

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
First Session — Fifteenth Legislature
48th Day

Monday, April 12th, 1965

The Assembly met at 10:00 a.m.
On the Orders of the Day.

PRESS REPORT RE MANITOBA CROP INSURANCE AGREEMENT

Mr. I. C. Nollet (Cut Knife): — Mr. Speaker, before the Orders of the Day are proceeded with, I note from press reports that the government of Manitoba has signed a Crop Insurance Agreement with the federal government. May I ask the Minister of Agriculture (Mr. McDonald) if the Saskatchewan government has as yet signed a crop insurance agreement with the federal government? If not, when can it expect to be signed?

Hon. A. H. McDonald (Minister of Agriculture, Moosomin): — Not as yet, but I expect it will be signed in the next day or two.

QUERY RE QUESTION 309

Mr. McDonald (Moosomin): — I wonder if we could return to Question 309 for one moment. I would like to advise the house that the Department of Agriculture will be making available to all members of the house, a copy of all policies within the next, I would hope, within a week, and as policies are formulated, copies of them will be made available. This decision was made after a question by the member for Cut Knife (Mr. Nollet) who had asked for this and we decided to make this available to all members, so I wonder in view of that, if the hon. member for Swift Current (Mr. Wood) would withdraw this question. You will get this information, plus additional information within a week, I would think.

Mr. E. I. Wood (Swift Current): — May I, if I am not out of order, Mr. Speaker, — it seems to me that the setting up of policies themselves would not answer the questions that are set out here. I am asking as to the acreage of the land that is affected as well as the —, the first part is what charges are made and the second is what acreage.

Mr. Speaker: — It seems to me that we are getting a little out of order here, and the best thing to ask is leave of the house to revert to questions put by members.

Mr. McDonald (Moosomin): — Mr. Speaker, let's just drop it. Order for return . . .

Mr. Wood: — When can we expect to get it?

Mr. McDonald (Moosomin): — I am not sure if it can be given in the next few days or not.

Mr. Nollet: — Mr. Speaker, I asked the minister, some time ago, regarding all the policies and programs of the department. We will still be getting those, won't we?

Mr. McDonald (Moosomin): — You are put on a mailing list and you will get them even when the house is not in session.

SECOND READINGS

Hon. D. V. Heald (Attorney General) moved second reading of Bill No. 94 — **An Act to amend The Land Titles Act, 1960.**

He said: By section 43 of the Estates Tax Act in Canada, a lien is

created in favor of the crown in the right of Canada upon property passing on the death of a deceased person, and of course, this provision in the federal act overrides the provisions of our Land Titles Act. Under section 67 of our Land Titles Act, the owner of land under a Certificate of Title holds the land, subject to the exceptions implied under section 68 of the act, and the encumbrances, liens, and interests endorsed in the Certificate of Title. Now, the implied exceptions under section 68 of our Land Titles Act do not include any lien by Canada, except for advances by seed grain, fodder, or other goods by way of relief. Under the Torrens system, the Certificate of Title, of course, is the pivot of the system, and under section 231 of The Land Titles Act, any person may deal with the registered owner under strength of what he sees on the Certificate of Title and the implied exceptions under section 68.

The lien created by this section 43 of the Estates Tax Act, in favor of the crown in the right of Canada, is not consonant with the effect of a Certificate of Title under our Land Titles Act. In other words, it is there but you do not know that it is there. By the amendment to section 43 of The Estate Tax Act, which became effective on November 29th, 1962, it is provided by sub-section 3 thereof, in effect, that where a province agrees with the government of Canada to demand the consent of the Minister of National Revenue before registering the transfer of an interest in land, a regulation may be passed under the Estates Tax Act exempting from the application of the lien, property situated in the province. The effect of this amendment would be to empower the Attorney General, on behalf of the government of Saskatchewan, to enter into an agreement with the government of Canada, to provide that the State Tax Lien would not attach to any of the titles under our land titles system, excepting in five particular cases, which are listed in 96A. There in five cases where the lien would attach would be as follows:

- (a) Transfer by a personal representative, that is an executor or an administrator, for a deceased person.
- (b) Application by a surviving joint tenant to be registered as owner, those are both cases where somebody has died, in the one case the executor has title, in the other case it is a joint ownership and one owner has died, the other owner is there.
- (c) A transfer of a mortgage by an executor or administrator of a deceased mortgagee.
- (d) An application to deal with the mortgage by a survivor or survivors, or two or more mortgagees.
- (e) A transfer of title where the certificate is endorsed with a memorandum of a caveat, where a deceased person is claiming an interest as beneficial under a trust.

What this boils down to is that in all other cases, excepting these five cases which deal with deceased persons, and I am sure hon. members can appreciate why those five classes of titles have to be exempted because of a fact that an estate tax might be involved. In all other cases this amendment would empower the Attorney General to enter into an agreement on behalf of the province of Saskatchewan exempting all other titles of any liens under the Estate Tax Act. This is something that I feel should have been done some time ago. The amendment was asked for by the Law Society at its convention in June of last year, and I think is a desirable amendment to the present law.

The other proposed amendment in the amendment to the Land Titles Act, which we are proposing here fore second reading, is in connection with writs of execution being put on the title of persons with a similar name to that of the execution debtor. The new section 173 in the amendment, is intended to improve the present position concerning a case where a transfer has been registered, and the registrar is endorsed on the title of the transferee a writ of execution or gets the person with a name similar to that of the transferor. In such a case, the new registered owner, under the law now, cannot request the service of a 20 day notice under section 173-8 since the writ of execution is not against the person of the name similar to himself. If he had requested service of the notice after the execution of the transfer, but before registration, he could have done so as transferee of the registered owner.

In many cases this is not done and in view of the land titles officials once the transfer is registered under the present law it is then too late as the section now stands. In order to enable the person in these circumstances to make use of the 20 day notice procedure, section 173-8 has been

amended to permit a new registered transferee to use a 20 day notice procedure in the case where a writ has been registered against the name of his predecessor in title, so that improves, I suggest, the procedure for getting an execution of the title to land, in the case of mistaken identity. With that explanation, Mr. Speaker, I would move second reading of this bill.

Motion agreed to and bill read a second time.

Mr. C. P. MacDonald (Milestone) moved second reading of Bill No. 88 — **An Act to amend The Medical Profession Act.**

He said: Mr. Speaker, in introducing this bill, I hope that all members on both sides of the house will recognize it as an attempt by the medical profession to bring their act up to date in accordance with their increased responsibility as partners in the universal comprehensive medical insurance program.

I know, Mr. Speaker, that all of us are most aware of the tremendous changes that have taken place in the practice of medicine in Saskatchewan. We can no longer have private practitioners but doctors practicing within the scope of The Medical Care Insurance Act. No longer is the practice of medicine a matter of concern only between the doctor and the patient but now a third party has entered into the fiscal relationship, the Medical Insurance Program. All of us realize the ramifications of this new status, changes in service utilization, cost, treatment, and so on. However, Mr. Speaker, the medical profession, the government, the people of the province, have not made the necessary adjustment required in many of these areas. This is most noticeable in the area of over-utilization. This requires an educated and a responsible public. But, Mr. Speaker, the profession can do much to curb and control over-servicing. This is the major area in which this bill deals.

As all members peruse the bill they will notice it deals with four or five specific matters of concern to the profession. The first nine sections of the bill deal specifically with the organization and the election of The Medical Council. It contains nothing controversial. It is intended by these changes to stream-line the organization and facilitate the election of the council. It has several principles which I think all members should take notice of and express their approval of the principles contained.

- (a) It recognizes the shift from rural Saskatchewan to the urban centres, and therefore, places more representation on the council from these centres. It changes the number of councillors and gives more representation to Saskatoon and Regina where most of the work of the council is required.
- (b) It gives the council the right to change the boundaries of an electoral division as population shifts continue in the future.
- (c) It describes voting qualifications of the members — insists on all members voting who have the privilege of voting — to be officially registered with the college. There is no loss of privileges or rights, but merely asks all members to register before voting.
- (d) It provides for a secret ballot by changing the form of ballot and signing the declaration on the outside of the envelope. It establishes the method of counting in order to preserve the secrecy of the ballot. It also sets out the election machinery and the method of appeal.
- (e) The changes in the act provide for the appointment of additional members at large, to the executive committee. This is an attempt by the council to provide additional assistance to take care of the growing workload and the increased responsibilities of the council. It enables the executive committee and the members to add members to handle specific problems and specific responsibilities. For example, it might set up a committee to study infant mortality, or maternal mortality. The executive committee then would act as a steering committee for these specialized groups. The workload is too big for the executive committee alone. The best illustration, perhaps, might be a problem in discipline which might take a month to investigate one case alone.

The second or next portion of the bill deals with one of the primary tasks of the council. The supervision of medical education — its duty is to ensure the maintenance of a standard of proficiency, such as to sufficiently guarantee the profession of the knowledge and skill requisite for the efficient practice of medicine, surgery, and mid-wifery. This bill

allows the University of Saskatchewan to set examinations from time to time, instead of regular examinations each year. The reason is that few doctors write the University of Saskatchewan exams, but write the Dominion Medical Council exams, therefore, the University of Saskatchewan can set examinations only when required. It also gives to the Senate of the University the right to broaden the scope of the examinations in order to keep up with medical progress. Its purpose is simply to state minimum requirements of training and examination which ought to be required of men and women obtaining primary medical qualifications. The curriculum is flexible. The University is encouraged to experiment freely with courses and methods of teaching.

The third portion of the bill gives to the council the power to classify members and to charge a different fee for each group. This is merely intended to facilitate doctors who are continuing their education and who wish to retain membership, also those doctors who reach an age where they wish to practice on a part time basis. This change will allow a partial registration fee for these two groups. The bill also gives to the council the responsibility of collection and sets the penalty for default of fees and the method of collection in such cases.

Bill 88 also sets out additional responsibilities and powers for the council. This portion of the bill brings the Medical Profession Act up to date and in keeping with other professional acts on the statute books of Saskatchewan.

This act is one of the few that has not been changed in substance for over 25 years and, in fact, much longer. There has been no substantial change in this act since its inception. You can go back and find the revised statutes of 1944 the same in substance as they are today. All of the professional acts in the province have been brought up to date in the last few years. The Legal Profession Act was amended in 1964. This amendment gives to the profession the power to pass bylaws, rules, regulations, in order to safeguard the public interest. It gives them the control over the funds of their association and empowers them to appoint professional committees not named in the act in order to carry out their duties and responsibilities. These changes are now included in other professional acts, and their purpose is to relate the authority of the college with its public responsibilities. Its real benefit is to clarify the power of the council as it is clarified in other professional acts. The most important changes requested in Bill No. 88, are in the disciplinary powers of the council. I want to remind the house that it is the hope of the doctors to set up a professional review committee for the specific intention of assisting the crown in the supervision of medicare costs.

I remind the house that over-servicing can best be controlled by the profession itself. This intention of the medical profession is certainly to their credit and should receive the unanimous support of this house. The payment of millions of dollars of public funds in medical costs, not only requires supervision, but demands supervision.

The council fully realizes and appreciates the high standard of professional conduct of the vast majority of doctors in this province. They will never find themselves directly concerned with council disciplinary jurisdiction, yet doctors are human and are subject to wrongdoing and mistakes the same as you and I. The fact that they are dealing in human lives and are paid through public funds makes them realize that their conduct must be above reproach in all matters of medical ethics and conduct. They, therefore, have put more teeth into their discipline committee through the amendments suggested in this act.

I remind the house that under the act the disciplinary committee are not called upon to punish in any punitive sense. Their primary duty is to protect the public. They act as a deterrent. There are only two questions that they ask themselves (1) is it in the public interest to leave a doctor on the register? This must always be the first question asked in all difficult cases. (2) what are the best interests of the doctor himself? Because of this reason, they have evolved a system of probation for a limited period. These, Mr. Speaker, are the concern of the discipline committee, and the changes within this bill. They enumerate the offences, outline the organization and the formation of the committee, specify its duty and its responsibility, state the procedure used, provide for an appeal to a judge of the Queen's Bench, stipulate the penalties that can be incurred and provide for the payment of costs.

In closing, Mr. Speaker, I want to emphasize again, that the general duty of the council is to protect the public in every case. The council is not an association or union for protecting professional interests and

has no connection with any such body.

It is the hope of the profession that the people of Saskatchewan will accept this bill in this spirit. It is the sole purpose of presenting it for the approval of this house. If there are any questions of a specific nature, or a technical one, that arise out of the bill, members of the house can certainly ask the legal representatives of the profession who will be present tomorrow at the Law Amendments Committee meeting, and I am sure they will be most happy to answer any technical questions.

I hope that all members of this house will support this bill. I move second reading of this bill.

Mr. R. A. Walker (Hanley): — Mr. Speaker, I think we, on this side of the house, have very little to say on this bill at this stage because we do concur with the statement that the Medical Professions Act was in need of some up-dating and some streamlining to meet present conditions. I think, however, Mr. Speaker, that we do not oppose the whole bill in principle but we must reserve certain minor points of principle which we will undoubtedly wish to raise in committee. With that reservation, I think we on this side of the house have no objection in principle to the bill at this time, and will not vote against it.

SECOND READINGS

Hon . D. V. Heald (Attorney General) moved second reading of Bill No. 91 — **An Act to amend The Saskatchewan Provincial Police Act.**

He said: Mr. Speaker, . . .

Mr. J. H. Brockelbank (Acting Leader of the Opposition, Kelsey): — The understanding was that probably it would be the evening before we came to this. We have been very busy following the Election Act, and I would prefer to let the minister go ahead and make the motion and then be allowed to adjourn until later during the day.

Mr. Heald: — Mr. Speaker, the purpose of the new section 25 is to make it clear that the Lieutenant Governor-in-Council may enter into an agreement with the government of Canada for the services of the R.C.M.P. in policing towns, villages, and rural municipalities.

Mr. Speaker: — What are we discussing here? Bill no. 91? This was the item that wasn't printed — right? Yet the Standing Orders for this house say that no bills should be read the second time unless they have been distributed to the members at least one day previous and subsequently marked printed. I do not think we can proceed with this except by unanimous consent of the house.

Hon. Lionel Coderre (Minister of Labour): — I believe the gentleman opposite has agreed to that.

Mr. Brockelbank (Kelsey): — Well, actually it was an oversight and you are quite correct. Unanimous consent was not asked for and it should be asked for. I did set out conditions on which I was, personally, willing to give that consent but I cannot speak for every member in the legislature when it comes to unanimous consent.

Mr. Speaker: — Do we have unanimous consent to speak to this bill? Is consent given?

Mr. Brockelbank (Kelsey): — On the understanding that I mentioned before.

Mr. Heald: — I am quite agreeable to that understanding that I will introduce it and then one of the hon. members want to adjourn it. That is fine.

Mr. Speaker, the purpose of the new section 25 is to make it clear that the Lieutenant Governor-in-Council may enter into an agreement with the government of Canada for the services of the R.C.M.P. in policing towns, villages and rural municipalities. The present section 24 is wide enough to cover policing the entire province, but some question might arise as to the contract providing for the enforcement of municipal bylaws.

It is also necessary to provide for charging a portion of the cost to a municipality. The division of the cost is provided for in subsection two. This is necessary because there would not be a particular policeman assigned to every municipality and the cost would have to be adjusted between municipalities. Similarly, the exact cost to the government may not be easy to determine, as some police will also do provincial duties.

Subsection three of new section 25 provides that the Lieutenant Governor-in-Council may provide by regulation, that an extension of the policing in a municipality shall not be undertaken except at the request of the municipality. Subsection five provides for a municipality having the policing discontinued on notice unless there is an order under section 26 with respect to it.

Section 26 of the bill is intended to enable the Lieutenant Governor-in-Council to decide that all policing and enforcement of the Criminal Code of Canada and of provincial statutes outside of the cities shall be carried on by the R.C.M.P. This provision has been included, as it may be found to be impractical to have individual towns and villages remain outside of the general policing. In addition, it may be necessary to extend the general policing on a regional basis as men are available. This subsection is also designed to cover cases where, under our present contract, mainly under section 24, our provincial R.C.M.P. force is used to police a town or a village on a temporary basis. In particular, I have in mind the village of La Ronge where one of the members of the force is doing municipal policing at our request. The village has indicated that it would be prepared to pay for the services it is receiving. However, we do not know how long the R.C.M.P. will be continuing this service.

The purpose of section 27 is to make it clear that the provisions for the policing of municipalities contained in sections 25 and 26 are not to be interpreted as indicated that the Attorney General has not always had the right to supervise and direct policing throughout the province.

Mr. Speaker, those are the changes in the act and I would move second reading.

Mr. E. I. Wood (Swift Current): — Mr. Speaker, I would like to ask a question before the Minister sits down if I might be able to do so.

