it can be interpreted in a number of different ways. But the symbolism in it is just too complex, too abstract.

MR. F. STAGG: Nonsense. (Inaudible).

MR. F. ROWE: An honest difference of opinion between two hon. members I would suggest, Mr. Speaker. It is just simply too complex. And not only that, it is open to a number of different interpretations. The most revealing of which was the fact that even in the explanatory notes the artist or the committee themselves realized the notes themselves could be interpreted in a number of different ways and they dropped one full sentence out of the explanatory notes because the explanatory notes themselves could be subjected to some derision or even obscenities. I would suggest and that is why it was, in fact removed from the explanatory notes in this particular instance.

Now, Mr. Speaker, let us look at one of the paragraphs on the first page of the report from the Select Committee. It says here, from its first meeting the Committee had agreed that any provincial flag should fulfill the following conditions: It must be simple. Well, Mr. Speaker, the fact that the necessary notes, explanatory notes, are there suggests that it is not, in fact a simple flag. I mean if you wanted to say there are just a few triangles there obviously, and an arrow, that is very simple but the interpretation of it is not necessarily simple. It must be attractive. Now quite frankly, Mr. Speaker, I personally do not find this particular design to be attractive. It must be distinctive. Well I would suggest that it is distinctive when compared with the other provincial flags of our nation.

MR. F. ROWE:

It must mirror our important traditions. Again, Mr. Speaker, you would have to be some sort of an abstract artistic genius to see how this in fact mirrors the traditions of this particular Province. And it must be widely accepted. Now, Mr. Speaker, this is where, really the Committee - and I am not criticizing the Committee except in a positive way, I am not even criticizing the Committee in fact - this is where the Committee found itself in a little spot of trouble in this sense; how can a Committee come up with the design of a flag which is widely acceptable before the people of this Province had, in fact, seen the design of the flag? And it says right from the beginning, from its first meeting the Committee agreed that any provincial flag should fulfill the following conditions, the last one being widely accepted.

Now hon. -

MR. F. STAGG: What would you have done?

MR. F. ROWE: That is not the -

MR. F. STAGG: What would you have done.

MR. F. ROWE: That is the problem, Mr. Speaker.

Well, I am going to make a suggestion. I am going to suggest to the hon. House what should be done at the end of my speech. But here is the problem. They came up with the design of a flag which they presumed to be widely accepted before the people of this Province ever saw it. There is only one test to find out whether this flag is, in fact, widely accepted and that is to show it to the people of this Province so they can study it, look at it and voice an opinion on it. Now hon. members opposite indicated that they had something like twenty-seven meetings or hearings throughout this Province at which they had some 400 designs presented to them. Well, I have heard from a number of people throughout the Province, Mr. Speaker, that although these twenty-seven hearings were, in fact, set up throughout the Province there was not that wide a publicity given to these hearings.

MR. STAGG: (Inaudible).

MR. F. ROWE: Well, look, Mr. Speaker, I do not care if - I will ask the hon. member for Stephenville (Mr. Stagg) to

MR. F. ROWE:

just allow me to state my own opinion.

MR. SPEAKER (SIMMS):

Order, please.

The hon. member has the right to be heard in silence.

MR. F. ROWE:

I have heard from a number of people in this Province who have indicated that they were not aware of the fact that these hearings were being held in their particular area and, in fact, did not have time to present a brief to that particular

MR. F. ROWE:

hearing in their particular area. Now, I do not know what happened there. Probably in some instances, because of the weather conditions, the Committee ended up in a particular point in the Province on short notice. Probably enough publicity was not given to a number of hearings, but I think it is a legitimate criticism or a legitimate concern expressed by some of the population over the fact that, although there were twenty-seven hearings, the fact of the matter was that they did not have an opportunity to get to these hearings to express their view.

