

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
FIFTH SESSION — FOURTEENTH LEGISLATURE
23rd Day**

March 18, 1963.

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

On the Orders of the Day:

WELCOME TO STUDENTS

Mrs. Strum: — Before the orders of the day are called, I would like to draw the attention of the house to a fine group of students in the west gallery. These students are from the King George School in Saskatoon and they are here with their teacher, Mrs. Sutherland. We trust that they will have an interesting and happy experience today and that they will have a safe return home this evening.

WELCOME TO REGINA IRISH CLUB OFFICERS

Mr. Whelan: (Regina City) — Mr. Speaker, before the orders of the day are proceeded with I would like to remind all members that with St. Patrick's day falling on a Sunday, there is a justifiable explanation for the Sons of Erin celebrating on Friday, Saturday and Monday. All members of this house, I am sure, did appreciate the shamrocks on our desks last Friday, but since the Irish people of Boston and the Irish Club of Regina felt that the 18th is more appropriate than Friday last, I am sure all members of this house will join with me in paying tribute to Saskatchewan's Irish citizens today.

To be sure, Mr. Speaker, Irish people never exaggerate. They merely express in most enthusiastic terms a prejudiced point of view when making reference to the Emerald Isle, its music, its people, its hospitality and its colorful history.

The Irish appreciation of music, Mr. Speaker, was evident to me as a small boy when I visited my grandmother Kelly. As a general rule we were not allowed to play the gramophone, but it didn't take me long to realize that if you played When

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Irish Eyes are Smiling, My Wild Irish Rose, Mother Machree, McNamara's Band or If you take the L out of Kelly, then there were no restrictions on the use of the gramophone.

And in reference in particular to political Irish people, Mr. Speaker, where politics are concerned, I have accurate knowledge of an Irish family where the father was a Conservative.

After he passed away his family grew up and one son became a Liberal member of the house of commons and another sits as a representative for the city of Regina as a CCF member of this legislature. To my knowledge, the political convictions of the members of an Irish family are not always unanimous, Mr. Speaker.

The personalities of the Irish people are to found colorful, emotional, intelligent, chivalrous, and they vary in family groups. Each in his own way presents a personality that attracts, to be sure, and also astounds his fellow citizens.

Vividly I recall as a boy hearing the story of two lake captains, one was Captain Jim Kelly and the other Captain Hank Kelly. Captain Jim Kelly chewed tobacco, was profane when his temper was roused, ran his crew with an iron hand — a good captain but sometimes resentment of the crew caused them to jump his ship. The story goes that a wheelsman jumped Captain Jim Kelly's ship in the harbor of Buffalo, New York. He grabbed the first vessel that needed a helmsman and as the boat headed out of the harbor. I am told that he noticed that the captain's signature on his new wheelsman papers showed the name of Captain Henry Kelly. The wheelsman looked up and he said, "You don't happen to know a captain by the name of Jim Kelly?" He received a casual reply, "I'm his brother". Well, the wheelsman contemplated jumping overboard but by the time he had reached the lower lakes the non-drinking, non-smoking, quiet, studious captain had calmed his fears and the wheelsman stayed 17 years on the boat, to repeat the story of my two Irish uncles to every new deckhand who came aboard.

As a boy I worshipped both my uncles and spent hours listening to their dramatic stories of the Great Lakes. The stories of one taught me some new but questionable expressions, the other convinced me that lake captains asked the Almighty for guidance when they were in a storm.

Irish musicians by inventive genius have often been able to express not only music but have been able to poke fun at their rivals as well. I know an Irish musician very well, Mr. Speaker, who spent countless evenings perfecting a technique whereby he gave an accurate imitation of the bagpipes by holding his nose and hitting his Adam's apple with his knuckles while producing a whining sound in his throat. He delighted in presenting renditions of Scottish music to his

Scots neighbors who begrudgingly admitted that the music was extremely realistic though they didn't appreciate the glint in his eye or the manner in which he held his nose.

The ballads and history of Ireland accurately portray the story of a people who have fought many battles, written music and poetry, built castles, walked the halls of learning and occupied chairs in the assemblies of government.