In regard to this section 26 — do I understand that the town or village at the present time, may use the R.C.M.P. for enforcing the Criminal Code or Laws of Saskatchewan, or may they not? Am I right in assuming that some do and others do not?

Mr. Heald: — Yes, it depends on the size of the towns and, of course, it depends on whether they have a contract with the R.C.M.P. Most of the cities, outside of Regina, Saskatoon, and Moose Jaw, have their own contract with the R.C.M.P. Under the existing contract between the province and the Royal Canadian Mounted Police, all villages under five hundred are covered. But as my friend, the member for Hanley (Mr. Walker) pointed out the other day, he commenced negotiations (which we have carried on) to extend the coverage under the provincial contract of towns and villages between five hundred and fifteen hundred. I am hopeful that in the new contract we will have this coverage. These amendments are necessary in order to enable us, in the event we do get our new contract, to be able to carry it out.

Mr. R. A. Walker (Hanley): — Mr. Speaker, I beg leave to adjourn the debate.

Debate adjourned.

Mr. A. H. McDonald (Moosomin) moved second reading of Bill No. 89 — **An Act to amend The Legislative Assembly Act.**

He said: Mr. Speaker, in moving second reading of Bill No. 89 — An Act to amend The Legislative Assembly Act, there are a few general remarks that I would like to make on second reading and if the hon. members will turn

to bill 89, I think they can follow me through the amendments that we are suggesting.

The first amendment which is clause two, section two, subsection two, of Chapter eight-one of the Statutes of 1963, is simply removing a provision of the act that is no longer necessary in view of the amendments that follow in this legislation we have before us.

In section fifteen of the act, clause C, we are proposing an amendment so that a lawyer, or barrister, or solicitor, who is a member of the legislature cannot be unseated because he acts in court on behalf of a person who was unable to pay for their legal services from their own resources. Of course, this would apply to private members who are of the legal profession and who are members of this house.

In section fifteen again, chapter two of the Statutes of 1962, the second session makes it abundantly clear that if a member of the legislature sells land to the government or to a crown corporation, they cannot be unseated because they have made this transaction with the government or a crown corporation. Of course, these sales can only be made subject to a court order but I am sure that this house is of the opinion that no members should be unseated because they sell land to the government or to a crown corporation. This is necessary on account of highway programs, telephone, power, industrial development, and so on.

Number four of the bill, section fifty-six A, is only spelling out more clearly what has always been the act but there has been some doubt as to what the act meant. The question was asked me a few days ago, with respect to the \$25 per day allowance, whether this would be paid to legislative secretaries if they served on such committees or not. It is my interpretation that it would not be paid to legislative secretaries because they are in receipt of a salary, although it is a much lesser amount than a minister. I believe they are in the same position as a minister and they would not draw this \$25 a day allowance.

Then if you will turn to, in the same section fifty-six to two and three, you will not that provision is made to pay this \$25 a day allowance that the clerk of the legislative assembly shall pay rather than the department or crown corporation as in the past. There has been some dispute, I understand, in past years, as to how this account ought to be paid and we are spelling it out — that this will be paid by the clerk of the legislative assembly unless the Lieutenant Governor in Council designates a department or board or agency to make the payment. So in those cases where it is not spelled out, it will be paid through the legislative assembly by the clerk.

Now, we come, Mr. Speaker, to the main changes that will be brought about by this legislation. I have distributed to all members, maps of the cities of Regina, Saskatoon and Moose Jaw. I must apologize that they are not the best maps in the world but they were reproduced from a photograph, endeavoring to have something before the members at this time, that would indicate to them where the boundaries of the new constituencies will lie. Of course, these apply, as I said a moment ago, to the three cities Regina, Saskatoon and Moose Jaw.

I think this house is well aware that the Liberal party, for many, many years has contended that the citizen of Saskatchewan ought to have one vote. This has not been the case. We have found, in the city of Moose Jaw, every citizen had two votes. In the last election the citizens of Regina East and Regina West had two votes. The voters of the city of Saskatoon had five votes. Mr. Speaker, it is a well known principle and especially well known by my friends opposite, that one person ought to be entitled to one vote. Why should a voter in the city of Saskatoon have the opportunity of voting for five people and a voter in any rural constituency has the privilege and the opportunity of voting for one person and one person only? I think my friends opposite have promoted the co-operative movement stands and one of the main principles that they have stood for for generations, has been the principle that one person, one vote. I think that is a good principle, not only in the co-operative movement but also as far as electing members to this legislature or to any other legislature might be concerned.

It has been the desire of this government to endeavor to divide up the cities of Saskatoon, Regina, and Moose Jaw as fairly as possible, to keep as close to an equal number of voters in each constituency as possible. I sincerely hope that the changes we are suggesting will be acceptable, not only to the members of this house but to the voters of the constituencies concerned. Perhaps it might have been wise for this legislature at this time to have

looked at a general redistribution and I would recommend that this house, at an early date, look at a bill that would provide for a general redistribution throughout the whole of the province, because we have had a tremendous number of people moving, especially from rural to urban centres. But sometimes I wonder just how much change we can make in our rural constituencies without these constituencies becoming too large in total area. I think we would be running into a situation where we would be giving a member of this house and candidates seeking election, far too great an area to look after. But I do hope that this legislature will, at an early date, consider a general redistribution for the whole of the province.

However, we in the government feel that the problem that confronts us at the moment, as far as the cities are concerned, should be cleared up at as early a date as possible. There will be one house amendment which will be introduced when the bill goes into Committee of the Whole. I don't think there is any need of me saying anything further on second reading of this bill other than to say it is implementing the beliefs of the Liberal party and I hope the beliefs in the principles of all members of this house and of all the citizens of Saskatchewan. I think the day is passed when we should provide certain legislation for certain areas and different legislation for others. Surely the day has arrived when people, regardless of what constituency they live in, ought to have the same privileges and the same opportunities and the same responsibilities as people living in other constituencies.

Mr. Speaker, perhaps I should inform the house or beg to inform the assembly that his Honour the Lieutenant Governor, having been informed of the subject matter of this bill, recommends it to the consideration of the assembly, and with this brief explanation, I move second reading.

Mr. R. A. Walker (Hanley): — Before the member sits down, will he please tell the house what he has in mind in the house amendment.

Mr. McDonald (Moosomin): — The house amendment will make provision in the areas of Regina, Saskatoon, and Moose Jaw, that if there is a vacancy occurs — we will use Saskatoon as an example — supposing there was a vacancy occurred in Saskatoon because of the death or retirement or some other reason, and someone left this assembly who is presently representing that area — the remaining four members would continue to represent the area in which they were elected in the last general election. But the Lieutenant Governor in Council would designate what constituency in the area was open for a by-election to fill the vacancy. This would be the house amendment.

Mr. Walker: — What Machiavelli thought of that?

Mr. W. G. Davies (Moose Jaw City): — I was rising to speak to this bill. The first observation I have to make is, why so late in the session? Mr. Speaker, this is certainly not a difficult bill to devise. The terms are not long and one wonders why we could not have received this before this time. If there is anything that is difficult in the bill, it has to do with the revision of the constituency areas and the tortuous andabolical surgery that I suggest has been used in the carving up of the constituencies.

I would like to comment, to begin with, on the matter that the Minister of Agriculture (Mr. McDonald) has mentioned in answer to a question from the member from Hanley (Mr. Walker) I certainly cannot comprehend thoroughly what he is suggesting. I hope what he is suggesting is not what I think it is but no doubt this will emerge more fully in committee. It does not look good to me at this time. Satanic might be a good word to be employed also in respect to this.

Mr. Speaker, I have no doubt at all but that the government, in producing this bill, has had one chief thing in mind and that is its own narrow partisan advantage and this, of course, refers to the boundaries that have been suggested to us of the constituencies that are to be altered.

I would like to say, so far as Moose Jaw is concerned, and my remarks will have to do mainly with Moose Jaw, that the two new constituency areas that have been brought before us in this bill, are a hybrid of the north and south hill sections. To me, the names of the two constituencies, Moose Jaw North and Moose Jaw South, are a misnomer to say the least, because it is a rather unnatural hybrid that has been produced by those who have brought forward to us, this bill. The Moose Jaw north constituency takes

in an area from the west side of 4th Avenue Northeast and the north of Caribou Street, Mr. Speaker. All the rest of that constituency is in so-called Moose Jaw south. So there is a considerable part of Moose Jaw south that is actually in the northeast area of the present Moose Jaw city constituency. Moreover, in taking a rough calculation of the number of votes in the two areas, I perceive that the one constituency, Moose Jaw North, will have in it about 6,000 votes less than the votes that will be incorporated in Moose Jaw South so that if there has been any idea of achieving equity in terms of the number of voters, this simply has not been done in the carving out of these constituency areas.

Again it is evident that the Liberal party has tried to carve out for itself at least one sure seat for themselves and Mr. Speaker, I want to assure them that unless they are mistaken, because the temper of the Moose Jaw people will become so aroused at what has been done, that I can tell them right now that they are going to go down to resounding defeat in any election that we may foresee in the future.

An Hon. Member: — That will be a switch.

Mr. Davies: — I say it is not because of the support for the CCF and the anti-Liberal voting record only, but because they will be, as I have said, incensed over the action that has been taken to split Moose Jaw into two political units. I want to refer to what the Minister of Agriculture (Mr. McDonald) has told us in bringing forward the reasons for this bill. He has told us that for many years the Liberal party has talked about one person one vote. Why, may I ask the Minister of Agriculture (Mr. McDonald) did the Liberal party, in the years that they were in power, have two members for Moose Jaw or Regina and for the city of Saskatoon? In those years this apparently was quite a good principle. All of a sudden it has become a rather bad principle. And he also, as I recall him, said that we are all good co-operators and we all believe in one person one vote. But surely, this is a poor example and the context of the thing we are talking about where one goes to a meeting of co-operators. Many times we vote for five or six directors and there is nothing strange in one person, on that occasion, having the vote for purposes of electing the five or six directors.

But in the city of Moose Jaw there is no question but that the citizens prefer to be regarded as one political unit. I say that there is just no excuse whatsoever, for the government having proceeded as they have done in this bill, and having split Moose Jaw, not right down the middle but in an irregular manner that, as I have suggested, is a somewhat disbolical type of surgery. There has never been any request and never any sentiment at all for two constituencies within the boundaries of the city of Moose Jaw. What we have is just two irregular fragments that benefit or seek to benefit only one entity and that is the Liberal party of this province.

I want to suggest, Mr. Speaker, that when the Liberal party of this province left office in 1944, the population of Moose Jaw and Saskatoon was at that time around 40,000 to 50,000. There was, at that time, no feeling among the Liberal party supporters and the members, that there should be a change in the principle that the Minister of Agriculture (Mr. McDonald) now says is a principle which the Liberal party has had in mind for years. I don't know how many years. I suggest it is of a somewhat recent growth and tied to its political needs in the carving up of these constituency boundaries.

Hon. J. W. Gardiner (Melville): — Twenty years is a long time.

Mr. Davies: — May I say also, with respect to the sentiments of the people in my area, whether it be schools or roads, local development, provincial assistance, any issue of any kind, the interests of the people of the city of Moose Jaw are common. They do not need two constituencies to represent their interests within those boundaries. They have no advantage whatsoever, in political representation that in effect, divides their forces in this house and I say that this division is a disservice to the constituency and is apt to discourage rather than encourage unity of effort on behalf of their political representatives within this legislature. The action, I think, will hurt Moose Jaw. I think it will prevent the common approach that I have suggested they want to have — that the constituents want to have to their problems and if only because of this one aspect, the bill should at least in this one respect, be altered.

I referred, Mr. Speaker, when I rose, to the fact that, apart from all else, the irregular lines that draw out the boundaries of Moose Jaw North

and South, won't make any sense to any people in the city. I have also referred to the fact that there will be, as I see it, around 6,000 persons less voting in the one constituency area than the other. One would have thought that if boundaries were made for Moose Jaw North that they might have been delineated from east to west, across the city, at some point like Fairford or River Streets. At this point there would then have been, I can see, a rough equality in the numbers of voters in Moose Jaw North and Moose Jaw South, but the vote as I have it in the last year's election would, even at that time, have given about 5,000 votes difference. There will be, with the airport vote, another 1,000 votes into Moose Jaw South and I am only referring here to the number of people that, in the first instance, I am only referring to the number of people that voted in the 1964 elections so that it is very probably that the figure of 6,000 would be exceeded. So, again, from everything that one can see, in the drafting of the constituency boundaries for Moose Jaw North, the government has attempted to do the very best from the point of view of support that they may think exists for them, as evidenced by some polls in Moose Jaw North in the last election, but makes no sense in regard to the situation itself. And if we are talking about votes, one vote for one member in one constituency, surely we can extend this idea so that at least the people who vote in one of the two constituencies in Moose Jaw will be assured that their vote is not worth more or less because they are in one constituency or the other. The fact of the matter here is that, actually speaking for the people in Moose Jaw North, one person there gets a little more for his vote perhaps than in Moose Jaw South, because it will take more people in Moose Jaw South to elect one member.

I think that I have pointed out as briefly as I can all that is the matter with this bill from my point of view. I have said little with regard to the other points in the bill. I did think that the section that deals with members of the legislature and the sale of land would need to be examined very closely because land is one thing, when you talk about acreages and rural areas where the cost might be \$200, \$300 an acre. It is entirely a different matter, for example, in Regina or Saskatoon cities or adjacent to those cities, where land that may be used for the purpose of new building subdivisions can run up to \$15,000, \$20,000 an acre and more when subdivided. When this kind of money is involved, I am sure, in my mind at least, that we need the maximum protection for the public in assuring that there shall be no misuse and no abuse so far as members of the legislative assembly are concerned.

Referring again to the boundaries that divide Moose Jaw into two constituencies, I want again, Mr. Speaker, to say that I think this is a regrettable and deplorable act on the part of this government. I am sure it is one that will not be looked upon with favor by my constituents. I think it will hurt the interests of Moose Jaw and I will oppose it in this house.

Mr. G. T. Snyder (Moose Jaw City): — Mr. Speaker, I want to say only a few brief words in connection with the amendments that are before us. I think the member for Moose Jaw (Mr. Davies) my colleague, has expressed my feelings quite adequately in this respect. But I do want to say a few words in particular reference to the boundaries which define Moose Jaw North and Moose Jaw South.

I think perhaps the other member for Moose Jaw, my colleague, (Mr. Davies) suggest that there had been no request for a division such as this and I suggest perhaps that this is not entirely accurate, because the Moose Jaw Liberal association has been quite vocal in their request for a move of this nature, especially since April 22 last. But with this particular exception, Mr. Speaker, I can say with conviction that there is no popular demand for the changes which are indicated in the act. Moose Jaw has functioned extremely well as a two-member constituency for many years. In fact, I believe since the early 1920s. However, Mr. Speaker, the decision of the government to divide Moose Jaw came as no particular surprise to me or to other members of this house. Recognizing that this act was contemplated, Mr. Speaker, I took the time several months ago, to draw my own boundaries, and using the same terms of reference, Mr. Speaker, as was used by members opposite, mainly the comparative vote in the respective individual polls, based on the general election, Mr. Speaker. In only a few hours, with an eye to creating the best possible situation for a Liberal candidate, I arrived at a set of boundaries within two city blocks of those boundaries that are detailed in the act. So, I think, Mr. Speaker, I consider this to be quite an accomplishment and I do not intend to be at all modest in this respect. I think I did a very adequate job when you consider the countless hours that the party faithful to the Liberal organization spent in arriving at these boundaries.

This government, Mr. Speaker, is already in trouble and they are

quite aware of this. The result of the Hanley by-election, Mr. Speaker, is not the only evidence. The Moose Jaw Herald of April 9th, gave a number of reasons why they suggested Premier Thatcher might call an early election. I want to quote just a brief paragraph from it:

The standing in the 59 member legislature is Liberal, 32; CCF, 26; Progressive Conservative, 1; but two Liberal seats are being challenged in the courts. Other straws are in the wind.

It will be hard for Premier Thatcher to duplicate in 1966, this year's tax-cutting budget because the large surplus in provincial coffers has been practically used up and because more than \$5,000,000 was taken from the Medical Care Insurance Reserve Fund this year.

So, Mr. Speaker, after only a few months in office, the reserve fund which was left by the CCF government has been used up and the cupboard is bare, Mr. Speaker, and like the prodigal son of old, spending in the payment of his political debt . . .

Some Hon. Members: — Hear! Hear!

Mr. Snyder: — I think, Mr. Speaker, that this indicates the deterioration that has taken place in the short while since the Liberal party urged the electors of Saskatchewan to elect a business government.

No doubt, Mr. Speaker, this jeremiad is considered by the Liberal party to be a clever political trick. But I suggest to you, Mr. Speaker, once again, that the best-laid schemes o' mice and' men gang aft agley.

Some Hon. Members: — Hear! Hear!

