

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN  
First Session — Fourteenth Legislature  
35th Day

Wednesday, March 29, 1961.

The House met at 2:30 o'clock p.m.

On the Orders of the Day:

**WELCOME TO STUDENTS**

**Hon. J. Walter Erb (Minister of Public Health):** — Mr. Speaker, before the Orders of the Day, I would like to draw your attention to a group of Grade VIII students from the School, at Gray, Saskatchewan, accompanied by their teacher. I hope their visit here today will be both profitable and pleasurable.

**QUESTION RE LICENSE FEES**

**Mr. J.W. Gardiner (Melville):** — Mr. Speaker, before the Orders of the Day, I would like to direct a question to the Government with regard to Return No. 67, which was handed down the other day. It is a copy of Sessional Paper No. 160, and I don't know whether there has been some misunderstanding on my part, or their part of what was asked, but I know there are license fees that have been increased in 1961 that are not included in the answer to this question. There's only one that is mentioned, it is one that I didn't know about at the time I asked the question, but all those that I've heard of since this Session started have not been included in the answer to this question, which asked for all licenses and permits issued and fees charged by the Government, in which the rate charged has been increased in 1961, showing the rates charged in 1960, and the increased rate for 1961. The only one that is mentioned in this Return and the answer given, for transfers or exchange of certificates of registration to a public service vehicle,

**March 29, 1961**

other than to a semi-trailer, and two others in the same classification.

Now, I know my own license fee was increased this year, so I know that as a matter of fact that one license at least has been increased since 1960. I don't know whether this is a complete answer to the question, or just from one branch of the Government.

**Premier Douglas:** — Mr. Speaker, I noticed at the time that the hon. Member asked the question in the House, I was afraid that the way in which it was worded, wouldn't likely produce the information he asked. I haven't the question in front of me, but as I recall it, he asked us for the fees and licenses that were increased in 1961. In many cases, the things which he was looking for had been increased in 1960, and became effective in 1961. In many of those cases, the Order in Council and the actual increase had been passed in 1960, and I think he will find if he looks closely at the wording that the answer complies exactly with the wording of the question.

**Mr. Gardiner:** — Of course, all the question asked was "in which the rate charged had been increased in 1961 over 1960." That is exactly the wording — all licenses issued . . .

**Mr. Speaker:** — Order!

**Hon Mr. Brockelbank:** — What number is the question?

**Mr. Gardiner:** — No. 67. I read the question.

**Mr. Speaker:** — Order! When Speaker rises to his feet, will the hon. Members please cease from talking. That applies to both sides of the House. I think that this matter has been aired sufficiently. It is, perhaps, slightly irregular I think to bring this matter up on the Orders of the Day, but I think the Premier has given an answer in regard to this, and it appears to me the matter should be resubmitted.

## **SECOND READINGS**

### **Bill No. 68 — An Act to amend The Social Aid Act, 1959**

**Hon A.M. Nicholson (Minister of Social Welfare and Rehabilitation):**

Mr. Speaker, under the provisions of the Social Aid Act, 1959, the Provincial Government relieved municipalities of a considerable portion of the costs of social aid. As a condition to the provinces assuming this increased financial responsibility, urban and rural municipal governments, through their respective associations, agreed to implement minimum standards of administration as defined in the regulations pertaining to the Act. These standards were established to ensure, along with other conditions, the payment of at least minimum allowances, which would be commensurate with health and decency, and that the indigent person's contact with the municipal welfare official would be such, that the person's capacities for self dependence and that of his family, might be maintained, strengthened, or restored.

In the two years since the Social Aid Act, 1959 went into effect, significant progress has been made by municipal governments toward achieving the goals I have outlined. Under the Social Aid Act, 1969, each municipal council, rural and urban, is required to appoint a municipal welfare official to administer social aid. In many smaller urban areas the secretary-treasurer may act as the municipal welfare official, or council may appoint some other person. He is often appointed on a part-time basis. This situation brings up the problem that the person appointed cannot be located or disturbed because he usually operated from his regular place of business or employment.

Another aspect of this same problem is arising in rural municipalities. They, as I said, are required to appoint a municipal welfare official. The problem is that their case load is so small that it would be unrealistic to hire someone, and consequently the secretary-treasurer, who is already overworked, gets the task. He does not have the time nor the energy to become conversant with the program. Situations such as I have outlined, are by no means conducive to implementing the higher standards of social aid inherent in the Act and regulations. These problems could be overcome to a considerable degree by the amendment to the Social Aid Act, 1959, which I am proposing.