Now, Mr. Speaker, to reply to some hon. members opposite there, the Government House Leader (Mr. Marshall) said that the debate coming from this side of the House of Assembly tended to be of a political nature and politically motivated and partisan and that sort of a thing. Then, in the very same breath, Mr. Speaker, he turns around and says you easily know that the leadership race is on and people are speaking over here from a leadership point of view. Now, I ask you, Mr. Speaker, who is being political in this particular instance? It is obviously the Government House Leader there who, if he is faulting anybody over here for being political, he was being very partisan and very political himself. Sir, the Chairman of the Committee, when he introduced this particular flag in the House, he stated three reasons why this flag should be accepted by the House. One, I believe - I stand to be corrected on the first one - but he said that the flag was distinctive, simple and distinctive. Well, I can accept that. The second reason he gave was that the Premier of the Province, the present Premier of this Province, is courageous. Now, Mr. Speaker, if that is not politicizing the whole debate right from the very beginning, what is? It would suggest, Mr. Speaker, that previous premiers of this Province, even previous to Confederation, were not necessarily courageous, that this is the only courageous Premier that we have had in this Province.

AN HON. MEMBER:

What about number three?

MR. F. ROWE:

Number three, I will come to number three.

The hon. member for St. John's North (Mr. J. Carter) indicated that the third reason is because the hon. Leader of the Opposition is a gentleman.

MR. F. ROWE: I agree 100 per cent with that statement, Mr. Speaker, but what does it smack of? That all other previous leaders of opposition on both sides of the House might not have been gentlemen? Is this the only Leader of the Opposition in Newfoundland's history who has been a gentleman? Is this the only Premier of this Province who is a courageous Premier? So, Mr. Speaker, hon. members are all nodding in agreement, but I ask the question again: Who is being political in this particular instance? I submit, Mr. Speaker, that it is hon. members opposite who have been more political than any members on either side of the House with respect to this particular flag.

Now, Mr. Speaker, it is an interesting thing that we are probably the most marine, if you will, Province in Canada -

MR. STAGG: Nautical.

MR. F. ROWE: - the most marine Province, if you will, in this country of Canada, and it is not unlikely that this flag will, of course, be flown from various ships, yachts, sailing boats, fishing boats, fishing vessels, trawlers and what have you. I do not know who pointed it out to me - it was a young fellow, actually - but at sea -

MR. STAGG: At sea.

MR. F. ROWE: - at sea - Boy, that thing irritates me, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: (Simms) Order, please!

MR. F. ROWE: - it really irritates me.

MR. SPEAKER: Order, please!

MR. F. ROWE: I do not know how it got here -

AN HON. MEMBER: Or why it is here -

MR. F. ROWE: - why it is here, how it exists here -

AN HON. MEMBER: - or how long it is going to stay.

MR. F. ROWE: - but I do not want to cast reflections upon the people in Stephenville, but I just cannot believe it.

Now, Mr. Speaker, this flag will, in all probability, and I think this is a reasonable point, this flag

MR. F. ROWE: will be flown from many ships.

SOME HON. MEMBERS: No, no.

MR. F. ROWE: Yes.

SOME HON. MEMBERS: No, no.

MR. F. ROWE: No, it is not going to be flown by the Canadian Navy, I know that, Mr. Speaker, but in all likelihood it will be flown from Newfoundland trawlers or Newfoundland longliners or small boats or yachts or sailing vessels, in all likelihood it will. Now, my understanding is that when a ship or a vessel or boat is in distress at sea, one way of showing that is to turn the flag upside down and that indicates that that particular ship is in distress. I find that in a marine

MR. F. ROWE:

Province such as ours that when this flag is turned upside down it is exactly the same as it is right side up and I find this to be a kind of peculiar

MR. F. STAGG:

(Inaudible) never get in trouble.

MR. SPEAKER: (Simms)

Order, please!

MR. F. ROWE:

Mr. Speaker, I just ask to be heard in silence if I may.

MR. SPEAKER:

Order, please! The hon. member has the right to be heard in silence.

MR. F. ROWE:

I find this to be rather unique in a marine -

MR. J. CARTER:

What about the French flag?

MR. F. ROWE:

Now, Mr. Speaker, the hon. member opposite mentions, What about the French flag? Well, I will tell the hon. member opposite that there are sixteen national flags that are identical whether they are flown upside down or right side up. Now, I do not care about that. I am not worried about that. I am just saying that it is rather unique in this Province which is so marine minded without anything in its flag reflecting the marine nature of our Province. I find it a kind of peculiar that we have a flag that no matter how it is flown, upside down or right side up, does not give that particular signal. And the hon. members might bear it in mind because it has been mentioned to me by quite a number of people and we are a very marine minded people in this particular Province.

SOME HON. MEMBERS:

Oh, oh.

MR. SPEAKER:

Order, please!