Mr. Snyder: — The Premier and I, Mr. Speaker, are both aware of life long Liberals in Moose Jaw who withdrew their membership in the Liberal party when he became their leader in 1959. They still refuse, Mr. Speaker, to renew that membership as long as circumstances remain as they are at the present time.

When the present government, Mr. Speaker, decides that it is most advantageous to hold an election, I would like to take the opportunity to invite the Premier to offer his services to the electors of either Moose Jaw North or Moose Jaw South . . .

Some Hon. Members: — Hear! Hear!

Mr. Snyder: — . . . to the electors of either constituency, in his own home town, where he is best known.

By dividing the city in the manner which they have, they have already conceded the election, Mr. Speaker, in Moose Jaw South. I am sure that the people of Moose Jaw are both ready and anxious to express their preference at any time which the Premier might choose to be appropriate.

Some Hon. Members: — Hear! Hear!

Mr. Snyder: — Mr. Speaker, I intend to vote against the bill because of the unnecessary fragmentation of the existing constituencies where there is no evident need for this, and when political considerations have been used in outlining these political boundaries.

Some Hon. Members: — Hear! Hear!

Mr. A. E. Blakeney (Regina West): — Mr. Speaker, I would like to comment on a couple of provisions in the proposed Legislative Assembly Act. I first wish to comment on the proposed section 3, subsection 2, which provides a new basis on which members of the legislature can sell land to the crown.

Mr. Speaker, this legislature and other legislatures, have long been very careful and very zealous in defining the particular circumstances under which a member of a legislature may deal with the crown. The reason

for this care and zeal is not hard to find because I think members of the Liberal party in other parts of Canada, but certainly members of the Liberal party possibly in this province, are well aware of the way in which the sale of land to the crown, can be a basis of substantial political patronage. There is no question. I think any examination of the land dealings in other parts of Canada will strengthen the conviction that it is quite possible and has been found quite convenient to pay off political friends by making careful arrangements with respect to the sale of land.

I don't know whether any members of this house have land which the crown requires for public purposes, but I am well aware that the crown has under consideration a number of projects. I am well aware that the university and other public bodies in the city of Regina may well require land in the general southeast area of the city, and I am further aware that it may well be that the land which would be required, would be land in which some member of the assembly might have an interest. I am further aware of projects in the Prince Albert area which have been announced during this session and for all I know, the land which is required in that area will be land in which some member of the assembly has an interest. Accordingly, there is need for extra care in deciding whether or not land can be sold to the crown at a negotiated price, because there is always the possibility that there will be only one side to the bargain. For this reason, it seems to me that I favor the proposal that where land is to be acquired by the crown, from any member of this assembly, that the formalities of expropriation be proceeded with.

The purpose of this amendment is to provide another and less formal arrangement. I am aware that in either case, the consent of the judge who would be sitting with respect to the expropriation is required but I am aware too, that a judge has no particular basis for making any decision which he arrives at, except the evidence which is submitted to him. It seems to me that where land is to be bought from a member of this assembly, the crown should go through the formalities of an expropriation and should make available, so that the public can see it, if they wish to see the evidence which the crown placed before the tribunal as evidence that the crown was trying to get this land as cheaply as possible for the public.

I do not like this proposal, which seems to me to suggest that evidence of some kind or another, appraisal reports or reports of that nature, can be made available to a judge and that he then will certify in writing the amount of compensation and that the evidence which the crown mounted on behalf of the people would not be available to anyone. There would be no right for any citizen to see what case the crown mounted in order to get this land as cheaply as possible. I want to make it clear that I am not accusing either the government opposite or any past or future government of this province that they would make a cozy arrangement with a particular member of the assembly, but I am saying that this is always a possibility and while it is a possibility, it seems to me that the procedure should be adopted which would enable the public to see just what sort of a case the crown put up in order to get this land as cheaply as possible for the public.

Now, I know that it is no part of the function of the crown to offer ridiculously low prices to members of the public for land required for public purposes. The crown has an obligation to be fair, but when it is dealing with a member of the legislature and more particularly when it is dealing with a member on the government side, there is every obligation on the part of the crown to be scrupulous in putting forward every scrap of evidence which would suggest that this land is not as valuable as the owner undoubtedly claims it to be, and the owner of land always believes that it is worth perhaps a shade more than the crown wishes to pay.

I don not see, in the procedure proposed in this bill, any method whereby a member of the public or a member of the opposition, or a member of any other interested group, can find out what evidence the crown had; what material they gathered; what appraisal reports they filed; in order to support the contention for a low price. All I see is that an arrangement can be made whereby a judge, as far as I can see, operating in his chamber, is entitled to certify in writing the amount of compensation that is fair and reasonable. Now here again, I am not suggesting that the judge would act improperly, but consider the position of the judge. A member or the Minister of Public Works comes to the judge and says, "We have obtained an appraisal report and here it is". It might be one of eight appraisal reports and it might be one that has the highest price, but this might not be available to the judge. The member for Gopher Gulch has some land which is being expropriated. He comes in says that he does not like the amount set out in the

crown's appraisal and he leads some other evidence to suggest the need for a higher price. The judge has this evidence before him. How is he to know that there may exist three or four other appraisal reports which would set a lower price? You may say, well, of course, if it is expropriated the crown can lead what evidence they like and they may not lead the best evidence in their favor, but at least I can find out what evidence the crown led. If I know there are other appraisal reports around or appraisers suggest to me that that is a pretty high price, I can then find out what sort of a case the crown put up. But as I see it with this informal procedure, I would be left simply with a certification of the judge, not knowing what evidence he relied on; not knowing what evidence he had presented to him.

Mr. Speaker, I am aware that we want to save members of the public from unnecessary and unreasonable court procedures, but it seems to me that when a person becomes a member of the legislature, he has certain disabilities in dealing with the crown and it does not seem to me, unreasonable that the formalities of what is sometimes called a friendly expropriation, is gone through with — an expropriation where-by the member concedes the right of the crown to have the land and the sole matter for determination is a fair and reasonable price.

For those reasons, I find myself, if I appreciate the latter provisions of section 3 correctly, I find myself unable to agree with the principle contained.

I now turn to the one or two comments with respect to the artful job which has been done with respect to the constituency of Regina. I am a little bit surprised that the arguments set out by the member for Moosomin (Mr. McDonald), particularly the one member, one vote argument. Surely, the concept of one member, one vote, is a concept which says that no person shall have greater — no one voter shall have greater influence than any other voter. It is not one that suggests that he ought to perhaps, only vote for one candidate. If 20,000 elect two candidates and 10,000 people elect one candidate, it is difficult for me to perceive how the 20,000 people who elected two candidates either had more influence or less influence than the 10,000 voters who elected one candidate.

Mr. McDonald (Moosomin): — You would not be here . . .

Mr. Blakeney: — Well, this may be. I don't know. All I know is that I find no appeal to my logic in that at all, in this particular argument. I am surprised that the member for Regina South (Mr. Grant) sees any appeal in this because I know that this man has stood up in Regina, time after time, and said that it is a bad idea to split this city into constituencies, for the purpose of municipal voting. Wards are a bad idea, they fracture the city. It's a good idea to have multiple votes. It is a bad idea to have the city split into wards!

Mr. Steuart: — Did he say all that?

Mr. Blakeney: — You should talk to this man sometimes. You would be absolutely amazed at the arguments he puts forward. Indeed he did, say that!

Some Hon. Members: — Hear! Hear!

Mr. Blakeney: — I have always found it a little difficult to appreciate why the ward system for Regina was a bad idea — as one which would be divisive of the city, which would lead to sectional and fractional interests, and yet somehow dividing this city up for provincial purposes is a splendid idea!

However, I am prepared to concede that there are some matters of convenience which would suggest that a constituency ought not to be too large. But I think that when a city is divided it seems to me, the surgeons, if I may use that word (I was going to think of another word, then I thought, well, no), the surgeons should at least follow the precepts of geometry and not of art. As Regina was divided previously, at least the dividing lines were reasonably straight. They went this way, and this way, and a few straight lines were drawn and it was reasonably possible, after a few minutes of explanation, to explain to someone what constituency he was in. I invite anyone to attempt to explain to any one of my constituents in Regina West, just what these boundaries are meant to mean. As someone said, the present boundaries are the product of one of the more outlandish exponents of modern art. We have with us, what can only be described as a crescent-shaped riding — it goes around, starts in the far north and swings around in a gentle arc and comes around

almost to meet itself again. I was going to use the analogy of the hammer and sickle but I thought that a crescent is a less emotive word, so I will describe this as the crescent-shaped constituency. I think it is the first time in the history of Saskatchewan that someone has been able, certainly in any of the city ridings, to start in their riding and then proceed northerly and get out of their riding and carry on northerly again, and be back in their riding, and this can be done . . .

Mr. D. G. MacLennan (Last Mountain): — Good neighbor policy.

Mr. Blakeney: — . . . by the good people who live on Elphinstone Street, and the people who live on Argyle Street, McTavish Street, Princess, and Queen, and King, and Wascana, and Pasqua — all of these people find themselves able to go from north to south and be in the riding, out of the riding, and in the riding again, as the jogs made necessary by the harsh expedience of the results of last April's election are contemplated. Particularly, this salient to the south of Regina Northwest, is particularly interesting because I looked at the number of voters in the new constituency of Regina Centre, and the number of voters in the new constituency of Regina Northwest, and I thought this bit into Regina Centre which occurs at the southwest corner of the Regina Centre riding, must be necessary because of the small number of voters in the northwest riding and the large number of voters in the centre riding. What else could explain this intrusion into Regina Centre? But it wasn't so. I looked with care and I saw that Regina Centre, only about 10,200 voters; Regina Northwest, 10,900 and a much faster growing riding because it has a fringe area, I was absolutely puzzled as to what could possibly warrant what this particular provision, which makes the area from Pasqua to the CPR tracks and from Elphinstone to the CNR tracks logically a part of the Regina Northwest riding, whereas it is south of most of Regina Centre and east of a great deal of it; notwithstanding the fact that its southeast location, it becomes part of the northwest riding.

Mr. MacLennan: — Pretty funny.

Mr. Blakeney: — But as I say, only a careful analysis of the voters results could conceivably justify this particular effect.

Mr. MacLennan: — You are getting warm.

Mr. Blakeney: — Then I looked over the east side of Albert Street and I say this interesting saw-tooth effect (I was going to call it the sabre-tooth effect because it seems to be done with someone of the political morality of a sabre-tooth tiger) . . .

Some Hon. Members: — Hear! Hear!

Mr. Blakeney: — I immediately perceived the problem. You could not draw the boundary on Victoria Avenue, east and west, or you were in trouble. You could not draw it on Thirteenth Avenue, east and west, or you were in trouble. You could not draw it on 14th Avenue, or you were in trouble. Now, how can this be solved? Well, that is simple. Draw it at Victoria for awhile, and have it dropped south for awhile until 14th and then when you are getting into territory which is not palatable, you drop it down again along the railway tracks and if you affect this very, very careful drawing, you get a riding which is one which members opposite hope, but may I assure them vainly, they think they may win.

Some Hon. Members: — Hear! Hear!

Mr. Thatcher: — . . . hope to get all six of them.

Mr. Blakeney: — Well, I find that a rather amusing comment, because if there is anything as clear, it is you don't hope to win two of them!

An Hon. Member: — . . . laughing too, ha, ha, ha!

Mr. Blakeney: — I wonder what could conceivably — I thought of any argument which could justify this surrealistic pattern, this touch of the Picasso which we have here, and I looked at the number of voters in the last election. Now, in the old Regina boundaries, the largest constituency in 1964 was one in which 12,900 voters elected a member, and the smallest one was one in

which 10,800 voters elected a member, and the other two were 11,300 and 12,400 — a variation between the smallest and the largest as to number of voters electing a member of 20 per cent. I invite anyone to try and divide Regina with any more precision than that, in getting a number of voters who elect a member in one riding. But I look at what has been done with this little, as I say, surrealistic effort, and I find that between the smallest one, (and need I say that it is the member for Regina South (Mr. Grant) who has carved out anyone who might have a devious opinion of his constituency) and he is to be elected, if the 1964 figures were to stand, by 7,500 voters, whereas Regina Southeast, who is to have 15,400 — will have over twice the number of voters. The old deviation, 20 per cent; the new deviation, 100 per cent. This, by a man who is propounding the theory of one member, one vote.

Mr. Thatcher: — He'll explain . . .

Mr. Blakeney: — Yes, I am sure that when he closes the debate, he will explain this deviation. I am sure that he is going to say, "oh well, the Regina South is a fast growing area."

An Hon. Member: — Right!

Mr. Blakeney: — But may I point out, that Regina Northwest is equally fast growing, and for some strange reason, Regina Northwest is given more electors than Regina Centre, which is not a fast growing area. I would suggest to hon. members, if they want to correct this imbalance, they can remove the salient, which I have called it, between Elphinstone and the CNR tracks . . .

Mr. E. Kramer (The Battlefords): — The Berlin wall!

Mr. Blakeney: — . . . Remove two of the perhaps seventeen corners, I believe that was the last count when I went around trying to go around Regina Centre boundaries, they can remove two of them by going down the CNR tracks and thereby effecting more equity between Regina Northwest and Regina Centre. May I commend that to the student of politics, the member for Moosomin (Mr. McDonald) who is concerned about one member, one vote. This will then effect a greater measure of equity between Regina Northwest and Regina Centre, and I am sure it will therefore, commend itself to the member from Moosomin (Mr. McDonald).

Mr. McDonald (Moosomin): — Undoubtedly.

Mr. D. Steuart (Prince Albert): — We'll certainly take a look . . .

Mr. Blakeney: — I am sure that it is the suggestion that I have made that causes the member for Prince Albert (Mr. Steuart) to think they may have overlooked something and I am sure they will take a look at it.

Mr. Steuart: — If he was laughing too, I would be worried.

Some Hon. Members: — Hear! Hear!

Mr. Blakeney: — I suggest that the member for Regina East, the mayor of the city, (Mr. Baker) is entitled to laugh, because he has got a great number of people in the city of Regina, a very distinguished company of people who have apparently seen a frown on his face and gone into an election on the basis of the frown, only to emerge a corpse and see the smile on the face on the member.

Some Hon. Members: — Hear! Hear!

Mr. Blakeney: — I think the member from Regina South (Mr. Grant) would be able to name a number of these people who made the same unfortunate conclusion, but however, I think with those few remarks it will be seen that the drawing of these boundaries in Regina has been excellent, given the terms of reference, I commend the person who drew them. All I can do is deplore the terms of reference, since they appear to be terms which ignore the natural divisions of the city; which ignore every conceivable standard of political morality in drawing boundaries; which merely to state them makes

them clear that they are drawn not for the purpose of anything other than to affect the alleged benefit of the Liberal party,

I just point out, in taking my seat, that Liberals in other provinces have tried the Duplessis touch, if I may call it this, and they have very frequently come to grief, and I am suggesting that in Regina, this is just what is going to happen to them. The member for Regina South may still survive (it would be a remarkable repudiation of the work of the person who drew this boundary, if he didn't) but all others, I am afraid are doomed to join those who previously smiled at the member for Regina East, His Worship the Mayor (Mr. Baker).

Some Hon. Members: — Hear! Hear!

Mr. H. H. P. Baker (Regina East): — Mr. Speaker, I am smiling, and I want to say that I am quite pleased with this dissection. I don't know what sleight of hand was used to carve it up the way it did, but I can tell you, here and now, I think I can speak with a little bit of authority on elections. I have gone through ten or twelve myself civically and provincially, and not only have you given us five seats but you have given the three major parties an equal chance in the sixth.

An Hon. Member: — Hear! Hear!

Mr. Baker: — So that the hon. Mr. Grant is not going to have it soft next time as he may think he is.

Now, I am not going to get into this and discuss the seats. I am quite pleased with the way it is. I would predict now that we will take five and we will have an equally good chance in the sixth. I know this is merely a bit of an election scare and I think the hon. member for Moosomin (Mr. McDonald) made it quite clear when he said there would be a general redistribution, so that it appears to me that all these boundaries in Regina and other cities — I don't suppose they will change Saskatoon because they made a real hatchet job there they tell me. And Moose Jaw, I think it is unfortunate that they took the two member seat and divided it up. I think you can go up to four members in a community and urban centres. This one-vote-per-person in urban centres, yes, it sounds good, but there is nothing going up in the constituency and elect four, but beyond that, I would say it should be divided into single constituencies. So I would support the principle for the city of Saskatoon — not the way you have carved it up, but the principle of it. There is nothing wrong in cutting up Regina into six seats. I think this is good and as I say, I am quite happy and I think that this election talk that has been tossed about here is merely talk. Not only will the government . . .

Mr. Thatcher: — I hope it isn't.

Mr. Baker: — . . . on the other side try to stay for four years, but will try to stay the full five if they can keep a similar majority.