The purport and the intent of this amendment is to allow municipalities to group together to facilitate administration of social aid, if they wish to do so, subject to the approval of the Minister. Legislative authority to group together would have other benefits

also. It would facilitate administration by some seventy-seven municipal welfare officials of rural municipalities who also act in that capacity for small urban centres, villages, in their area. It would permit them to use only one set of books, one reimbursement claim, and make one accounting to our Department for aid issued. This amendment to the Social Aid Act, 1959, which I am proposing, would permit the welfare departments of cities also to administer social aid for, and share the cost with, the municipality, or municipalities surrounding them. In this way they would be able to employ a person qualified to act as municipal welfare official on a full-time basis. The executive secretaries of those municipal associations have indicated the need for this permissive legislation, as a result of representations made to them by their members.

I move that this Bill be now read a second time.

**Mrs. Mary Batten (Humboldt):** — Mr. Speaker, may I ask a question of the hon. Minister before you put the question? Was this one of the resolutions of the convention of the rural municipalities? Did they put forward a resolution to this effect, asking for permissive legislation?

**Hon Mr. Nicholson:** — Not precisely, but the executives of both organizations did make representation to us to make this amendment for the reason that I have mentioned, that there are over seventy areas in the province, where the one person is acting as a village secretary, and secretary for a rural municipality, and there are a number of areas where, if this amendment were put into effect, the person handling the social aid for a larger centre, would be able to handle the social aid for some of the rural municipalities around. This amendment is as a result of representations made to us by the executives of both associations.

**Mrs. Batten:** — I wonder if it would be possible for us to have the exact words of the recommendation of the executives?

**Hon Mr. Nicholson:** — Mr. Speaker, I presume that when we go into Committee it would be in order to have the question answered. We're still in second reading, and I think that I shouldn't close the debate at this time. If there are any questions

that hon. Members with to ask in Committee, I will try and have the information available.

**Mr. Herman Danielson (Arm River):** — Mr. Speaker, I would like to ask a question. If that Bill passes, it supersedes the present agreement, the present set-up that you have between the Department and the municipalities at the present time, does it?

**Hon Mr. Nicholson:** — Mr. Speaker, we are on second reading, when we get into Committee it will be in order, but I will close the debate if I keep answering these remarks.

**Mr. Speaker:** — Order! The situation we have at the present time is that you have spoken to this motion, and the hon. Members are asking questions at the close of your speech, which is the proper time for asking questions when the motion has not yet been put. After the motion has been put, they are not as free to ask questions as they are at the close of your speech. It is quite in order for them to ask these questions and for you to answer them. They can't advance any opinions, but they can ask questions.

**Mr. Danielson:** — If this Bill is passed, that cancels out the present arrangement that you have between the municipalities and your Department at the present time.

**Premier Douglas:** — Mr. Speaker, on a point of order. Surely in second reading, we don't indulge in questions and answers. It is true that when the Minister is speaking, somebody can ask him a question, and if he wants to give the floor he can, but surely after a statement when the House is in full Session, we're not going to go into a question and answer period. This is the purpose of Committee of the Whole.

**Mrs. Batten:** — On the point of order, Mr. Speaker.

**Mr. Danielson:** — In answer to the Premier, I always understood that the principle of the Bill would be discussed in second reading.

**Premier Douglas:** — That's right.

**Mr. Danielson:** — Now, the principle of the Bill is setting out a new agreement between the municipalities and the Government, then if the Bill passes, will that supersede the present agreement? I think that is a proper question, and if you don't want to answer it, why, don't answer it.

**Mr. Speaker:** — We have a point of order that was being put, I believe the hon. member from Humboldt.

**Mrs. Batten:** — The point of order is, I think badly taken by the Premier, if I may say so, respectfully, Mr. Speaker, because the question is one of principle. The hon. Member in introducing this Bill for second reading said that this was at the request of the executive. Now, it is very difficult to debate this on second reading, to debate the principle of it, unless we do know what it is that the executive requested. Now my request, Mr. Speaker, if you will remember was, could we have the exact wording of the request by the executives. I don't want to violate the rules of conduct, but it is difficult, Mr. Speaker, to debate the question of principle of this Bill unless we know what it is that they ask for.