MR. F. ROWE:

Mr. Speaker, I am so disgusted with hon. members opposite I will just have to adjourn the debate and carry on tomorrow.

MR. SPEAKER:

The hon. member has adjourned the debate.

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.

May 12, 1980

Tape 1472

MB - 2

MR. MARSHALL:

On motion, the House at its
rising adjourned until tomorrow, Tuesday, May 13, 1980 at 3:00 p.m.

I N D E X

ANSWERS TO QUESTIONS

TABLED

MAY 12, 1980

G. Schürfeld & Co.

2 HAMBURG 1 · MÖNCKEBERGSTRASSE 31 (VERSMANNHAUS)

Hamburg, April 3rd 1975
JS/Sb

Messrs.
Labrador Linerboard Limited
Stéphenville, Newfoundland
Canada

Dear Sirs,

enclosed two copies of the Labrador - Schürfeld - Contract duly signed by us. Our signature is made subject to Labrador Linerboard Limited's written confirmation to the following:

- 1) As always pointed out in the past a trim of 98% cannot be reached due to the existing German corrugated box machines. Therefore we can only accept to guaranty an average of 95%. This means Art. 8 should read:
" In specifying reel width to be supplied Schürfeld shall trim the deckle of LLL's machine for all products delivered in one contract year to a minimum of 95% in the average. Basis for calculating the average trim for all deliveries in one contract year shall be the tonnages of each lot. "
- 2) Regarding the word "knowingly" in Art. 1 we have the understanding that
firstly LLL shall not sell to any customers all over the world if LLL has knowledge that the product is directly or indirectly (e.g. by resale or re-export) intended for use in West Germany
secondly, after having offered the tonnage to Schürfeld, LLL is not allowed to sell the product otherwise for use in West Germany for a lower price than quoted to Schürfeld.

We appreciate your acceptance of the aforesaid by signing and by returning to us two copies of this letter at your earliest convenience.

For Labrador Linerboard Limited:

Robert K. Kraft
Howard E. Ingram

Encl.

Yours very truly,
G. SCHÜRFFELD

G. Schürfeld

Tailed by Hon. Minister of Justice in reply to question by Hon. Member for St. John's

G. Schurfeld & Co., (organized and existing as a Kommanditgesellschaft (limited partnership) under the laws of the Federal Republic of Germany, the general partners of which are G.A. Schurfeld Verwaltungs GmbH and Gustav Schurfeld and the limited partners of which are Uwe Schurfeld and Jens Schurfeld), Post Box 1130, Hamburg 1, West Germany (which is hereinafter called "Schurfeld")

and

Labrador Linerboard Limited of Stephenville, Newfoundland, Canada (which is hereinafter called "LLL")

enter into the following

CONTRACT

1.

Object of Contract

Sales of Kraft Linerboard and/or Kraft Pulp (collectively called "Product" herein) from the Labrador Linerboard mill in Canada to G. Schurfeld & Co. exclusively for use in West Germany. LLL shall not knowingly sell to any other purchasers for use in West Germany without first offering such tonnage to Schurfeld on the same terms. All shipments shall be to West German ports and/or Rotterdam. At least fifty percent of annual purchases shall be of Kraft Linerboard unless otherwise agreed by the parties.

2.

Commencement

The Contract shall commence on 1st May 1975 and regular monthly shipments shall commence during May 1975. The expression "contract year" shall mean a period of 12 months during the continuance in force of this Contract commencing on any May 1st.

3.

Quantity

The quantities to be purchased and sold in each contract year shall be 40,000 short tons in approximately equal monthly installments. If, during any six-month period during the term hereof as hereinafter defined, total imports of Kraft Linerboard to West Germany, as reported in the official publication of STATISTISCHES BUNDESAMT, Wiesbaden, are less than 42.1/2 percent of the total of such imports during the entire calendar year of 1974 ("Base Year"), then Schurfeld's obligation to purchase for such six-months shall be reduced by the percentage reduction from the Base Year.

If, during any such six-month period, total imports as above are more than 57.1/2 percent of the total of such imports during the Base Year, then LLL shall have the right to require Schurfeld to purchase additional tonnage equal to the percentage increase over the Base Year. The aforesaid six-month periods shall commence on January 1 and July 1 in each contract year during the term hereof and prices and payment terms for all shipments shall be those in effect at time of order acceptance as described in paragraph 7.