Mr. Thatcher: — Bring it on.

Mr. Baker: — I think this is what will happen, but depending on the by-elections this year, that is the key to the whole thing as I see it. There isn't any doubt that if they can hold a similar majority you won't see an election until 1968 or 1969. By that time Regina will have grown by another 40,000 people and they will make another dissection on the city again.

But anyway, Mr. Speaker, I was going to ask the minister, in conclusion, the hon. member from Moosomin (Mr. McDonald), when he mentioned the general redistribution, would that take in the urban areas as well as the rural? It is a fair question. He can answer it, if not, it doesn't matter to me.

Nr. A. Nicholson (Saskatoon): — Mr. Speaker, the Deputy Premier (Mr. McDonald) complained about the electors of Saskatoon having to vote for five candidates. This has been a very long tradition in municipal government there, and I do not know any candidate for municipal office or for the mayor's position, who has recommended that Saskatoon should move in the direction of the ward system, and so I think there was nothing improper with allowing the citizens to mark their choice for five candidates. There were complaints about it being a long ballot, but the ballot for the municipal election was longer and I did not hear nay serious criticism. The ballot in Regina, four years ago, was

also a good deal longer than our ballot in Saskatoon, and it did take a little longer to count the deferred ballots in Saskatoon than it did in a number of other places in the province, but it was possible to complete the job without any request for a recount.

One of my main complaints would be that Saskatoon, the fastest growing city in the province, should have been entitled to six seats. The weekend count gives us a population of 114,000 people and with the development at Vanscoy and Allen, Saskatoon will expect to continue to be one of the fastest growing cities in Canada, and I would think that the population there, with relation to the population of the rest of the province, would justify our having six members, and having six members, it would have been possible to avoid the carving up of the city as the artists have been required to do to get five constituencies.

The junior member for Saskatoon (Mr. J.E. Brockelbank) coined the word, the pinderman, for this long narrow constituency with the beak of a bird, to make it possible for Mr. Pinder to be in the Nutana Centre constituency, and I am really concerned with the house amendment which was mentioned. It seems to be taken for granted that when members are elected to represent this area, if there are resignations or deaths, they would automatically run, but may I submit, with great respect, that the lady member for Saskatoon (Mrs. Merchant) had a very high vote. People from all parts of the city voted for her and I am sure there would be a great deal of criticism in Saskatoon, if she was to resign, and the cabinet would decide that she did not live where she did but she lived in Nutana Centre and there should be a vacancy in Nutana South and the Mr. Pinder should be able to contest a constituency because of resignation anywhere in Saskatoon. I cannot think of any good reason for this house amendment to be submitted at this particular time. Everyone who is in this house was elected to represent a constituency and I would think that if there was a vacancy in Saskatoon every person in Saskatoon should be entitled to vote because they were elected by all the people and I think by Order-in-Council, it would be quite improper to decide that any of the five members who represent Saskatoon, would create a vacancy in any one of these five areas. I would think the whole of Saskatoon should be declared vacant, because we were elected on the boundaries which did exist.

On paper, it would seem as if the present government is conceding that we would win two seats very easily and they would have a chance in three, but the history of gerrymandering all across Canada has demonstrated pretty conclusively that the government which resorts to gerrymandering is dealt with severely when the people get a chance to go to the polls. Just like the member for Regina (Mr. Baker), when the time comes I am sure that the people in Saskatoon, in these five constituencies, will indicate that they are not happy with the record of achievement, whether the election comes this year, next year, or at any time, and they will remember the constructive legislation and the record of the CCF government through twenty years, and we are prepared to meet the electors at any time, on any of these boundaries, but naturally I will be voting against the measure which is before the house.

Mr. J. E. Brockelbank (Saskatoon City): — Mr. Speaker, I had not intended to take part in this debate, but upon the iniquitous remark of the Minister of Agriculture, (Mr. McDonald) about the house amendment that he intended to bring in, coming so hot on the heels of his little lecture about principle, really shocked me. I think my seatmate from Saskatoon has expressed himself quite well on this particular point.

I want to say that I came upon this little bird quite by accident. I wasn't thinking of this particular gentleman. I just drew some legs and some feathers on it and then I drew an eye in and I got looking at that eye and something looked familiar. I checked the directory and Herb Pinder is right in the eye. So it is quite natural, I think, that we should call it the pinderman and I would be quite willing to table this particular document as well.

Some Hon. Members: — Hear! Hear!

Hon. G. B. Grant (Regina South): — It seems that there is a lot of jealousy about my constituency, Regina South, and I cannot really blame people. I have always said that it was the best constituency in the province and even with what we have before us, it is still a pretty good constituency.

An Hon. Member: — It ought to be.

Mr. Grant: — I am a little disillusioned about the hon. member from

Regina West (Mr. Blakeney). I have always had a great respect for his powers of reasoning. I think he is very capable in this regard. I have some questions in my mind, as to whether he is reasonable and fair. I think today he has demonstrated that he is not reasonable and fair by making reference to my stand on the ward system as suggested for the city of Regina.

Yes, he is right. I am against the ward system for the city of Regina, but I do not think this is any argument for him to propound, to criticize my attitude on this redistribution. I do not think there is any relationship whatsoever, even the hon. member for Saskatoon says there has been no demands from the aldermanic candidates or the mayoralty candidates in Saskatoon, for a ward system or the carving up of a city. The reason in each case is separate and distinct. The hon. member from Regina West (Mr. Blakeney) knows perfectly well that this is true. The argument for divided seats in the city on the provincial level is entirely different from those on the civic level. Heaven forbid, poor Henry Baker, would have to preside at the city council with all the bickering that would go on from five or six wards on a civic level.

Mr. Walker: — Poor Ross Thatcher.

Mr. Grant: — Another thing the hon. member from Saskatoon (Mr. Nicholson) mentioned that the weekend count for Saskatoon was 114,000. I guess we had better get busy and start counting here each weekend, because Saskatoon seems to go up every weekend. I do not know who makes that count but it sure is going up fast.

Hon. D. Heald (Attorney General): — Mr. Speaker, far be it from me to add to the profound words of wisdom which have been uttered on both sides of the house insofar as the boundaries are concerned. They are only of academic interest to me, but I would like to make one or two comments with respect to the proposed amendments in respect of MLA's in expropriation of land. I would point out, in the reading of this proposed amendment, that I do not agree with the hon. member from Regina West that there isn't ample protection here for the public interest, in the case of an MLA being expropriated.

The type of case that is envisaged, and now, of course, I do not disagree that it could happen — that there could be a very large expropriation, but the thing that brought this to our attention was the fact that there may be some MLA's living in the rural areas where a highway goes through their land and they are expropriated an acre or two, or three, or four, or five, or six acres, and the position under the law then is, that there has to be a mandatory expropriation. It was felt that in these cases it might be unfair to expose the MLA to a mandatory expropriation involving two or three acres where the monetary amount involved might only be \$200 or \$300 to put him through the expense of going to an expropriation in these circumstances. It was felt that where there was agreement between the expropriating authority and the MLA, there would be sufficient protection for the public interest to provide that a judge would have to certify in writing that the amount of the compensation was fair and reasonable. I have no doubt at all, I am completely confident that this protects the public interest, because there is no judge who is going to certify that the amount is unreasonable where this is not the fact. He is going to certify it and he is going to satisfy himself before he certifies it that it is reasonable.

The other amendments which we passed in this legislature enable judges to hire appraisers and so forth — the judge has all the machinery available to him. If he is not satisfied as to the appraisers who do come before him, regardless if the amount is being reasonable, he can engage other appraisers and will, I am confident, satisfy himself that the amount certified is reasonable. So this is the protection for the public interest. However, if there is any question about this, we are certainly agreeable to considering, or looking at, or to proposing an amendment in committee which will make it crystal clear that there is no possibility at all, of an MLA taking advantage of the fact that he is a member on the government side, and may be able to exert undue influence on the expropriating authority. This is not the intent. It was simple to put an MLA in a position where he had a few acres expropriated, where he wouldn't have to go through the courts. This is the intent of it. We will submit amendments to make it crystal clear that this is the situation.

Mr. J. H. Brockelbank (Kelsey): — Mr. Speaker, I would like to make a few remarks in regard to this bill before it is dealt with. I agree with the member for Regina West (Mr. Blakeney) in regard to members of the legislature and sales of land

to the government and I am not impressed by the remarks made by the Attorney General (Mr. Heald) just now, on this subject.

Members of the legislature, as the member for Regina West (Mr. Blakeney) said, by virtue of the fact that they are elected, must accept some disability and it is very little. There is no expense for a member if the government wants some of his land to proceed with getting it by means of expropriation. He doesn't have expense and he doesn't have trouble. All he has to do is sit tight and do nothing about it, and make no agreements whatsoever. But the more we open this up to allow members to make agreements with the government, the more we open it up to possibilities that some time there might be something wrong. Though this province has been particularly free of anything like that, we can see in other places that there has been a good deal of funny business go on in regard to land transactions. I do not think that we should give them a chance to start here.

The house amendment which the minister mentioned, is, I think the most wicked proposal that I have heard for a long time. I cannot help but think, why didn't the government propose, Mr. Speaker, that if there is a vacancy in one of these cities, they just pass an Order-in-Council filling the vacancy.

An Hon. Member: — Never thought of it.

Mr. Brockelbank (Kelsey): — It is obvious that the only reason they did not do that, they did not have enough never to try that one. But for the government to usurp the authority to determine what part of the city of Saskatoon or Regina or Moose Jaw, the member may have represented, is completely ridiculous. He represents the whole constituency and it is the whole constituency who should fill the vacancy, and this should remain until there is a general election. We can wait the necessary three or four years until there is a general election to have the new constituency boundaries applied. The constituency boundaries have received a good deal of attention, and it is extremely obvious that the government has no interest in putting citizens of our cities on approximately equal basis, in regard to their power to elect members to the legislature.

There is logic in the argument that it should take more people in the city of Regina to elect a member than it takes in the constituency of Athabasca. There is no logic in the argument that in Regina West it should take twice as many people to elect a member as it takes in Regina South. This will be recognized all over as the worst kind of gerrymandering that could be committed. Liberal members, Mr. Speaker, in this province in years gone by, made speeches recommending that the question of constituency boundaries should be referred to a commission. They did not convince the government of the day that this should be done. I am very glad that we never attempted anything like we have got before us today.

Some Hon. Members: — Hear! Hear!

Mr. Brockelbank (Kelsey): — The Liberal party at Ottawa has apparently reformed and the Liberal government at Ottawa, which is a newly elected government, has appointed a commission which is composed of a number of commissions actually, across Canada to do the job and make recommendations to the House of Commons in regard to the distribution of the seats of the House of Commons. I think that under these circumstances, we could take a very hard look at that proposal. We now have in this province, a commission consisting of a judge, the Clerk of the Legislature, and a professor of the university. Certainly this type of a commission should be able to do a fair and objective job in setting up constituencies within the province of Saskatchewan.

This Liberal government here, Mr. Speaker, is also a new government. It is not yet a year since the election. There is lots of time to take the necessary steps to see that a good job is done in redistribution. I for one, am in favor of doing a good job on this because I believe in some of the things which the minister said when he moved second reading of this bill. I do believe that we should arrange these things as near as possible so that each citizen has approximately a similar affect when it comes to the election of members of the legislature and consequently the election of a government.

The arguments of the Minister of Highways (Mr. Grant) against the ward system in municipal affairs and for it in provincial affairs, is a bit ridiculous, but he doesn't seem to have any trouble in supporting things that are ridiculous, so we have him supporting two opposites.

I think that, as I said before, that we should take this opportunity to do the best job we can on redistribution. I am going to move, seconded by Mr. Nollet,

That all the words after the word "that" be deleted and the following substituted therefor:

"in the opinion of this Assembly, the government should give consideration to the appointment of a Royal Commission, similar to the federal Electoral Boundaries Commission for Saskatchewan, and to refer to such Commission all matters respecting the redistribution of provincial constituencies."

Now, Mr. Speaker, this amendment means that we would not now be proceeding with this bill but there really is nothing in this bill that is of great urgency at all, and there is no need for any talk of an election in the province of Saskatchewan. We had one within the last year. For another two, or three, or four years there will be plenty of time for such a commission to do a good job. I did not, in the amendment, name the commission that has been appointed by the federal government, but certainly if this commission would agree to it, as far as I am concerned, that would be a good commission to get to do this work. They will undoubtedly have a great deal of information which it was necessary for them to gather in the work they have to do for the federal parliament. Much of this, the population and all this sort of thing, would be of use in deciding the whole question of redistribution within the province of Saskatchewan for provincial affairs. I think that the house should give very serious consideration to this amendment.

Mr. Speaker: — Debate continues on the amendment.

Mr. W. E. Smishek (Regina East): — Mr. Speaker, I rise to support the amendment.

I am convinced, Mr. Speaker, that only through the establishment of a commission can we get a fair and equitable basis of redistribution in the province. Anyone who has taken the trouble to study in some detail, the kind of gerrymandering that the members opposite propose in respect of Regina, will certainly have to agree that the members opposite cannot be relied on to bring any fair basis of redistribution in the legislative seats.

There is really no justification whatsoever that this kind of a massacre should be undertaken at this time. The people of Regina have not requested any kind of change. The people of Regina, I think, are satisfied with the two and two and one and one formula that we had in the last election. I think that the last redistribution provided for proportional representation. There was one constituency with approximately 11,000 in a single seat; one about 23,000; the other one close to 24,000. There was an area where people understood what constituency they lived in. There was rhyme and reason for the formula.

Mr. I. H. MacDougall (Souris-Estevan): — What reason?

Mr. Smishek: — Now, Mr. Speaker, I am not opposed to the idea of creating single seat constituencies. But Mr. Speaker, it is certainly a most unfair proposition where in one constituency you will have 7,500 people represented by a member and in another constituency, a member to represent 16,000 people. What justifies this kind of an unfair proportion?

Mr. Speaker, if there is any need for any changes in Regina at this time, I think that it is only fair that there would be some changes. If it is the wish of the government that every constituency be a single seat constituency then they certainly should divide the areas on the proper population basis. I would also suggest that in the last two years the city of Regina has grown in excess of 10,000 people and that there is probably good justification for creating seven seats. But, Mr. Speaker, the kind of gerrymandering that has been resorted to is completely unfair and the only fair way that we will have a proper redistribution and a proper population allocation, is through a commission. Mr. Speaker, I therefore, will be supporting the amendment and will be opposing the second reading of the bill.

Mr. E. Whelan (Regina North): — Mr. Chairman, I was pleased when the . . .

Mr. A. R. Guy (Athabasca): — Yours is safe.

Mr. Whelan: — . . . when the principle of single member seats was introduced by the government. There may be others who differ and perhaps a royal commission might be the way to decide what is best. But I was also quite upset when I read the section regarding the agreement that members might enter into while they were members of the legislative assembly.

Certainly, in considering this portion of the bill before us, a royal commission might examine every aspect of the amendment before we adopt it as a legislature. I also thought that the introduction of the house amendment without an opportunity to study the possible situations that might arise, was the sort of thing that could be referred to a permanent commission that would be studying the allocation of boundaries.

In looking at the map that is before us, I think the hon. member for Regina West did a fairly good job of outlining some of the problems that you run into and some of its inadequacies. I look at Regina City as an area with approximately 72,000 voters. This means there should, if you follow through the six members allocated to Regina, there should be approximately 12,000 voters for each member. If you use Albert Street as a main boundary, and this is one of the things that the map does to some degree, I think you would find that half of the people of Regina live on each side of Albert Street — and this is something that a commission might look at, half of them live on each side of Albert Street.

If you had three ridings on each side of Albert Street you might also, when the time comes around and the people of Regina feel that they need a ward system, you could have three wards on each side of Albert Street. If the time arises when we have enough population to have two federal seats, again a commission might have a common boundary in Albert Street. This is the sort of thing that a commission of this sort should look at. I believe that if you look at the boundaries for Regina Centre and try to decide how anyone came to this conclusion, about all that you would say is that the boundaries resembled the trail of an intoxicated caterpillar because first they are on a road and then they are on a bit of a railroad track and a lengthy piece of railroad track and then a street and another street and finally they end up on a railroad track. I believe that a commission would never, under any circumstances, draw this type of boundaries for a riding. Even a commission that might be politically prejudiced would work it in the best interests of locating the boundaries for the voter who had to find his candidate in the right poll during election time.

In Regina city, we are getting used to the terrible results of a Liberal gerrymander. We have been living with one federally for a long, long time. We had a gerrymander away back in 1952 that was set up with a Liberal riding locked inside the centre of Regina city, surrounded by a federal riding of Moose Jaw Lake Centre. Moose Jaw Lake Centre was represented by the right hon. John Diefenbaker. The objective of that gerrymander was to make sure that the Liberal candidate in Regina was elected and that Mr. Diefenbaker was defeated. Well, what happened was, and I use this as a word of caution to members opposite, the Liberal member was defeated and the Rt. Hon. John Diefenbaker went on to become the Prime Minister of Canada.