On this 18th day of March, on behalf of members of this legislature, I am pleased to welcome to this assembly the Officers of the Irish Club of Regina. All of them pack a brogue, one has married and changed her name, but each of them has walked the sod of the Emerald Isles. I am pleased to introduce to you, Mr. Speaker, and to all members of the house, first the handsome young president of the Irish Club of Regina, Mr. W.A. Robinson, and sitting next to him the charming and capable chairman of social activities for the club, Mrs. Georgina Nixon; — only an Irish club would be diplomatically astute and politically clever enough to choose such an attractive vice-president as Mrs. Mary Mackniak who has won the heart of a Polish lad since she arrived in this province — will you stand up please, and, last but not least, the well-known Regina City alderman, Mr. A.E. Wilson who is immediate past-president of the Irish Club in the city of Regina.

I am sure, Mr. Speaker, that all members of the legislature will join me in wishing the sons of Ireland, and particularly the Irish Club of Regina, good health, good music, good friends and good luck.

Hon. Members: — Hear, hear!

Mr. McCarthy (Cannington): — Mr. Speaker I would like to add my words of welcome to the Irish Club. I didn't know we had an Irish Club in Regina before I met them today, and I am very happy that there is somebody keeping up the good name of the Emerald Isle in Saskatchewan.

Now, I am not going to take very much of your time. I think I have told you all the stories I know, and I am not a good story teller anyway, but I want to repeat again on this day that there is only two classes of people — the Irish and those who wish they were. And a lot of the people over here you will notice, they are all properly dressed, they are all Irishmen for the day. I don't know how long that will last. But the fact that that holds true, that there are only two classes of people, the Irish and those who wish they were, was very well brought out in the speech from my friend who comes from

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Cumberland (Mr. Berezowsky) the other day. He said that the Irish had infiltrated into his country; I wasn't aware of that but I am sure that they will have helped to improve that country and I am sure that it upholds the old saying that you can't keep a good man down, and these must have been good men when they went in there.

Now, Mr. Speaker, I am not going to take up any more of your time. I have a good Irish friend here who is good at telling Irish stories and he agreed to tell a story for me. Is that all right with you.

Mr. Steuart: (Prince Albert) — Mr. Speaker, before the orders of the day, I was asked by the hon. member for Cannington (Mr. McCarthy) if I would, on behalf of the opposition, bid the officers of the Irish Club welcome. My qualifications don't stack up very high when you consider we have such names as Gallagher and Foley and McCarthy and O'Thatcher on this side of the house. My qualifications actually consisted that I go around the 17th of March singing, off-key, Ireland must be Heaven because my Grandmother was born there, and that I flew out of Ireland for 17 months during the last war and I can tell anyone that if you have to fight a war, Ireland is a great place to fight it from. We were there so long that I can assure our Irish friends in the gallery that we came to the conclusion that Irish milk tastes much better than Scotch milk.

I learned several stories in the 17 months that I was there — a few of them you can even tell in an assembly like this. The one that I liked the best concerned the Mayor of Dublin who went over to Venice and came back very thrilled and much taken with the beauty he had seen over there. And he immediately called the city council together and he said, "Boys, I've been over to Venice and I've got a great idea. They've got some wonderful scenery over there. One thing I think we should do", he said, "we should get 50 of them gondolas and put them on our canals and rivers". So up jumped Pat O'Flaherty, who must have been a good Liberal besides being a good Irishman because he immediately thought of the taxpayers, and he said, "Your Worship, I am not against bringing over them gondolas and putting them on the rivers, but I think you are going away out of your head in the cost of this thing, bringing over 50. I immediately make a resolution that we cut it down to a matched pair and breed our own."

Well, as I say, I have gone along for a number of years convinced that my grandmother had been born in Ireland and about a year ago I was struck, as the Irish would say, a terrible blow because I found out that she had really been born in Wales. Now I think the Welsh people are a wonderful

people but I think you can all understand that the other day when we were in here and we saw the hon. Premier and the Hon. Minister of Health sporting the national flower of Wales, I am sure you will all agree that they are wonderful people, but, as the Irish would say, and my point of view. is that they do take a bit of getting used to.

And so it is my pleasure, Mr. Speaker, on behalf of the opposition, to join with the hon. member from Regina in welcoming these fine people to the assembly today.

Hon. Members: — Hear, hear!

CORRECTION TO NOTICE PAPER

Mr. McFarlane: — Mr. Chairman, before the orders of the day are called, we've listened to an awful lot of Irish blarney but the Scotch in me wouldn't let the records of this house get away without pointing out to you the very serious error on the white paper under notices of motions and questions, and I notice that it referred to me as Mr. McMarline. I don't mind being called an Irishmen after the last week-end, but I think for the records of the house we had better have that straightened to an "F", where the "M" is at the present time.