**Mr. Speaker:** — So far as the point of order in regard to the question being asked at this time, I am going on the assumption that this debate is the same as any other debate. The Member speaking has spoken, and if there are questions for clarification, I feel that it is well to have them at this time, before we go into debates. Then when a motion is put, the Member rising has spoken in the debate, and it makes it a little more complicated. I think it is a little easier to handle if we have the Member speaking putting forth his ideas and his statement in regard to this thing, and then have it clarified for the benefit of all the Members present, and then opening the matter for debate. That was the thought I was proceeding on, and I think it is in the rules that a question may be asked at the close of the speech.

**Premier Douglas:** — Mr. Speaker, I didn't raise it because of this particular instance, but I've noticed a growing inclination, after a statement is made, when the House is in full Session in second readings to get into a long period of questions and answers which really is the function of the Committee of the Whole. It is quite true that while the Minister

is still on his feet, questions may be asked, and if he is willing to answer them, he can, but if you get into a ten or twenty minute question period, of course, you are really doing the work of the Committee of the Whole. I was just worried about the precedent, we are establishing with the question period getting longer. We could get into a very dangerous situation. As long as the Minister is considered still on his feet, then there is no objection to him answering questions.

**Mr. Speaker:** — That is true. These questions are being asked more or less by the permission of the House. If they do get into any extreme length, it is entirely within the power of the Speaker to call them off. I haven't felt so far that there was any real trouble that way, but we can't have too many of them, that is true. If the House is willing, I will now proceed with the motion.

**Premier Douglas:** — I think there are still more questions.

**Mr. Speaker:** — I thought the questions had all been asked.

**Hon Mr. Nicholson:** — Mr. Speaker, I feel that the point of order that the Premier has raised is important. I am prepared to answer the questions . . .

**An Hon. Member:** — Say no — no.

**Hon Mr. Nicholson:** — Very well, I will wait until the question is put.

**Mr. Danielson:** — The Premier didn't raise any point of order, and he should sit still until the clarification of other questions. I just asked one single question.

**Hon Mr. Nicholson:** — Would the hon. Member repeat the question? If you please.

**Mr. Danielson:** — You don't have to answer it.

**Mr. Speaker:** — Would you mind putting the question again for the benefit of the House.

**Premier Douglas:** — Withdraw the question.

**March 29, 1961**

**Mr. Speaker:** — The question is dropped.

**Mr. Danielson:** — He has refused to answer, Mr. Speaker, and that satisfies me.

**Mrs. Batten:** — Mr. Speaker, my question wasn't answered.

**Mr. Speaker:** — Well, there is something that has to be dealt with here too in regard to the question. The question, such as the hon. Member from Humboldt has asked, if it requires a long answer, as I remember the question you were asking was the way that this was asked by the municipalities - - -

**Hon Mr. Nicholson:** — The question was, have I the correspondence here, the answer is no — the question from the Member from Arm River is, as I recall it, would this write out a previous Bill, and the answer is no.

**Mr. Speaker:** — Order!

**Mrs. Batten:** — Mr. Speaker, would the hon. Minister give us the request as it was given to him by the executive? The first question you will remember, Mr. Speaker, was — "was this a resolution," and he said no, and he said it was a request by the executive, and then I asked if he would give us this request as given to him.

**Hon Mr. Nicholson:** — Mr. Speaker, my statement was — the executive secretaries of both municipal associations have indicated the need for this permissive legislation as a result of representations made to them by their members.

**Mrs. Batten:** — That is why we wanted the wording they used.

**Mr. Speaker:** — I regret the length of time that is being utilized here in this manner, but I cannot allow this thing to go on in regard to any debate that we have gone into today, and I would like to clarify the situation. If the hon. Member from Arm River is prepared to propose his question, then it will be answered.

**Premier Douglas:** — He already has it answered.

**Mr. Danielson:** — Mr. Speaker, I asked it three times, and I am not asking it any more.

**Premier Douglas:** — It has been answered.

**Mr. Danielson:** — . . . and it has not been answered.

**Premier Douglas:** — He said the answer was no.

**Mr. Danielson:** — It has not been answered.

**Mr. Speaker:** — Order! The hon. Member cannot demand an answer.

The question being put, it was agreed to.

### **Bill No. 69 — An Act respecting Mentally Disordered Persons**

**Hon. J. Walter Erb (Minister of Public Health):** — Mr. Speaker, since this Bill is a revision of the Mental Hygiene Act, and in fact will replace the Mental Hygiene Act, I think it is necessary to make a few more comments than what one would ordinarily make.