They say, perhaps, that we have been guilty of gerrymandering but if you look at the overall results, what is the picture? Right in this legislature sitting today, we have one hundred more votes than members opposite. When you count up the Hanley by-election, that is exactly right, one hundred more. One hundred more. That is what we have. And what is the picture? Well, make it five hundred if you like, but we have more votes than the members opposite and if we were gerrymandering, we sure did a bad job of it because they have six more members than we have.

Now, if the situation had been exactly the opposite, can you imaging the screaming that would be coming from the people who had the twenty-six, if they happened to be the Liberals? I think, Mr. Speaker, that in the present bill that is before us, the case for the royal commission is good. The boundaries are difficult to follow. We have one riding with 7,500 people in it; another riding with more than twice that number. Then again, there is the problem of how to arrange an agreement for the sale of land by a member. This is something that should be studied by a commission of this sort.

If the federal government feels that there should be a royal commission to establish boundaries and if the members opposite, when they were in opposition, wanted a royal commission to establish boundaries; and if we are going to be presented with the sort of thing where there is 7,500 members

in a riding in the city and 15,000 in another; then I say, Mr. Speaker, that the case is crystal clear for a royal commission to study redistribution.

The amendment was negative on the following recorded division:

Yea — 21

Brockelbank (Kelsey)	Nicholson	Snyder
Wood	Kramer	Brotan
Nollet	Dewhurst	Larson
Walker	Berezowsky	Brockelbank (Saskatoon City)
Blakeney	Michayluk	Pepper
Davies	Smishek	
Willis	Baker	
Whelan	Wooff	

Nay — 31

Thatcher	MacDougall	Bjarnason
Howes	Gardiner	Romuld
McFarlane	Coderre	Weatherald
Boldt	McIsaac	MacLennan
Cameron	Trapp	Larochelle
McDonald (Moosomin)	Grant	Asbell
Stewart	Cuelenaere	Hooker
Heald	MacDonald (Milestone)	Radloff
Guy	Gallagher	Coupland
Merchant (Mrs.)	Breker	
Loken	Leith	

Mr. Speaker: — I must draw the attention of the members to the fact that the mover of the motion is about to close the debate. If anybody wishes to speak, he must do so now.

Mr. McDonald (Moosomin): — Mr. Speaker, in closing the debate, I only want to refer to some of the arguments by my friends opposite.

In the beginning, I would like to refer to some of the arguments advanced by the senior member for Moose Jaw. When he first stood in his place in this debate, he wanted to know why this bill had been brought in so late in the session. Well, he must have a very short memory, because I want to ask him when he sat in government, only a few years ago, 1963, and this same legislation was amended, when did they bring it into the house?

Mr. W. G. Davies (Moose Jaw): — . . . on the 48th day.

Mr. McDonald (Moosomin): — On the 48th day. I will tell you when you brought it in. You brought it in on the last day. The last day of the session, on April 5th, 1963, and that is the day that the house prorogued. So, if my friend (Mr. Davies) wants to know why this legislation comes in late during the session, I think . . .

Mr. Thatcher: — They had twenty years to do it.

Mr. McDonald (Moosomin): — . . . I think my friends opposite realize that this type of legislation is better prepared when members of the legislature are available for discussion. It is a matter that affects most members and it was our wish that our own members should be consulted frequently and often on this question. We have no apologies for bringing it in at this date. I think if you go back and look at the records, not only in 1963, but for the past twenty years at least, when this type of bill was brought into the house, it was brought in late during the session.

Then my hon. friend from Moose Jaw (Mr. Davies) said that the government had one thing in mind and that was the survival of this government. Mr. Speaker, this government does not need to bring in a redistribution bill

in order to survive. This government arrived here under a redistribution bill that was gerrymandered by my friends opposite and we can stay here under that bill but we have brought this bill into the house in order to straighten out the iniquities that were placed in this act by my friends opposite. My friends opposite, why did they redistribute Regina into two double and two single-member constituencies when they left Saskatoon as one constituency? Do you know why, Mr. Speaker? Because if they had not gerrymandered it they would have lost every seat in the city of Regina.

Some Hon. Members: — Hear! Hear!

Mr. McDonald (Moosomin): — And if they had divided Saskatoon into constituencies they would have lost fifty per cent of the constituencies in Saskatoon. This is why my friends opposite gerrymandered this act in this legislature in 1963.

The purpose of this government is to give the people of Saskatchewan equal voting opportunities and no other purpose.

Then my friend referred to Moose Jaw and he said, "Well, how can you call it fair when one proposed constituency in Moose Jaw will have 12,000 votes and the other constituency will have about 8,000? This is true. But I think my hon. friend realized that by 1968, which would be a normal election year, that the population in those two constituencies in Moose Jaw will be virtually even. The one constituency, Moose Jaw South, has very little potential to growth, but Moose Jaw North has every potential and I predict that by 1968 that the population of these two constituencies will be virtually even.

Then, my friend objects to having two political units in Moose Jaw. Well, the logic of his idea would be that if one political party won a majority of the votes in a general election then they should have all of the members in this house — that there should be no opposition at all.

Mr. Davies: — That is sheer nonsense.

Mr. McDonald (Moosomin): — It is not sheer nonsense. This is the logic of your argument. You ask why should we have two political units in Moose Jaw? For the simple reason that for many, many years, close to fifty per cent of the people wanted some other representation in Moose Jaw and could not get it because of the gerrymandering that you and your government did.

Some Hon. Members: — Hear! Hear!

Mr. McDonald (Moosomin): — To carry my friend's argument to the extreme, does he suggest that larger centres like the city of Toronto, the city of Montreal, the city of Winnipeg, should have no one represent them in the legislatures in the House of Commons other than Liberals? This is the logic of your argument, and Mr. Speaker, it is utter nonsense.

Then my friend went on and said there has never been any request for this dividing up into single member constituencies in the cities. Mr. Speaker, there has been a constant stream of people demanding . . .

Mr. Davies: — Mr. Speaker, I do not want to interrupt the hon. gentleman but I did not refer to the other cities. I was referring to Moose Jaw, as he is well aware.

Mr. McDonald (Moosomin): — Well, I am referring to Moose Jaw as you ought to be well aware if you would listen rather than trying to make a speech. There has been a constant stream from the city of Moose Jaw . . .

Mr. Brockelbank (Kelsey): — On a point of privilege. I am sorry I had to delay but I was sure that the hon. member was wrong and I know he would not want to be misleading anybody. But in 1963, the bill to amend the Legislative Assembly Act got first reading on March 27th. It got second reading on April 2nd, not on April 5th as the member said, and on April 5th it was in committee and got third reading.

Mr. McDonald (Moosomin): — And this is exactly what I said.

Mr. Brockelbank (Kelsey): — No, it is not what you said.

The last day, you said, and Mr. Speaker, when the house prorogued.

Mr. McDonald (Moosomin): — The bill was introduced and given first reading on March 27th . . .

Mr. Speaker: — Order! Order! We cannot have a ragged debate like this going on. The member has made his speech. The member is closing the debate.

Mr. McDonald (Moosomin): — Certainly. On March 27th, nine days before the house prorogued, the bill was given first reading. Correct.

Mr. Brockelbank (Kelsey): — You didn't say that.

Mr. McDonald (Moosomin): — On April 2nd, two days before the house prorogued, it was given second reading. On April 5th, the final day, the bill was given third reading.

An Hon. Member: — Steam rollers.

Mr. McDonald (Moosomin): — There is absolutely no difference in this procedure and the procedure that we are using right here. But if my friends do not like, I haven't even got started yet.

Then, let us refer to the statement of the senior member from Moose Jaw (Mr. Davies) that there has never been any request. I would not expect that his supporters would make requests. They had a cozy little arrangement. But the hundreds and thousands of people who did not like it have been requesting, not only since the new government came into office, but they have been making this request for many years, that this city should be divided into two constituencies. As a matter of fact, ever since they were given dual representation.

Then his cohort, the junior member for Moose Jaw (Mr. Snyder) repeated the same statement. I want to say to him, that I would not expect his supporters to request a change. They had a cozy, neat little arrangement, a gerrymander, that they themselves prepared for themselves.

Mr. Davies: — Mr. Speaker, may I ask the member what evidence he has to present to this house to justify his statement.

Mr. McDonald (Moosomin): — I have the exact same evidence to submit to this house that you can submit that there was not.

Then my friend also went on and he made the statement that there were some Liberals in Moose Jaw who withdrew their membership when the present Premier became the leader of the Liberal party. Mr. Speaker, the Liberal party has more paid-up memberships today than ever in its history. And a great credit must go to the Premier of this province. I know many scores of CCFers that have given up their membership in the NDP or the CCF since the 22nd day of April last, and there is more of them every day.

Let us proceed to what some members from the city of Regina have to say. The first member that took part in the debate, the senior member for Regina West (Mr. Blakeney), and his concern for that part of the legislation concerning the sale of land by members is a concern that I also have. I am sure that members in this house on both sides, will agree with me when I say that if I thought for one moment that a member on either side of the house could take advantage of this legislation, I would not support it. And you can groan and grunt all you like but any member that has sat in this house . . .

Mr. I. C. Nollet (Cut Knife): — What did you put in for?

Mr. McDonald (Moosomin): — And you ought to know better too. Instead of sitting there and grumbling in your beard, why didn't you make a speech when you had the opportunity. You make more speeches sitting down than you do standing up.

I want to repeat, Mr. Speaker, that if I thought any member in this house could possibly benefit from this legislation, I would not support it.

Then my hon. friend from Regina West (Mr. Blakeney) had some fun, and I don't blame him, because he is going to be hard pressed to find some place to run, even with a couple of those jobs in there, but you know, Mr. Speaker, that map looks pretty good to me . . .

Some Hon. Members: — Hear! Hear!

Mr. McDonald (Moosomin): — . . . especially when I compare it to some of the maps that my friends opposite produced. When I think of the maps they drew in order to keep the ex-Attorney General (Mr. Walker) in this house. That was a dilly! They had half the good CCF areas of the city of Saskatoon put into a rural constituency. You will find . . .

Mr. R. A. Walker (Hanley): — On a point of order, Mr. Speaker, if the hon. member is purporting to reply to something I said. I said nothing at all and there was no change in the boundary between Saskatoon and Hanley since 1958.

Mr. McDonald (Moosomin): — I never referred to a remark that the ex-Attorney General (Mr. Walker) made. Not one. But as I say, I think that is a pretty fair redistribution. I think it will give the citizens of Regina the opportunity to vote for the candidate in their area that they think can serve them the best.

Then there was some reference made to the fact that each one of the proposed constituencies will not have the same number of votes in it. This is correct. But let us review the six constituencies that were made provision for in this bill.

An Hon. Member: — You have four minutes.

Mr. McDonald (Moosomin): — Well, I can't finish in four minutes. One, two, three, four, five, six — here we are.

Regina Centre will have approximately 10,500 votes and I do not expect anyone will think Regina Centre can grow in the future. I would think that its population will remain virtually at 10,000. Let us go to Regina Northeast. The population of the 12,400 again has not too much chance to grow.

Mr. Blakeney: — Oh no!

Mr. McDonald (Moosomin): — Now, just wait a minute. When you view what is lying on the outside boundaries of Regina Northeast, I would doubt that it is going to have much growth in the very near future.

Let us turn to Regina Northwest. I think this area has a good chance to grow.

Let us turn to Southeast. I don't think there is very much potential for this area to grow. You run into the university and the highway.

Regina Southwest — again, there is very little opportunity for this area to grow.

But when you look to Regina South — the reason that Regina South only has about 7,500 or 7,600 today, is that this is the area that we expect will grow most rapidly and the real estate people in this city tell us that by 1968, Regina South will have a population of 12,000. Now, in the light of this advice, it would have been foolish to have made provision today to put 12,000 in a constituency that within four years or within three years would have 24,000 people living in it.

Then my friend opposite, the member for Regina West (Mr. Blakeney)

said that this was Duplessis tactics. Mr. Speaker, we have had Duplessis tactics for the last twenty years by my friends opposite, carving up constituencies so that they could elect CCFers and NDPers to this house. It's about time that some legislation was passed in this house that gives all the people of Saskatchewan an equal opportunity when it comes to voting.

Some Hon. Members: — Hear! Hear!

Mr. McDonald (Moosomin): — Then my friend from Regina East, his worship the mayor, (Mr. Baker) said that he was pleased. Well, I think he and the member for Regina West (Mr. Blakeney) should have gotten together. I think the reason that the member for Regina East was pleased is that there is a possibility he may survive. But there is not any possibility of the Regina West member surviving. He seems to think that the amendments to this act are going to give the party that sits opposite some added strength in the house. Mr. Speaker, if that were the case, the gerrymandering that took place here in 1963, would never have taken place. This will make it possible for the citizens of Regina, in single constituencies, to elect the member that they want to represent them in this constituency, or that constituency, or any other, not only in Regina, but in the whole province.

Then, before the member for Regina East took his seat he wanted to know if in any general redistribution in the future, if the cities would be taken under consideration. My answer to that as far as I am concerned, I would hope so. I would hope so that in any general redistribution of the whole province we should consider all of the urban and all of the rural areas.

I want to turn now to the senior member for the city of Saskatoon (Mr. Nicholson). The first thing he asked for is six members in Saskatoon. Well, if you are going to have to put six members in Saskatoon, you will have to put seven in the city of Regina. The government did not feel at this time that the populations of these two cities warranted more members than they presently have in this house. Then he went on and complained about the house amendment which I had given notice would be introduced when the bill gets into committee, that it should not be introduced at this time. Mr. Speaker, there are certain inequities in the old act which we want to remedy as soon as possible and this house amendment will do that. Supposing that a vacancy did become open in the city of Saskatoon, why should close to 70,000 people or voters have an opportunity to elect a member to this legislature, when every other constituency in Saskatchewan, with the exception of Saskatoon, Regina and Moose Jaw, does not have this opportunity. The people in Saskatoon are just as good as those that live in other parts of the province, but I suggest to you, they are no better.

The assembly recessed at 5:30 o'clock p.m.

Mr. McDonald (Moosomin): — Mr. Speaker, when we called it at 5:30, I had been making a few remarks in closing the debate on bill no. 89 — An Act to amend The Legislative Assembly Act, and I had some things to say about the remarks of the speaker from the city of Moose Jaw, and the city of Regina. I was referring to the request of the senior member from Saskatoon (Mr. Nicholson), to have that constituency membership increased to six, rather than five, and I had said that if this were done, I think we would in all fairness, have to increase the number of members from the city of Regina to seven, but I doubt if the population of the cities of Regina and Saskatoon, compared to the rest of the province at the moment, would justify this change. However, if these two cities continue at the rate that they have, and I am sure that we all hope that they do, then in all probability this is going to have to be done in the not too distant future.

Then I had referred to the fact that supposing there was a vacancy in the city of Saskatoon for some reason or another. To have the entire population of that city vote on an election of a member would be hardly fair in view of the fact that it would give something between 65,000 or 70,000 people the opportunity to elect a member to this legislature, and of course, the average constituency has nowhere near that number of electors in it. So I think that it would be more fair to have one of the constituencies declared vacant or to leave the seat vacant, until a general election was held.

I had also referred to the fact that Regina South is a small constituency at the moment. But those people involved in real estate in our city tell us that this constituency will probably have something in the neighborhood of 12,000 in it by 1968.

I would like not to turn to the remarks of the member for Kelsey

(Mr. Brockelbank) when he spoke in this debate, and I hope you will not call me out of order, Mr. Speaker, when I refer to a Boundaries Commission despite the fact that an amendment has already been defeated in this regard. But you will recall that the member for Kelsey (Mr. Brockelbank) referred to independent commissions before he moved his amendment and it is only in answer to his arguments that I would like to speak.

It is quite true that when the parties represented in the house at the moment were in reverse, that is, the Liberal party was in opposition and the CCF party was in government, we got down on almost bended knees and asked the government of the day to do the very thing that they are now advocating. But the government of the day refused an independent commission, and it is true that an independent commission has been set up to bring in redistribution as far as federal constituencies are concerned. Perhaps the day will come when independent commissions are going to do this job — not only in the nation but for the provinces as well. I think that when that day arrives, it will be a good day for Saskatchewan and a good day for Canada, because it seems to me that the proper way to deal with redistribution is with an independent commission. However, this is not a general redistribution that we are dealing with at the moment. It is merely trying to make the same conditions prevail in our three largest cities that prevail in other parts of the province.