4.

Quality

All supplies shall be of merchantable and commercially acceptable quality and shall be specified within the normal range of substances, reel diameters and widths and core sizes generally manufactured by LLL.

5.

Period

This Contract shall continue until April 30, 1985. If notice of termination by either party is not given at least 2 years before the expiry of the Contract, this will automatically be renewed for a 3-year period of time.

6.

Time of Specification

Schurfeld shall inform LLL one month before the commencement of each quarter the delivery pattern they are likely to require in the following quarter. Schurfeld will specify by the end of the first week of each month prior to the month in which they require manufacture and shipment.

LLL shall be permitted an overrun or underrun of up to five percent (5%) of each order, and payment shall be for the quantity of Product actually delivered.

7.

Price and Payment Terms

The price CIF West German port for Product sold hereunder shall be 97 percent of the market price in US Dollars and the payment terms in effect at time of order acceptance, which price and payment terms are equal to the average CIF West German port price and payment terms then quoted and charged by the major North American suppliers of kraft linerboard and/or kraft pulp of comparable quality. Schurfeld shall have the option to purchase on C and F basis with adjustment in price for the difference in C and F and CIF rate. Kraft linerboard shall be charged on an area basis in dollars per hundred square meters. The basis weight shall range within a plus/minus 5 percent balances of the effective weight. The mill shall mark each reel with the measured meters. Kraft pulp shall be charged on an air-dry metric ton basis at 90 percent bone-dry fibre and 10 percent moisture.

Deckling

In specifying reel widths to be supplied Schurfeld shall trim the deckle of LLL's machine to a minimum of 98% of the maximum trim width for each respective substance.

Claims

Any claims with respect to the quality of Product sold and purchased hereunder shall be deemed to have been waived unless reported to LLL by Schurfeld by telegraphic notice within 60 days after date of delivery to the purchaser from Schurfeld. In no circumstances will LLL be responsible for any consequential damages suffered by Schurfeld as a result of defective Product.

Force Majeure

a) Notwithstanding any other provision herein to the contrary, if in consequence of delay or failure from causes beyond the control of LLL including total or partial fire, explosion, flood, drought, ice, earthquake, wind, hurricanes, acts of God or the public enemy or mobilization, riot, sabotage, accident, embargo, strikes, lockouts, combinations of workmen, shortage or failure of supply of materials, fuel or equipment, interruption or delay in transportation, energy supplies, action, prohibition, or restriction of any governmental authority, delay or failure of usual carriers or contractors, or any other event or circumstance of like character to the foregoing, LLL shall be unable at any time to manufacture or deliver linerboard hereunder, LLL shall not be subjected to any liability to Schurfeld during the period of disability provided LLL shall give prompt notice in writing to Schurfeld stating to what extent a suspension of performance is, or is estimated to be, necessary by reason thereof, and LLL shall apportion LLL's available supply among all its customers.

b) If, in consequence of any of the events or circumstances set forth in subparagraph (a) above, Schurfeld shall be prevented from accepting or importing or receiving linerboard, Schurfeld shall not be subjected to any liability to LLL during the period of disability provided Schurfeld shall give prompt notice in writing to LLL stating to what extent a suspension of performance is, or is estimated to be, necessary by reason thereof.

c) In the event of any such suspension under either (a) or (b) of this section, shipments omitted during the period of suspension shall be cancelled forever without liability to either party, and upon the conclusion of such suspension subsequent delivery shall be resumed in all other respects as though there had been no interruption.

Arbitration

Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled by arbitration conducted by a board of three arbitrators, one of whom shall be selected by LLL and one by Schurfeld and the third arbitrator shall be selected by the first two arbitrators so selected. Within twenty days of notice by LLL or Schurfeld to the other invoking arbitration, LLL and Schurfeld shall each appoint one arbitrator. If either fails to so appoint, and continues to fail to appoint within twenty days of further notice by the other of the demand for arbitration, the one appointed arbitrator shall act as sole arbitrator. In the event the first two arbitrators selected shall be unable to agree upon the third arbitrator, within twenty days of the appointment date of the later of them to be appointed, then he shall be selected by the President of the International Chamber of Commerce. Arbitration shall be conducted in accordance with the procedural rules of the International Chamber of Commerce. The arbitrators, after having heard the parties if requested, shall first decide, unanimously or by majority, on the rules of procedures which govern the arbitration and then shall proceed promptly to investigate and hear any controversy or dispute; and their award or the award of a majority shall be binding and conclusive on the parties hereto. Judgment upon the arbitration award may be rendered in any court having jurisdiction or application may be made to any such court for an order enforcing the same. The cost of any arbitration shall be divided between LLL and Schurfeld in such manner as shall be determined by the arbitrators. Pending the outcome of any arbitration the parties shall carry out and perform their respective obligations under this Agreement as far as may be practical or possible in the circumstances. Arbitration shall take place in London, England and English shall be the official language of the arbitration proceedings.