FAILURE OF SHAMROCK CROP

Mr. Foley: (Turtleford) — Mr. Chairman, before the orders of the day are called: we've been absorbed at some length in this chamber with the agricultural problems of Saskatchewan. I felt it only right that I should on this occasion draw to the attention of the legislature the very critical failure of the shamrock crop in Ireland during the past season. I am not altogether sure whether it was drought or storms or possibly some lack of support from some of Ireland's neighbors, nevertheless this has created a very critical shortage in the shamrock shipments to other countries. I draw this to the attention of the Minister of Agriculture and I trust that he will give it his very serious consideration.

BOOK OF REMEMBRANCE

Hon. Mr. Lloyd: (Premier) — Mr. Speaker, the book which I hold in my hand is one which was presented to the government of Saskatchewan by Brigadier P.C. Elson on behalf of the Minister of the Department of Veterans

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affairs on Saturday of last week. The book carries the inscription: "In this book are written the names of Canadians who gave their lives for freedom while serving with the United Nations forces in Korea 1950 to 1953. On earlier occasions the government has received a similar book with regard to the veterans of World War I, of World War II and of the Boer War. The book which contains the names of those who fell during World War I has for sometime been deposited with the Legion Branch in Regina and is in the chapel in the Legion Headquarters in downtown Regina. The other two books are in the legislative library. On enquiry, the legislative library tells me that they do receive a considerable amount of attention. It seems to be appropriate then that this book should join its two companion volumes in the legislative library. We have assured the Royal Canadian legion that if there are times when they would like to make use of them for any occasion, then of course they could be obtained through the library.

Since the library, during the session, is under your supervision Mr. Speaker, I would turn the book over to you with the suggestion that it be placed in the legislative library and in the custody of the legislative librarian.

SITUATION IN WILKIE UNION HOSPITAL

Mr. Thatcher: (Morse) — Mr. Speaker, before the orders of the day are called, I should like to direct a question to the Minister of Health. Is the minister aware of the serious situation which has developed in the town of Wilkie at their General Hospital, their Union Hospital, because of the strike of the nursing staff and the management? Is the department endeavoring to take any action to promote a settlement of this dispute?

Hon. Mr. Blakeney: (Minister of Public Health) — Mr. Speaker, the government is aware of the situation which prevails at the Wilkie Union Hospital, at least aware in a general way. On Friday last officials of the Department of Public Health were in touch with the chairman of the hospital board, Mr. Brandle, and at that time we offered any assistance which we might be able to give. The board has subsequently held a meeting and we are anticipating that if the board feels that we could be of any assistance to them in that regard they will be in touch with us. We believe that this is the most efficacious way in which we can render assistance to the board and its staff at this time.

Mr. Speaker: — Just before I call the questions put by members, I would like to draw to the attention of the members of the house the request which I raised earlier for the Department of Industry and Information to take pictures on behalf of the Teachers' Federation, also they have requested to take pictures on behalf of the Tannoy system which they wish to have to send to Tannoy. Arrangements have been made that any of these pictures being taken during the session will be taken when the house rises at 5:30 on Thursday. There are three or four particular ones which they want to make sure are in the house, but Industry and Information will make those contacts themselves, but I wanted to let you know that at 5:30 on Thursday these pictures will be taken so members will be asked, if possible, to be here at that time.

ADJOURNED DEBATES

The Assembly resumed the adjourned debate on the proposed motion of Hon. Mr. Brockelbank for second reading of Bill No. 31 — **An Act to amend the Education and Health Tax Act.**

Mr. Thatcher: — Mr. Speaker, Bill No. 31, which is now before us, proposes to amend The Education and Health Tax Act. We in the opposition certainly feel that this act needs amendment. However, the minor change which is now before us is not precisely the amendment which we had in mind. We had hoped that the minister, when he brought in this bill, would announce that the five percent rate was going to be cut to perhaps four percent or three percent. Or we hoped that he might be going to announce that clothing or some such exemption . . .

Hon. Mr. Brockelbank: — Point of order.

Mr. Speaker: — Order!

Hon. Mr. Brockelbank: — The item before the house for discussion is the Bill as it is on our desks. If this bill gets second reading, then that means that the act is opened up but at the present time the only item for discussion, I maintain, is the bill as it is now on our desks.