I would like to remind my friends opposite, that if the system that they are defending has been in effect in the city of Regina last April 22nd, then this city at this moment would have six Liberal members sitting in this house. I want to remind my friends opposite that if you take into consideration the fact that everyone who voted in Regina West and Regina East voted twice, then the Liberal party won the city of Regina with something over 2,000 votes in which would have meant if we had had the same set-up here as we have in Saskatoon, or had in Saskatoon to this moment, then we would have had six Liberal members sitting in the legislature representing Regina at this time.

Some Hon. Members: — Hear! Hear!

Mr. McDonald (Moosomin): — I cannot refer to what the member for Regina West said because he was speaking on the amendment.

This concludes the remarks that I prepared while my friends opposite were taking part in the debate on second reading. I do hope that the amendments we are making will suit the needs and the wishes of the people in our three cities, and it seems to me that it is much fairer to give them the same voting privileges and rights as people in other parts of the province, and I think that this system is coming into being and not only in Saskatchewan but in other parts of Canada as well. I am sure that you will recall, Mr. Speaker, that many of our large cities, at one time, were one constituency electing numerous members. Most of the cities across Canada have been divided into constituencies, and one can only think of some of our larger cities in Canada today, and if they were dual or plural member constituencies, one could see what would happen. Supposing some of our larger cities, Toronto or Montreal, were one large constituency electing anywhere from 15 to 20 members to the House of Commons, and many more than that, to their provincial legislatures, what the situation would be.

We need not go that far away to find a good example. If we go to the city of Winnipeg, and if we allowed the citizens of Winnipeg to elect more than fifty per cent of the members of the legislature in that province, from one constituency, I do not think, Mr. Speaker, it would be very logical. This is what we are approaching in Saskatchewan unless we take the move that we are suggesting at this time. With those few words, Mr. Speaker, I will move second reading.

Some of my friends prepared notes for me that I thought I might use but in view of the length of them, I do not think that I will.

Some Hon. Members: — Hear! Hear!

Motion agreed to and bill read the second time.

ANNOUNCEMENT RE BILL NO. 86 — AN ACT TO AMEND THE TRADE UNION ACT

Hon. L. P. Coderre (Minister of Labour): — In view of the statement that was made in this house on Saturday morning by the Premier, I move that the order be discharged and the bill is withdrawn.

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. McDonald (Moosomin) re **Bill 87 — An Act to amend The Liquor Licensing Act, 1959.**

Mr. E. I. Wood (Swift Current): — Mr. Speaker, while this was before the house on Saturday I said that there are some things in these amendments of which I approve and I can repeat them again. There are several amendments here which make good common sense in this bill. Those in regard to the changing of the meaning of the word "elector", and some of those regarding allowing the family of the licensee to be able to work around the premises when the premises are closed. I think some such as these make good common sense and there is no reason why they should not be passed.

But there are a good many other sections in this act for which I do not have the same sentiments. I think that this is, very plainly, a Liberal document.

They are proposing herein to liberalize the liquor law of Saskatchewan. I think that in many of the sections they actually relax these laws to quite an extent. One section deals with the number of seats in beverage and cocktail rooms, increasing the maximum seating from 100 to 150 in beverages rooms, and 60 to 100 in cocktail rooms. I think this in itself, will have a very widening effect upon the amount of liquor that is consumed in Saskatchewan. It was earlier than this that all the places serving intoxicating liquor were closed on election days (federal, provincial and municipal elections, and also in regard to plebiscites on liquor outlets in option areas, but now these will be opened after the hours of voting. I do not see why they have not remained with the federal laws in this regard. I think there is ample reason why these places of serving liquor or beer should remain closed all day when the elections are held. I think it is just a little too handy to be able to pay off election bets or what have you, some obligations that are possibly not bets, on the evening of the election. This in itself, with the feeling that is abroad on election day, is going to mean a good deal more liquor is going to be consumed on election day than there ever has been in the past. And that is saying something, Mr. Speaker.

It also would allow liquor to be sold in restaurants and dining rooms with meals, on those days, and this includes Sunday. I think that this is something that we should really take a look at. This act, as it is now worded, allows the selling of liquor with meals on Sunday as well as other holidays. This I think is a step that is entirely unprecedented in this province and I am quite sure you might go a long way to find the same law in other provinces.

Mr. McDonald (Moosomin): — Mr. Speaker, I wonder if I could just inform the member that it is my intention to move a house amendment to remove section two of 119. Just for your information.

Mr. Wood: — If you proposed to remove these in total, are you going to remove the whole section? This would indeed remove the section which I am speaking of and it would also remove the opportunity for people to have a drink with their meals on any of these days that are mentioned, which I think is probably the more appropriate, if I may say so, and I wish to thank the member for taking that action because I think it would go a long ways to improving that section.

But to progress a little further, this bill allows waitresses in beverage and cocktail rooms, which has not been the case previously. I suppose it is a little difficult to argue against this in some ways, but it is certain that it will improve the décor in many of these places, but I think also, it undoubtedly will increase a good deal of the interest in regard to beverage and cocktail rooms, and I think again, that you will see that this will have an effect of increasing the patronage.

It allows games and sports in clubs. I do not think this is too reprehensible, depending, if I may say, upon the definition of the word "sport". I am sorry our hon. member from Hanley (Mr. Walker) is not here tonight. He might be able to give us some definition on this. But apparently, the hon. Minister of Agriculture (Mr. McDonald) has been saying something on this, and it is my understanding that he has intimated that some of the entertainment that may be provided in some of these places may be quite spectacular. I will say this again, in regard to the having waitresses in these clubs, this again is going to add to the interest and to the number of people who will be patronizing these outlets.

I think the whole picture in this regard, is that the liquor laws in Saskatchewan will indeed be greatly relaxed and a good deal more liquor will be sold in this province as a result of these amendments to the act. I am not one that is going to argue with a man's right to have a drink. I do not think any of the members of the house have ever heard me say anything along these lines. In fact, when the hon. member to my right, the hon. member from Hanley (Mr. Walker) and the hon. member for Moosomin (Mr. McDonald) were together on the Liquor Committee which was set up in 1958 to discuss some of these things, I think that they will say the same thing. I have always maintained that what people do in this regard, is their own business. I think hon. members of the house, as well as yourself, Mr. Speaker, will agree with me that liquor is harmful; that the overall effect is not good; and the overall effect of increasing the consumption in the province is not going to be good for the province. Even those of us who do patronize the outlet to some extent, will agree with me on this. I do not think anyone in the province will be prepared to say that the use of more liquor in the province, is going to be good for the province. Perhaps in a financial way it is good for the government, but it cannot help the province.

The Attorney General (Mr. Heald) was speaking the other day about the accident rate, and traffic safety and some of the things that he had to say, I thought were very pertinent to the number of accidents in which liquor was involved. I really think it would be very beneficial for all concerned if the hon. Attorney General (Mr. Heald) and the hon. Minister of Agriculture (Mr. McDonald) were to get together and discuss some of these things before they drew up amendments to this act, but on the outside, it is rather doubtful in appearance that they did.

These things to which I refer, the relaxing of the regulations in regard to the sale and consumption of liquor in the province, does not appear to me to be the more reprehensible portions of this act. I note very clearly that the position and the authority of the commission, the Liquor Licensing Committee, has been seriously undermined. When this Liquor Licensing Act was first drawn up, the Liquor Licensing Committee was appointed for five years. Now, this has been changed. They are no longer appointed for a term of five years. They are appointed to hold the term at the pleasure of the Lieutenant Governor in Council.

When we were dealing with the liquor license of this province under the committee which was set up in 1958, the hon. Minister of Agriculture (Mr. McDonald) will remember very clearly, item 32 in the recommendations of the committee that were set out. The committee unanimously recommends that a licensing authority be established under the act and such licensing authority to be on an independent nature, that its functions be completely divorced from the commercial operations of the Liquor Board, and that it have jurisdiction over all matters pertaining to the issuance, renewals, suspensions, and cancellation of licenses.

Now, as I recollect, I would not want to be too sure on this, but if my memory serves me correctly and I think it does, I think that the hon. member from Moosomin, was one of the ones that was most insistent upon these things in the committee, and quite insistent that the Liquor Licensing Commission be independent from the government. I do not know why his thinking has changed, whether the change in government has made the difference, or whether he feels that it is quite alright for this government to be able to have the commission under their thumb and be able to dismiss them at their pleasure. I feel, no matter what government is in power, if you are going to have a commission of this type that is going to regulate the outlet and other things concerning liquor in this province, they should not be under the possibility of immediate dismissal at any time. I think this is a very poor section that is being introduced.

Again, Mr. Speaker, if I may say, with regard to the number of outlets that might be opened in any local option area, this has always been under the jurisdiction of the Liquor Licensing Commission. Indeed, anything that was on this line had to be approved by the Lieutenant Governor in Council. The hon. member from Moosomin (Mr. McDonald) has said that this is indeed the same thing. That there is actually no change here. But the fact remains that earlier, the Liquor Licensing Commission was the one that initiated any change in this regard and it was in their control. They had to have it approved by the Lieutenant Governor in Council. But any change in regard to the number of any type of outlets in an option area, had to be initiated by the Liquor Licensing Commission. Now this has been taken away from them entirely and placed directly on the Lieutenant Governor in Council. I think it is a very backward step — the saying of whether or not a certain outlet may be opened in a town or city is directly a matter of political decision. I think this is very poor indeed, irrespective again of whatever government may be in power. I just cannot quite understand why the govern-

ment should feel that it was incumbent upon them to make such a change. Were they afraid that the commission might not be Liberal enough? They might not open enough outlets to suit them? Or they might not initiate action in regard to this in enough places? At any rate, this is what is prepared for us in this act and I think it is a very poor decision to make indeed. Again, the same thing was said in regard to the times of opening. This has been directly under the control of the commission. Now it is being taken from the commission and put directly under the control of the Lieutenant Governor in Council. Again, taken out of the hands of an independent commission and put into the orbit of politics and I think this is poor.

It is quite probable, Mr. Speaker, that this bill will be popular with the liquor interests. Just how popular it is hard to say, or just what monetary value they might be prepared to place on it, I would certainly be in no position to guess. But I don't think it will be as popular with other people in the province. I think thinking people throughout the province everywhere will say that this is a backward step. The hon. Minister of Agriculture (Mr. McDonald) the other day, said that they had to advance with the times. I am afraid that this is not advance. I cannot see that opening up the liquor laws in this way is valuable at all.

I notice in the Winnipeg Tribune of April 8th, there is quite a long article here in regard to some changes that are proposed in the liquor laws in Manitoba. I notice there that the Liberal party is talking very much in the vein of which I, Mr. Speaker, am speaking tonight. They are against the change — they say it will be harmful to the province. The Liberal party in Saskatchewan is taking the attitude that the ban should be off and that liquor should flow a good deal more freely than what it is at the present time. This I am afraid, I cannot support.

There is another item that I would like to draw to the attention of the house just for a minute. It is on page 29 of the report of the inquiry of 1958:

That recognizing abuse of alcohol as a social evil, the committee seeks to inject a greater degree of continence in the present drinking habits, to slow the tempo of drinking and to alter the present pattern to the end that temperance and moderation may be engendered.

This was the purpose and the thinking behind the report of the Liquor Licensing Committee that was brought out in 1958, but I am afraid that that thought and those principles have gone far overboard in regard to the amendments of the act which are before us. This bill today will now change our Liquor Licensing Act in such a way that it will be hardly recognizable to that which was first passed back in 1959. And it is not, Mr. Speaker, what many of the towns and cities of this province voted in to have in operation in their towns and cities when they voted on these outlets. I am afraid that this will lead to a good deal of dissatisfaction in this regard.

For the reasons which I have enumerated, Mr. Speaker, I think that you can gather that I will not be supporting the principle of this bill.

Motion agreed to and bill read the second time.

BILL NO. 95 — AN ACT TO AMEND THE TREASURY DEPARTMENT ACT

Mr. McDonald (Moosomin): — Mr. Speaker, on behalf of the Premier, I would like to move second reading . . .

Mr. Speaker: — Just a moment. I do not think we can proceed with this by leave of the house. I just noticed this has not been standing for 24 hours. Is leave granted?

Some Hon. Members: — Agreed.

Mr. McDonald (Moosomin): — I think if the house will bear with me, Mr. Speaker, I will go into the background just for a moment to review the happenings up-to-date, with respect to this legislation and the reason that it is before the house at this moment. You will recall that in 1964 a Special Committee of the legislature was appointed to examine into and evaluate the function, terms of reference, and methods of the standing committee on public accounts and printing. A special committee submitted a report at the 1964 session of

the legislature and made certain recommendations. The recommendations contained in that report were discussed and concurred in by this assembly some weeks ago. The first recommendation of the special committee was (1) that an independent legislative auditor responsible only to the assembly, be appointed, and to this end (a) that the duties of the provincial auditor be changed to those of an independent legislative auditor, auditing the accounts of the government on behalf of the legislature after the expenditures had been made and reporting to the legislature on the results of his audit. (b) That the present duties of the provincial audit, in control over disbursement, be transferred to the Treasury Department. The provisions of this bill to amend the Treasury Department Act are designed to make the provincial auditor responsible to the legislature and to place the control of disbursement in the hands of an official of the Treasury Department, called the Comptroller of the Treasury. With this bill, we are taking the first steps in implementing the recommendations of the special committee who reported to this house some two years ago and the resolution that was presented to this house during this session and concurred in.

I would like now, Mr. Speaker, to turn to some general explanations of the main parts of the bill. I think it is fair to say that the bill has three main parts. Sections three, and four, and five, undertake the main purpose and intent of the bill in facilitating the first stage of the implementations of the report that were presented to us.

Section three of the amended bill, and this is the main part, would insert after the existing act, new sections A to 6E inclusive. The purpose of this part is to provide for the appointment of an officer called the Comptroller of the Treasury, and to define his duties. It is then possible in later sections of this amendment, and you turn to section five, to make this officer rather than the provincial auditor, responsible for the pre-audit of the accounts and the issue of all payments from the consolidated fund.

Section four, this main part repeals those sections of the present act which established the machinery for making payment from the consolidated fund and substitutes new sections, sections 52 and 57 A and B. The principle of the new sections is to make the Comptroller rather than the provincial auditor, responsible for the pre-audit of the accounts and control of disbursements.

Mr. Speaker, in simple language all I am saying is that the provincial auditor, under these amendments, will now be appointed and be responsible to this legislature. That his duties, as far as pre-audit are concerned will be taken care of by a new position commonly called the Comptroller of the Treasury. And of course, there must be sections of the act giving this new position, this new person, certain powers and responsibilities. The fact that you are now removing the auditor from the position that he has held so far into a new position where he is solely the post-audit, then there must be powers added to the act to give him the legal authority to do what he is intended to do under the resolution that passed here a few weeks ago.

With these few words, Mr. Speaker, I would like to move second reading of Bill no. 95.

Mr. J. H. Brockelbank (Kelsey): — Before the hon. minister sits down, may I ask him one very easy question? Is this bill the same as the drafts that the minister was kind enough to show us?

Mr. McDonald (Moosomin): — It is the same with the exception that some wording has been changed. The one that I showed you had been drafted by the officials of the Treasury Department and when it went into the legislative law clerks, they changed some wordings. The principle and the intent are identical and I think you colleague, the member for Regina West (Mr. Blakeney) has a copy of this. If he hasn't, I would be glad to give you one.

Mr. Brockelbank (Kelsey): — Mr. Speaker, I wanted to ask that question because I have not had time to look at this bill very seriously because, as you know, it

was only put on our desks some time today and we had a fairly busy day today with some important matters to deal with.

I am glad to see this bill introduced. I think it will provide for improvement in the ability of the legislature to scrutinize properly the public accounts of the province of Saskatchewan. I think it will be a better system to use.

There are two or three points that I would like to mention — sort of put a caveat on two or three things. I do not think this bill makes any provision, at the present time, for suspension of the provincial auditor. In the old act there is provision for suspension. The government cannot fire the provincial auditor but it can suspend him, and I believe then it has to be reported to the legislature and the legislature then decides what action to take.

What I think would be the right solution is this — I do not like the idea, if we claim the auditor is responsible entirely to the legislature, I don't like the idea of giving the government either the responsibility or the power to suspend the auditor but I do think that there must be some authority that has the right to suspend this employee because, important though he may be, he is still just a public employee. And I think that we should appoint a public accounts committee — I hope in accordance with the recommendations of the committee that studied this matter, the committee which would be a small one, and when a new legislature is elected I would like to see that committee appointed and to see that committee hold office. Not just for the session, but in between sessions and even to provide that the committee is still in office after the legislature is dissolved. This would be quite a change until their successors are appointed by a new legislature. I think the provincial auditor should have, if he is going to be responsible to the legislature, he should have a boss that is appointed by the legislature, at all times, to whom he can report and that boss should have the right, if he finds it necessary, to suspend this employee. This, I think, is the only way you can do it — that is, to have a committee that continues to be in office with authority until their successors are appointed. This doesn't mean that the personnel of the committee could not be changed during the life of a legislature. Some member who might have been on it at the start and wanted to give up that work could very well say, "I want to get off the committee" and the legislature will put somebody else on the committee. But the committee should be a constant authority.