12.

Insolvency

LLL shall be entitled to terminate this Contract by written notice to Schurfeld in any one or more of the following events:

- a) If Schurfeld or its assigns shall become insolvent or bankrupt or subject to the provisions of any applicable bankruptcy or liquidation either voluntarily or under order of a court of competent jurisdiction or make a general assignment for the benefit of creditors or otherwise acknowledge insolvency.
- b) If a liquidator or a receiver or a receiver and manager or trustee in bankruptcy be appointed of Schurfeld or its assigns or of its or their assets.
- c) If Schurfeld or its assigns shall cease carrying on business.

Schurfeld shall be entitled to terminate this Contract by written notice to LLL in any one or more of the following, even

- a) If LLL or its assigns shall become insolvent or bankrupt or subject to the provisions of any applicable bankruptcy or liquidation either voluntarily or under order of a court of competent jurisdiction or make a general assignment for the benefit of creditors or otherwise acknowledge insolvency.
- b) If a liquidator or a receiver or a receiver and manager or a trustee in bankruptcy be appointed of LLL or its assigns or of its or their assets.
- c) If LLL or its assigns shall cease carrying on business.

13.

Assignment

Neither party may assign this Agreement or any right hereunder without the prior consent of the other, which consent shall not be unreasonably withheld.

14.

Waiver

LLL's waiver of any breach, or failure to enforce any of the terms and conditions of this contract, at any time, shall not in any way affect, limit or waive LLL's right thereafter to enforce and compel strict compliance with every term and condition hereof.

Schurfeld's waiver of any breach, or failure to enforce any of the terms and conditions of this contract, at any time, shall not in any way affect, limit or waive Schurfeld's right thereafter to enforce and compel strict compliance with every term and condition hereof.

15.

Miscellaneous

This instrument constitutes the entire agreement between LLL and Schurfeld for the purchase and sale of linerboard. No statements, representation, writing, understandings, or agreements by either party or any representative of either party either in negotiations leading to this Agreement, during the term hereof, or at any other time which are not expressed herein shall be binding except amendments hereto made as hereinafter provided. No statements, whether made orally or in writing by either party, or representative of either party, relating to any separate order or sale hereunder or any trade custom or practice regarding the deliver or deliveries to be made under any orders, shall have any effect to change, modify or amend this Agreement in any respect. All changes in, and additions to, or modification or amendments of this Agreement or any of the terms, provisions and conditions hereof, shall be binding only when in writing and signed by an authorized officer, agent or representative of each of the parties hereto.

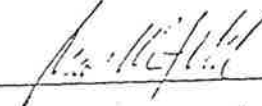
16.

Applicable Law and Language


The laws of the Province of Newfoundland shall govern the validity of this Agreement and the performance in Newfoundland. All other matters shall be governed by the law of the United Kingdom. The official language of this Agreement is English.

IN WITNESS WHEREOF, Labrador Linerboard Limited and G. Schurfeld & Co. have caused this Agreement to be executed under seal by their duly authorized representatives as of the date first set forth above. Each party represents that the execution and delivery of this Agreement has been duly authorized and that it has the full power and authority to enter into this Agreement.


For and on behalf of G. Schurfeld & Co.



(Uwe Schurfeld)




(Jens Schurfeld)

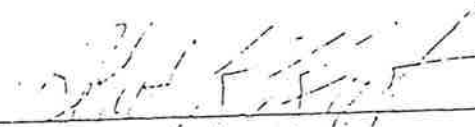


(Gustav Schurfeld, General Partner)

For and on behalf of Labrador Linerboard Limited



(Howard E. Ingram, President)



(Robert K. Kraft, Director)