Mr. Speaker: — I believe the point as raised by the Provincial Treasurer is well taken and I was trying to get my thinking straight on what the leader was following before I ruled on it. I think in committee of the whole anything is open.

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Mr. Thatcher: — Before you rule, Mr. Speaker, may I speak on the point of order.

Mr. Speaker: — Yes.

Mr. Thatcher: — I would very respectfully suggest this, Sir. In the many years that I was in the house of commons, whenever a bill was opened to amend an act, the whole act was opened for discussion. In other words, any aspect of that act could be debated. I appreciate that there is a difference of opinion on this. I would be quite happy, if you rule we can't debate the matter, to hear the minister or you or someone cite some place in Beauchesne which says that the bill isn't open under these circumstances. I can't find any such citation and I don't think there is one. Very respectfully, I would suggest, Sir, for that reason, that I should be entitled to debate any aspect of **The Education and Health Tax**.

Mr. Speaker: — I haven't the particular point at my fingertips, but my feeling is that the act, once it is officially before the house, is wide open. But until what is before the house has received second reading, the act isn't before us, there is just an amending bill before us. But once that bill is accepted, it opens up the entire act. In committee of the whole, clause by clause there would be a full range for discussion at that time to propose amendments.

Mr. Thatcher: — Do I understand you, Sir, that I would be able to discuss any aspect of the act on the first clause in committee.

Mr. Speaker: — No, you could propose amendments to any part of the bill. You could propose amendments to any part of the bill whether in this part or in another part. You could propose amendments and then they would be open for discussion.

Mr. Snedker: (Saltcoats) — Mr. Speaker, on the point of order, I most respectfully suggest that the whole bill is before the house now. The fact that the government brought in an amendment opened up the whole bill and, therefore, we are entitled to discuss the principle of the bill on second reading, or anything we chose to discuss.

Mr. Speaker: — This is taken from the records of the house of commons. It says:

On the second reading of an amending bill it is the principle of the amending bill and not the principle of the act to be amended which is the business under consideration. The discussion, therefore, must relate exclusively to the principle of the amending bill.

This is taken from the house of commons.

Mr. Thatcher: — But Mr. Speaker . . .

Mrs. Batten: (Humboldt) — On a point of order, Mr. Speaker, I think no doubt this is true of the house of commons and probably is the logical answer to the problem, but I would remind you, Mr. Speaker, that the practice in this house, in this legislature, has been that once the bill comes up for second reading, the whole bill comes up for amendment, and, therefore, it is open. And this has been consistently the practice since I have been in this house and the ministers have on various occasions discussed the entire bill when they have brought it in for second reading, even though the amendment was a very minor one. This has been consistently the policy of the cabinet ministers who have brought in bills and it was always the rule here.

Contrary to the rule of the house of commons, that we discuss the entire bill, we discuss the entire bill once it was brought in for second reading. Once an amendment was brought in for second reading, the legislation which was to be amended was brought to the attention of the legislature and members could, therefore, discuss the principle of the bill itself or of the act itself, as well as the amending bill. And I think you will find, Mr. Speaker, that this has been our procedure in this house even though it is different from that that was followed in the house of commons.

Hon. Mr. Brockelbank: — Mr. Speaker, I have to differ with the hon. member from Humboldt (Mrs. Batten) because I know, listening to ministers introduce their amending bills, I agree that they have often gone into too much detail of discussion of the amendment in that bill, but I never heard them discuss the act which was being amended but only the proposed amendment to the act, and I also don't think that it is a proper procedure for the Leader of the Opposition to try to make a bargain with you, that if he will allow you to do what is correct on this occasion, that you will allow him to do something else on another occasion.

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Mr. Thatcher: — There was no such thought as that.

Mr. Speaker: — Any further comments on this order?

Mrs. Batten: — I don't think there was any suggestion of making a bargain with you. I don't believe that you are one or that the Leader of the Opposition is one that wants to make a bargain at this time. I think what the Leader of the Opposition is interested in is to know what your ruling is going to be when the bill comes into committee of the whole. But apart from that, Mr. Speaker, is it not true a few days ago when the income tax was before the house, then it was debated on second reading. This is only a few days ago.

Hon. Mr. Lloyd: (Premier) — I would point out, Mr. Speaker, that a point of order was raised at that time with regard to it.