A number of new provisions are being introduced which are intended to reflect current thinking in the field of mental health and the care and treatment of mental disease. The principles embodied in some of these new concepts were incorporated in the British Mental Health Act, 1959, which is considered by many experts to represent a marked improvement over the legislation it replaced in Great Britain, as well as the existing legislation on this continent. The purpose of these new provisions is to remove, insofar as it is possible to do so, the distinction between physical illnesses and mental illnesses. To this end, it is intended that admissions to mental hospitals will be made in approximately the same manner as admissions to general hospitals. It is recognized that a certain percentage of mentally ill persons, would not be able to exercise proper judgment in this regard, and special provisions will, therefore, have to be enacted in respect to their admission to, and stay in mental hospitals. Other provisions will be enacted to insure that the patient in the mental hospital, will be discharged when he is sufficiently recovered and will

receive the prompt and regular attention of the medical staff throughout his stay in the hospital.

The estates of persons who are now admitted to mental hospitals as patients are subject to the control and management of the Administrator of Estates. Patients of mental hospitals are not necessarily incapable of managing their own affairs, and in the future the estates of these patients will come under the control and protection of the Administrator of Estates only if the medical examination indicates they are, for the time being, not mentally competent in this regard.

The present Mental Hygiene Act applies for the most part, to mentally ill persons, and mental defectives, with a few special provisions applying to addicts, epileptics, and psychopaths. In the new Act, all of these persons, as well as a new category, of psycho-neurotic persons, will come under the general classification of a mentally disordered person. Most of the provisions of the Act, will therefore, apply to mentally disordered persons. The provisions of the Act providing for compulsory admission, and detention will be restricted so as to apply to mentally disordered persons only if they require care, supervision, and control for their own protection or welfare, or for the protection of others. Most of the provisions of the present Act apply to institutions. Special provisions refer to psychopathic wards, and mental health clinics. All of these establishments, together with a new category of psychiatric centre will be defined to mean facilities. Almost all of the provisions of the new Act will apply to facilities generally, but authority will be given to the Lieutenant Governor in Council to determine the classes of patients to be admitted to each type of facility. It is to be noted that the word facility is contained in the definition of a hospital, in the Hospital Insurance and Diagnostic Services Act of Canada, which is the federal Act authorizing the Dominion Government to enter into cost sharing arrangement with the provinces with respect to hospital and diagnostic services. In that Act "hospital" is defined to mean the hospital or other facility.

With this explanation, Mr. Speaker, I move second reading of this Bill.

**Mr. J.W. Gardiner (Melville):** — Mr. Speaker, because of the lengthy explanation made by the Minister, I would like to ask leave of the

House to adjourn the debate.

The debate was, on motion of Mr. Gardiner, adjourned.

**Bill No. 72 — Act to amend The Northern Administration Act**

**Hon Mr. Brockelbank (Minister of Mineral Resources):** — Mr. Speaker, this Bill deals with the collection of hospitalization fees in Northern Administration districts. In this district, a few years ago, the hospitalization plan was on a voluntary basis. Then it was made on a universal basis in the north, and this gives to the Minister of Natural Resources, in those cases where he pays the hospitalization fees for residents of the area, the same kind of powers to collect the fees, as if the Minister of Public Health were collecting them directly, or a municipal council. Then there are a few provisions on account of the particular mode of life in the north to provide for collection of this fee that has been paid by the Minister from the income of the individual in the north.

I would move that the Bill be now read a second time.

**Mr. Guy:** — Could I ask the Minister a question? In regard to the collecting of this tax by fur buyers or fish buyers, whichever the case might be, suppose a person owed his full hospitalization tax of \$48.00 and at the same time he owed the storekeeper \$48.00 on an advance given before he went out trapping. Now, when he brought that fur in, who would receive payment first, the storekeeper for his, or the Government for theirs?

**Hon Mr. Brockelbank:** — Mr. Speaker, that is getting down to a question on a specific section, and certainly a question for Committee.

**Mr. Speaker:** — These questions asked should be for clarification of the explanation the Minister has given. If it gets into a matter regarding clauses of the Bill, that definitely should be left for Committee of the Whole.

**Mr. Guy:** — Mr. Speaker, since the Minister did not go into too much detail on some of the principles involved in this Bill, I would like to ask permission of the House to adjourn the debate.

The debate was, on motion of Mr. Guy, adjourned.

The Assembly adjourned at 5:30 o'clock p.m.