The one other thing which I want to mention and I could mention just as well when the bill is in committee, Mr. Speaker, but for the purpose of giving the minister notice as it were, of the point that I want to raise, I want to deal with the provincial auditor. Under the old provisions, the Treasury Act made no mention of the salary of the provincial auditor. This was set by the Lieutenant Governor in Council, by the government. Of course, if we leave it that way, there is one weakness, because a government that was mad at a provincial auditor, if we may put it in such common language, could either fail to give the auditor an increase in pay when he entitled to it when other people were getting it, or could actually reduce his pay. This, I admit, seems far-fetched and will be very unlikely to happen but if we want to make this person, a provincial auditor, independent, if we want to clothe him with the greatest degree of independence, then we have got to remove any possibility of the government interfering with him, even in this way.

I would suggest that if we put in the act a figure for a salary, let it be a minimum figure, "that the auditor shall be paid a sum of not less than —" then the government could increase his salary when other employees were getting an increase. If the government failed to do that, the legislature could ask the government what was cooking, why he did not get the increase, at the next session of the legislature. But I do not think we should put it in as tied to a firm salary because we don't want to be introducing in the legislature, every year, a bill to amend this act by changing that salary.

Another thing that could be done, and this I think would work just as well, would be to provide that the provincial auditor would get a salary equal to that of the Deputy Provincial Treasurer. Now, the Deputy Provincial Treasurer, of course, is a senior financial officer, for the government; and the senior financial officer for the legislature, the provincial auditor, would be very well put on the same basis as to salary, and that of course, would be automatic. Whenever the Deputy Provincial Treasurer got a salary increase the auditor would get it. The only one point in it that might make it a little difficult, that is that if a new Deputy Provincial Treasurer is employed. He might be employed at a couple of thousand dollars

less than the former Deputy Provincial Treasurer because the former deputy had the long history in that office, and the young fellow who is starting out naturally at a lower starting salary and would climb up there. Of course, if you had a provincial auditor you would not want to reduce him at that time to a starting salary. It just might raise some complications. So I think probably the idea of putting in a minimum and this will allow the government to use a little bit of flexibility but will prevent any thought that the government might seriously persecute this individual by reducing his salary to a point where it was difficult for him to live.

Mr. Speaker, there is one point more that I want to raise. That is that I do not think we are going to achieve what we want to achieve — what we who were members of that committee want to achieve, unless we go all the way in regard to the recommendations of the committee. So this is another caveat I want to put on it that as time goes on, I want to see, in the proper sequence and at the proper time, the other steps taken to put into effect, all of the recommendations of that committee. But I will support the second reading of this bill, Mr. Speaker.

Mr. Speaker: — I must draw attention of the house to the fact that the mover of the motion is about to close the debate. If anybody wishes to speak, he must do so now.

Mr. McDonald (Moosomin): — Mr. Speaker, in closing the debate, there is just one or two things that I want to say in view of what the member for Kelsey (Mr. Brockelbank) has said to us.

We had given consideration to tying the salary of the provincial auditor to that of the deputy provincial treasurer but for the very reasons that you pointed out, we were hesitant to do it. We have an example right now where a young man has taken over as deputy provincial treasurer at a somewhat lesser salary than his predecessor but this is no reason why the provincial auditor's salary should come down. However, I have no personal objections to putting a minimum salary in. As a matter of fact, I think that would be a safeguard and we will certainly take a look at it when the bill gets into Committee of the Whole.

The suggestion you have made with regard to this committee, its life being the life of a legislature, I think is a good one. I think if members are going to do their jobs as well as they can do them, I think they must be on that committee one year after another and probably live out at least a four year term. But just how you can have this committee in existence after the house is dissolved for a general election, I am not sure. But if this can be done, I certainly have no objections to it and I do not think the government would have. Again, we will give consideration to this proposal if the mechanics can be found how it should be done.

Then, your last remarks in reference to the implementing all of the recommendations of the committee. I, too, want to see all of the recommendations of the committee that sat a year ago, brought into being but it was the feeling that this was the first steps that we must take to get on the road and was about as far as we could go during this session. I am hopeful that the Public Accounts Committee next year will be helpful in guiding us as to what moves we should next take. I think we have to look to the Public Accounts Committee of a year hence for some guidance and I hope that committee will not only do the work that they have normally been doing in sessions to date, but that they will take a look into some of the problems that are confronting the new structure of Public Accounts Committee and give us some guidance of how and when we can implement all of the reports that were given to us a year ago. But as far as I am concerned, and I am sure as far as this government is concerned, it is our intention to implement the entire report.

Motion agreed to and bill read the second time.

Mr. J. W. Gardiner (Minister of Public Works) moved second reading of Bill No. 97 — **An Act to assist the Cities of Regina and Saskatoon in the Construction and Operation of Certain Centennial Projects.**

He said: Mr. Speaker, I would like to ask leave of the house to move second reading of Bill No. 97.

Mr. Speaker: — Is leave granted.

Some Hon. Members: — Agreed.

Mr. Gardiner: — Mr. Speaker, in rising to move second reading of the bill to assist the cities of Regina and Saskatoon in the construction of certain centennial projects, my remarks will be very brief as the bill before you is brief.

When we were considering the assistance to the cities of Regina and Saskatoon we were advised that in giving consideration to the assistance to the two cities in the way of payment of future deficits that we should have an act brought before the legislature in order to provide us with the right to do this. We have assured both the cities of Regina and Saskatoon that there will be assistance forthcoming in the years to come if they proceed with the auditoria projects, to assist with deficits. The act as well will provide legislation to pay out the assistance to both cities as far as an additional contribution by the province, on top of the federal contribution, which has already been assured, of half of the payment being made by the federal government towards a confederation memorial project which in each case, will be \$1,125,000.

As well, it protects the province as far as encumbrance on the building and it will prevent any further encumbrances or mortgages being placed against either the project in Regina or Saskatoon and the final clause in the act is to protect the Wascana Centre Authority and to designate that the land on which the project would be built in the city of Regina would belong to the city and therefore, designate the responsibility, as far as the Wascana Centre is concerned, if that it where the project in Regina is finally centred. I think with those remarks at this time, I will now move second reading of Bill No. 97.

Mr. H. H. P. Baker (Regina East): — I just wanted to ask a question, Mr. Minister. The depreciation, is that included? I don't seem to find it under section four?

Mr. Gardiner: — Any of the details would be included in the contracts with the various cities.

Mr. Baker: — Not in here.

Mr. Gardiner: — No.

Mr. Baker: — Thank you.

Mr. A. M. Nicholson (Saskatoon City): — Mr. Speaker, I am very glad that this measure is before the assembly. As I mentioned previously, I think it is fitting that as we celebrate our provincial diamond, and plan for Canada's Centennial, that in the province in our two major cities, we should have buildings that will be a credit to our people for many years.

I note that the Prime Minister of Canada is to be in Regina next month to receive an honorary degree on the occasion of the first convocation at the University of Regina Campus. I think most people of the province would agree that we should have a more appropriate centre for the granting of degrees for distinguished citizens who come to the province to receive degrees and where our own graduates might have a place large enough so that their parents, and grandparents, and friends might be on hand for such an important occasion as this. I realize that members who come from smaller communities would appreciate having this kind of assistance to build and support buildings in your community but in a very real sense, Saskatoon serves northern Saskatchewan; and Regina, southern Saskatchewan, and it would appear to me to be in the public interest to have plans well under way for marking these important milestones in the history of our province and the history of Canada. Naturally, I will be supporting the second reading of this bill.

Motion agreed to and bill read the second time.

The assembly resumed the adjourned debate on the motion of Hon. D. V. Heald (Attorney General) for second reading of Bill No. 91 — **An Act to amend The Saskatchewan Provincial Police Act.**

Mr. A. E. Blakeney (Regina West): — Mr. Speaker, I have had the opportunity of discussing this bill with the hon. member for Hanley (Mr. Walker) before he was called away for a short time and is accordingly unable to be in his place. I have had an opportunity also to look at the bill myself and there were only a

couple of matters which I thought were worthy of comment.

Firstly, there is no question about the general intent of the bill. The proposal to make available to the municipalities additional policing through the Royal Canadian Mounted Police, is something which will be supported by members on both sides of the house. The only reservations concerned two small areas. Firstly, the manner in which the municipalities are supposedly going to be called upon to pay for these services. I think the particular point I want to make is that if policing is to be effective, it will have to be policing which is provided by all of the municipalities.

Perhaps I could put my point clearer by saying that Saskatchewan will not have effective policing if the R.C.M.P. serve the area in a checkerboard, serve large areas of the province in a checkerboard pattern, and out of their jurisdiction is carved areas where the municipalities do not wish to avail themselves of the services of the R.C.M.P. Accordingly, I am not sure that the pattern of the bill which suggests that the services will be available but that the municipalities are going to have to pay for them is going to be entirely effective. It seems to me, that the government is going to have to look at the proposition that they will have to pay for these police themselves or alternatively require all municipalities or all municipalities in a given area, to accept the services of the R.C.M.P. and impose a levy over the whole area. I do not think that effective policing can be provided on a local option basis, if I may put it that way.

I am also a little bit concerned about the powers contained in the new section 26. Apparently, this is a power which the government proposes to require any town, village, or rural municipality, to accept the services of the R.C.M.P. whether or not they wish to do so. If, in fact, the power is one which simply says that the municipality must permit the R.C.M.P. to operate within the town, village, or rural municipality, I of course, have no objection. If the provision is that the town, village, or rural municipality must not only accept the R.C.M.P. policing, but must pay for it, on a basis to be determined by the government, then I think the bill requires rather more explanation. I am not sure that this would necessarily be offensive but I think that if it is a policing arrangement to be imposed by the province and charges are to be levied against the municipalities without any options on their part either of accepting or rejecting the police services; or of paying or not paying the levy, then I would suggest that some additional provisions and safeguards for the municipalities should perhaps be included in the bill.

As will have been evident from my remarks, Mr. Speaker, I do not have objection to the broad principle of the bill. It is quite likely that the points of question which I have raised, will be adequately dealt with in committee or by the minister when he closes the debate. Accordingly, I will find myself able to support the bill on second reading and will be interested in the proceedings of the house, in Committee of the Whole.

Mr. Speaker: — I must draw the attention of the house to the fact that the mover of the motion is about to close the debate. If anybody wishes to speak, he must do so now.

Hon. D. Heald (Attorney General): — Mr. Speaker, the intent of the amendments to this act, are to put the Lieutenant Governor-in-Council in a position where they can negotiate with these various towns and villages. There is no intent on the part of the government to impose — to say to these towns and villages that you have to have this service, and we will charge you a pro rata share thereof. It is our hope that once we have completed our new contract arrangements with the Royal Canadian Mounted Police for the policing of this province, that we will be in a position to offer to the various towns and villages in question, this service. That we will be offering it to them, not on the basis that they have to take it.

Now, it is hoped, as the hon. member from Regina West (Mr. Blakeney) pointed out, it is hoped that as many of the towns and villages as possible will avail themselves of this policing because I agree with what he said, that in the interest of good law enforcement and good policing in the province, it would be highly desirable that the largest possible area of the province be covered by these arrangements. If you do get checkerboarding and pockets of local law enforcement, it won't make for the best possible enforcement of law in the province.

So, why we want this legislation is simply to put us in a position where we can negotiate. We have no intention at all of forcing these contracts

on the various towns and villages. But we do want to be in a position to offer them this service and to negotiate with them. It may well be, as the hon. member has said, it may well be that at some stage in the proceedings the province will have to assume all of the costs, but the intent of these amendments is not to put us in a position where we are going to force these services on any town or village and force them to pay for them.

With that short explanation, I would move second reading.

Motion agreed to and bill read the second time.

Hon. D. V. Heald (Attorney General) moved second reading of Bill No. 93 — **An Act to amend The Public Service Superannuation Act.**

He said: Mr. Speaker, these amendments are quite brief and my explanation will be brief. Section 32 presently provides that persons who enter the public service on a probationary or permanent basis may pick up prior temporary service for the purpose of superannuation by paying the required contributions. This amendment would cover staff members of the office of the Leader of the Opposition; will permit them to contribute for the time they were employed in the office of the Leader of the Opposition, if they so desired. Now, that is the amendment to section 32.

Section 37 — this section has no real meaning as presently written so it is therefore being removed. It would be appropriate if there was a separate superannuation fund. However, since all payments are made from the consolidated fund they are governed by The Treasury Act. This is one of the original sections of the first act and it was probably drafted with the thought in mind — it contemplated that there would be, at some time, a separate superannuation fund. However, that has not happened so section 37 really hasn't any place in the act under the present procedure.

New section 38, or section 38 rather, is repealed and new section 38 is put in — the provincial auditor shall audit the affairs of the board. The present section provides that the provincial auditor shall conduct a continuous audit of the affairs of the board. This places, on the provincial auditor, a responsibility to conduct a progressive and continuous audit. In his new role, the provincial auditor can conduct an audit in the manner in which he pleases — that is to say periodically, or at the end of the year. The reference to continuous audit has therefore been removed.

There is an additional sections 57D and this new section honors a commitment which was made, I believe by the Premier to the present Leader of the Opposition, that members of the staff of the Leader of the Opposition would be covered by the Superannuation Act. We have suggested limiting the number to five which we think is a reasonable figure in all the circumstances.

The coming in the fourth section number 6, this validates the coverage of the staff of the Leader of the Opposition who have continued contributing to the Superannuation Fund after leaving the public service to enter the employment on the staff of the Leader of the Opposition.

Those, Mr. Speaker, are the main changes in these amendments and with that explanation, I would move second reading.

Motion agreed to and bill read the second time.

The Assembly resumed the adjourned debate o the proposed motion of Hon. D. Steuart (Minister of Public Health) re Bill No. 42 — **An Act to amend The Hospital Standards Act.**

Mr. J. W. Gardiner (Melville): — Mr. Speaker, I do not intend to keep the house for any length of time this evening. I did take the opportunity of catching up on the remarks of the member for Regina West (Mr. Blakeney). I couldn't find anything new or anything much different from what I heard in his few closing remarks the other evening.

As I indicated in my remarks, I think it is very foolish for us in this house to be debating something that none of us know anything about, including the members on the other side of this house and this side — something that has never been tried, so the hon. members cannot prove that this would be good or it wouldn't be good. It was something that was created for an emergency which no longer exists. The previous act has proved its worth down through the years, and I am quite certain, with the new spirit of co-operation between the medical profession, the hospital boards in the pro-

vince, and the people generally, that emergency legislation of this type will never be needed again. I would hope that hon. members would be prepared to rely on the new feeling that is abroad in the province with regard to medical care; that they will be willing to play safe in the members of the hospital boards throughout this province and the medical profession and public generally, to do the fair thing by any doctor who might want to settle in this province; if there are difficulties that they can be worked out on a local level.

So, Mr. Speaker, for those reasons, I must state that I will be supporting the change that is to be made in the Hospital Standards Act, and revert to legislation and regulations which were in effect and proved useful throughout many, many years in this province, and take away the feeling of emergency, the feeling that the people of this province are not prepared to co-operate and work reasonably together with regard to the help of the people as a whole.

So with those remarks, Mr. Speaker, I will support the bill no. 42 as presented by the minister.

Some Hon. Members: — Hear! Hear!

Mr. J. E. Brockelbank (Saskatoon): — Mr. Speaker, many of us on this side of the assembly have a great deal of respect for the ability and negotiating skill of the hon. Minister of Health (Mr. Steuart). As a matter of fact, I have a clipping here that illustrates this noted skill.

This particular clipping comes from the Star Phoenix. It was a special to the Star Phoenix from Prince Albert, in 1953, and it has something to do with the five day week, and it reads as follows:

Prince Albert: Last minute objections by Mayor J. M. Cuelenaere, QC, Tuesday night, on the question of whether or not to grant a five day week to city employees . . .

It appeared at this moment that the Prince Albert city council was at an impasse, but we had reckoned without the skill of diminutive Dave. He stepped into the picture and the clipping has this to say about it.

Alderman D. G. Steuart, acting in a new role of peacemaker, recommended that the report be tabled for a week.

There ended the problem for the time being.

Some Hon. Members: — Hear! Hear!

Mr. Steuart: — What happened?

Mr. Brockelbank (Saskatoon City): — It appears, Mr. Speaker, that the Minister of Health is hanging his case largely on standing up and protecting local governments, coming out as a champion of local government and local control. He mentions this quite often in his opening remarks on this particular bill. As a matter of fact, he refers to it as follows:

The real question here is one of local autonomy and local responsibility.

Further on in his speech, he remarks:

The problem of granting hospital privileges was handled in a satisfactory manner by local hospital boards without undue interference by the provincial government. Our faith in local government,

and this particular line he states:

By rescinding the 1964 amendments to this act we will be demonstrating our faith in local government, because we are convinced that the hospital boards are an integral part and parcel of local government.

But, Mr. Speaker, if every time a local government appears to be

having difficulty in some area of responsibility, the provincial government steps in and takes away some of their autonomy, it won't be long before local governments will cease to be a factor.

Later on in his address he stated:

In other words, this legislature, I am suggesting, that this legislature return the responsibility to hospital boards that they enjoyed before the 1964 amendments.

On his final page of his address he had said:

Mr. Speaker, we have confidence in local government.

Now, I admit that it would be a good case, it would be a good idea to come out strong for local government — it would be a popular thing to do and his case would be quite strong. But since this bears very little relationship — this act bears very little direct relationship to local government, it really makes a very weak case.

When the previous government established this particular legislation for appealing people's cases who thought that they had a right to have an appeal, and they had to satisfy some discrimination they felt was being practiced against the, the government of that day took the attitude that there was a great deal of feeling about the issue of hospital privileges and medicare and anything related to that topic at that time. As a result, the government established the Hospital Appeal Board.

I would suggest to the minister that the feelings are still quite strong about these particular topics and the minister and the Department of Public Health should scrupulously avoid any suggestion of conflict in this sensitive area. The maintenance of this particular legislation would permit an appeal's mechanism which would have an effect on facilitating the handling of complaints that may arise.

It has been argued that legislation is ineffective in controlling discrimination and bad will. This argument is completely unsound. Those who oppose anti-discrimination legislation or bills of rights, or civil rights legislation, often use the argument that discrimination cannot be ended by legislation. This is as true in Saskatchewan as it is in Alabama. Those who argue in this way maintain that discrimination is a matter of attitudes and feelings and cannot be changed by law. They argue that there is more hope without legislation to improve relationships and to bring an end to discrimination.

There is a serious fallacy in this argument. It is quite possible that legislation and the debate and publicity which accompany legislation, do have an affect on attitudes. However, the essential point is that legislation does not aim to change human feelings or attitudes. Legislation is aimed at controlling behavior. Our whole legal system is based on the premise that certain forms of behavior must be discouraged in the interest of society as a whole and for the protection of individuals.

Murder and theft still occur in spite of hundreds of years of enforcement of laws against these forms of behavior. Hardly anyone would argue that because murder and violence result from human emotions, there should not be laws forbidding such action. It is quite true that many steps, other than legislation can be effectively used to reduce the conflict and to bring about more harmony between groups with conflicting interest. But while these processes are going forward and while we hope that education and enlightenment may reduce acts of discrimination, it is essential that there be laws to protect individuals and society against discrimination. Just as there must be laws to protect the public against murderers or thieves.

It has been argued that this legislation is unnecessary because some hospital privilege disputes have been settled without using the appeal procedure provided in the amendments. This is as logical as to argue that when a year goes by without a murder being committed, the laws against murder should be repealed.

In any case, it is extremely doubtful if the hospital privilege disputes which were settled during 1964, could have been settled by negotiation if the legislation had not been on the statute books. I would say at this time, that I would not doubt it one bit, that the Minister of Health (Mr. Steuart) when talking with certain parties, had taken the opportunity

to remind them that there is legislation on the books in this matter. In the light of this particular announcement to them he would suggest to them that it would be good to get these problems settled and out of the way.

The minister can take a certain amount of credit for settling some disputes but I think the minister must give a certain amount of credit to the legislation that was on the statutes of Saskatchewan at that time.

On many occasion, negotiations are strongly influenced by the fact that there is an appeal procedure which one or the other of the negotiating parties may fall back on if a fair decision is not arrived at by negotiations. If discrimination is wrong and no one has argued that it is not, there should be legal methods for adjudicating cases in which discrimination is alleged. What possible justification can there be for removing from the statute books, legislation which has been there for only a few months, I might say, by unanimous decision of this legislature, for this period of time which cannot in any stretch of imagination, be considered adequate experience to indicate whether or not that legislation is needed?

Thank you.

Mr. J. A. Pepper (Weyburn): — Mr. Speaker, I rise to take part in this debate perhaps chiefly because of the great importance of it, and of the great interest and the concern that the people of Saskatchewan are showing in regards to this bill. I feel most sincerely, that if we pass it, it is certainly a backward step in the freedom of our province, because if this section of the bill is repealed, that has given the authority to set up an appeal board to investigate hospital privileges, it could cause severe restriction on some doctors who wish to build up practices and on many people of the province, as to whom they might choose to take care of them during their sickness which you and I know, is the most anxious and trying times of their lives.

I cannot understand, Mr. Speaker, when an act which just a year ago was passed granting the appointment of this appeal board, and I believe it was unanimously passed by this house, and it certainly has proven to be a step towards creating harmony and satisfaction throughout the province.

Just why it should be repealed at this time, I cannot understand. The former bill made provisions to qualified doctors an opening to secure hospital privileges. It was also giving our citizens, which I feel most important, the freedom of their choice. They knew that the doctors in whom they had placed confidence, had an opportunity to secure hospital privileges providing he has the necessary qualifications and could pass the appeal board. This was not taking freedom from any qualified doctor, but more important, it was giving more doctors security, in knowing that they had equal privileges. To repeal this section of the bill and its provisions for an appeal board, it is certainly taking away the freedom of our people, which you and I know they are entitled to enjoy. Furthermore, very often the difference of life or death depends on a doctor's decision, and the public has every right to say who should make this decision and restore them if possible to good health.

Many of our hospitals are built with provincial grants — urban and rural municipalities all contributing generously towards the finances which are necessary to build, and equip, and operate efficiently. I think these taxpayers are certainly entitled to have some say as to who should doctor them and take care of them when they are confined within this hospital. As I said earlier, and I am afraid that if we pass this bill, this security could seriously be restricted.

The people are happy under the present bill so why repeal it? I have received from many people in the constituency of Weyburn, many requests and signed petitions that this bill which was passed last session, granting an appeal board, be left as it is at present. So I urge all hon. members to reconsider this bill no. 42 before it is passed, and I find, Mr. Speaker, that I am certainly not able to support this bill.

Some Hon. Members: — Hear! Hear!

Mr. A. M. Nicholson (Saskatoon City): — Mr. Speaker, in taking part in this debate, I too want to give the Minister of Public Health (Mr. Steuart) high marks for his success since becoming minister, in resolving some of the difficulties which exist in many places in the province. The minister has intimated that if he should have difficulties, he would reintroduce legislation of this sort, but I think that having passed this legislation unanimously a year ago, that

we should have more information that has been given to date as to why bill 42 should be supported, and I am disappointed that the members on the government side, who have had representations from their electors, have not been prepared to speak out and give reasons as to why they are going to support bill 42.

Hospital privileges is not a problem which was created by medicare a few years ago. It is not a problem that is confined to Saskatchewan. In the Leader Post of April 7th, there is a Canadian press story from Winnipeg telling about the Manitoba College of Physicians and Surgeons advising a citizen's delegation on Tuesday, that suspension of a doctor's right to use facilities at the Selkirk General Hospital, is the responsibility of the hospital board.

A delegation of five women and two men from Selkirk, twenty miles north of here, met with college officials to seek an explanation for the suspension of hospital privileges for Doctor G. L. Thompson of Selkirk.

The hospital board ruled at a special meeting, that Doctor Thompson would no longer be permitted on the hospital staff because he was violating the Canadian Medical Association's Code of Ethics.

Hon. members will be interested in just what Doctor Thompson had done. Doctor Ian Reed, one of the five doctors in the town of 10,000, said in an interview:

That Doctor Thompson violated a section of the Canadian Medical Association's Code of Ethics, which forbids a doctor who has been an assistant to another, to set up practice in the same neighborhood without the written consent of the other doctor. The section applies particularly to small towns and rural districts.

The suspension of Doctor Thompson led to the resignation of the hospital board chairman, Emil Davidson, and the vice-chairman. Here in Selkirk, a town of 10,000 near Winnipeg, was a situation similar to what prevails in Saskatchewan. A competent doctor who has patients, is denied hospital privileges. Why? Because the association says, that having been an assistant to one doctor, you cannot practice in the same town without the written consent of the other. This citizen's committee is asking the government of Manitoba to pass legislation such as we are discussing here, so that some authority would be able to come into a community like Selkirk and sit down around the conference table with Dr. Reed, Dr. Thompson, and the chairman and other officers of the hospital board, and say, "Well now, what about this? Here is a young doctor who has won some friends and is quite competent, why can he not have the privilege of looking after the people who helped build the hospital; people who pay their taxes; people who cannot take advantage of his services unless he has hospital privileges?"

When the minister was speaking recently, he dismissed rather lightly, the view of Mr. Justice Mervyn Woods, who has been very highly regarded in a great many capacities. Hon. members, I am sure, will agree that one who has as many qualifications as Mr. Justice Woods, should not be dismissed this lightly.

He is a Saskatchewan born boy. He went to school in Regina and in Kincaid; the Moose Jaw College; the Saskatchewan Teachers' College; Professor of Law at the University of Saskatchewan; and Justice of the Appeal Court of the Province of Saskatchewan. Among other things, he has done an interesting article on Federal Taxation of Income Trading Co-operatives in the United States and Canada. He served with the Royal Canadian Navy as a Lieutenant Commander and worked in a variety of assignments which gave him the Order of M.B.E., C.D. Mr. Justice Woods has done an outstanding service for the people of this province — the people of Canada. He is one of our two Saskatchewan veterans who has had the privilege of being the president of the Dominion Association. Mr. Justice Ross of Yorkton and Mr. Justice Mervyn Woods, the only two veterans in the period since the beginning of World War I who have served with distinction.

Mr. Justice Woods, after reviewing the situation, pointed out that complaints by five community clinic doctors were heard. None had been granted hospital privileges. This Commission is satisfied that the problem in

each case was attributable to the marked division of opinion among Saskatchewan physicians as to how medicine should be practiced. This difference led to a lack of communication, which in effect, prevented the parties from appreciating clearly the problems to be solved.

In each of the four hospitals in the past, the record of admissions to medical staff privileges was singularly free from dispute. Privileges were readily granted to qualified physicians. The rules and procedures for processing applications worked smoothly and well. This cannot be said of any of the applications of the five complainants. The medical profession has an enviable record for dedication and devotion to the cause of healing and it has thereby earned the confidence and respect of the public. With other professions in this province, it enjoys a large measure of autonomy. It is free to regulate its own affairs and to establish and maintain its own professional standards.

High on the list of its powers is the exclusive right to license physicians and the attendant powers of discipline. The legal sanction for these powers is found in the Medical Professions Act, which we are reviewing tomorrow morning and the next morning but legal sanctions are sustained by public acceptance and confidence. Such confidence is a most valued resource of any profession. By careful exercise of these powers the profession has earned and maintained public confidence.

Professional responsibility, however, is never completely encompassed by the provision of a statute. The same degree of care and fairness is demanded in all professional matters. Confidence will be maintained only when it is made to appear that this standard is satisfied. In the course of the hearings the evidence did not indicate a want of good faith on the part of the doctors concerned, but applications of the complainants were not dealt with in a manner calculated to allay distrust and suspicion. As a result of these very carefully considered observations and recommendations the legislature of Saskatchewan, a year ago (and it was mentioned by the member for Weyburn) passed unanimously the bill which has resulted in Bill no. 42 coming up to make some amendments.

The debate last year involved Judge Mary Batten, who was then the member for Humboldt, and in her remarks she said:

Mr. Speaker, if an injustice was suffered, certainly there should be a remedy for it.

I think that Liberals on this side of the house, if we are to be true to our principles, must say as we have said throughout our history, that no one person in this province should suffer injustice and not be allowed to redress, and there we agree with the minister.

If an injustice was suffered by a doctor, or by patients in this province, they should be given a remedy.

And bill 48 last year, did just that. But in addition to providing for the appeal procedure, chapter 36 of the statutes last year sets out quite a number of other provisions which are being repealed and I wish members opposite would stand up and tell us why? In 13A where temporary privileges have not been granted to the physician, pending consideration of his application for appointment to the medical staff of a general hospital, the executive officer shall, within seven days after the application, give written notice of that fact to the physician. Will anyone tell why the applicant should not have written notice?

Then in subsection 13B - 7,

Without restricting the generality of subsection one, a physician shall not be disqualified from or prejudiced in appointment or reappointment, to the medical staff of a general hospital, in appointment as an active member of the medical staff or in his practice in a general hospital

(a) because of his race, creed, or religion, color, ethnic, or national origin or sex.

Do hon. members now want to say that they want to appeal this, and that they

do want to have discrimination because of race, creed and religion?

(b) because he is not sponsored or recommended or given reference for medical staff membership by a member of the active medical staff at the hospital.

Will the hon. members tell us why they want this repealed? Because he is not a member of any medical organization other than the College of Physicians and Surgeons in the province of Saskatchewan? Because in connection with any matter related to his medical practice he is associated with an association or organization incorporate under any mutual medical hospital benefit association or any co-operative association?

Again, the Saskatoon agreement made it very clear that there was to be no discrimination because doctors did or did not belong to community clinics. And 13B:

Where a physician has applied for appointment to the medical staff of a general hospital, the Board of Governors of the hospital shall cause the application to be examined, and shall make a decision with respect to the acceptance or rejection of the application as expeditiously as is reasonably possible under the circumstances.

Why do hon. members wish to withdraw this clause? Or . . .

Where a physician has applied for appointment to the medical staff of a general hospital the Board of Governors of the hospital has granted temporary privileges to him, pending his appointment. The Board of Governors shall within ninety days after the day on which the application was received by the Chief Executive Officer of the hospital, make a decision with respect to the acceptance or rejection of the application, and in writing advise the physician of the decision.

Why should these cases be up in the air for two years or longer? The ninety day period, I understand, has been accepted and the fact that the minister has made a good deal, of progress in the last year is due partly to his capability but partly because it is the law of Saskatchewan, a law which was passed unanimously by members of both Liberal and CCF parties in this chamber just about a year ago.

Or (3)

Where the physician has applied for appointment to the medical staff of a general hospital, and the Board of Governors of the hospital has not granted temporary privileges to him, pending his appointment, the Board of Governors shall within sixty days after the day on which the application was received by the Chief Executive Officer of the hospital, make a decision with respect to the acceptance or rejection of the application and in writing advise the physician of the decision.

I think it is significant that not a member on the government side has been willing to stand up and tell the house what are the objectionable features in clause after clause here that they are asking us to repeal.

(13E)

Where the Board of Governors of a general hospital rejects an application of a physician for appointment to the medical staff of the hospital; reduces the privileges requested by a physician in his application for appointment; reduces the privileges that have heretofore been granted to a member of the medical staff; or suspends, dismisses, or fails to reappoint a member of the medical staff of the hospital, or decides not to appoint a physician to the active medical staff of a hospital, it shall forthwith furnish to the physician a written statement setting forth the decision of the board, the reasons therefor, and the

particulars of the physician's failure to meet any of the criteria prescribed by section 13B.

I hope before this debate concludes that some of the members opposite who have not yet taken part, will tell us what is wrong with 13E.

Where the Board of Governors of a general hospital in making a decision of any of the kinds mentioned in subsection one, relied in whole or in part on the recommendation of the medical staff of the hospital, or a committee of the medical staff, the Board of Governors shall obtain from the medical staff or the committee, a written statement of these recommendations and the reasons therefor and furnish a copy of that statement to the physician along with a statement furnished to him pursuant to subsection one.

These are important sections in a charter that was approved here. 13F, subsection to subsection 13N, sections G to M, apply to only respective general hospitals designated by the ministers. And the same with 13G, 13H. I am sure that a careful study of these important sections would indicate that before they were endorsed unanimously by the members of this legislature last year, that they committed themselves to the Minister of Public Health who is sitting over on this side of the house at this particular time. The existence of an appeal board is a device that they have found necessary in the state of New York.

In February of 1963, the state of New York passed a bill which set out:

Discrimination in hospital staff appointments and privileges is prohibited. It shall be an unlawful discriminatory practice for the governing body of the hospital to (a) deny or withhold from a physician staff membership, professional privileges, in a hospital because of his participation in any medical group, practice, or non-profit health insurance plan authorized by the laws of the state.

Or to exclude or expel a physician from staff membership or to curtail, terminate, or diminish in any way a physician's professional privileges in a hospital because of his participation in medical group practice or non-profit health insurance plan.

So, Mr. Speaker, in Manitoba, in New York, in Saskatchewan, it has been found desirable to have legislation which we have before us, and I have some fairly extensive notes here that I will not be able to complete this evening. I would like permission to adjourn the debate at this point, Mr. Speaker.

Debate adjourned.

The assembly adjourned at 10:00 o'clock p.m.