Mr. Speaker: — I believe, as I said before and as I read from the record of the house of commons from Ottawa, that it is just the bill that is before us. The act as such is not before us until this carries. Once this second reading is concurred in, then it comes in committee of the whole. If any members want to place a proper amendment to any part of that bill, the whole bill is open for amendment or discussion, and it wouldn't be good for me at this time to allow the discussion to go away from what is before us.

The Clerk has brought for my benefit two former rulings in this house. One of March 7, 1924. It says:

During debate on second reading of an act to provide for a plebiscite on questions relating to the control and suppression of traffic in alcoholic liquors, Mr. Speaker Scott ruled that only the principle of the bill could be discussed and not the broad question of prohibition unless the latter could be connected with the principle of the bill.'

And on February 28, 1930, Mr. Speaker Leslie ruled:

That the principles of the act to be amended may be discussed on second reading of an amending bill provided that it can be shown that the principles involved in the amendments proposed in the bill do affect certain other principles in the original act.

In other words, the amendments would have to be changing what was in the original act in order to debate the original act. So I think with these citations, I would have to rule that the discussion must remain to the bill which is before us.

Mr. Thatcher: — Well, Mr. Speaker, I regret that you feel that ruling is necessary but I have no alternative but to bow to it. However, so that I may get in order, I propose to move an amendment to the bill which is now before us. We think that it is absolutely paramount, Mr. Speaker, that the opposition protest the five percent sales tax in strongest possible . . . I am going to read my motion, Mr. Speaker. I would like to move, seconded by the hon. member for Moosomin (Mr. McDonald):

That all the words after the word ‘that’ be deleted and the following substituted therefore “this house declines to proceed further with this bill because it makes no provision for reducing the rate of the education and health tax”.

Mr. Speaker: — Well May 16 edition on page 421, referring to amendments says “an amendment cannot be used for importing arguments which would be irrelevant in the main question” and there is another technical point on this motion that this in itself could be construed as reducing revenue. I just raise that as a possibility, but due to the passage which I read from May, I shall have to rule the amendment out of order.

Mr. Thatcher: — Well, Mr. Speaker, all that I can say then at a later date and more appropriate time we shall have something to say about this \$37.5 million that my hon. friends are gouging from the taxpayers . . .

Hon. Mr. Lloyd: (Premier) — On a point of order. The rules prevent the gentleman and he tries to go around them.

Motion agreed to and bill read the second time.

SECOND READINGS

Hon. Mc. Nollet moved second reading of Bill No. 42 — **An Act respecting Watershed Associations.**

He said:

Mr. Speaker, in explanation of this bill, I want to point out that it is just what it says it is — a Watershed Associations Act. It would permit legally constituted agencies such as municipalities or irrigation districts or the Water Users’ Association or a conservation area authority to co-operate together and establish a board to operate and maintain works that are in common interest to all of the agencies concerned.

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Two of the reasons for it are: 1. P.F.R.A. expects that some agency should assume responsibility for continued operation and maintenance of reservoirs and since more and more reservoirs are being used, or the water there from is being used for various purposes, it is necessary to pass legislation of this kind to enable interested, legally constituted agencies to operate together on a watershed basis.

In addition, the ARDA program makes it imperative that we have a kind of an agency because a good many ARDA projects will also be dual purpose projects.

With this very brief explanation, Mr. Speaker, and I believe the rest of the legislation can be better discussed in committee, I would move second reading.

Motion agreed to and bill read the second time.

Hon. Mr. Blakeney moved second reading of Bill No. 43 — **An Act to amend The Mental Health Act, 1961.**

He said:

Mr. Speaker, this Bill proposes to amend the **Mental Health Act, 1961**, and members will recall that in 1961 there was introduced a new Mental Health Act which made some fairly substantial procedural changes in the treatment of mental health. The new act has now been in force for about 18 months and a number of minor amendments are found to be necessary or desirable in order to make the new act and the new procedures operate more smoothly.

The 1961 act provided for the issue of renewal certificates, the idea being that when people were in mental institutions there ought to be issued renewal certificates from time to time to ensure that their condition had been examined to see whether it was necessary that they continue to be institutionalized. There are certain changes in the times of issue of these. Certain changes are necessary with respect to the issue of certificates of incompetence to make the operations of the office of the administrator of estates mesh a little more perfectly with the procedures under the Mental Health Act. There are also a few small changes in trial leave procedures, a few small changes in the manner in which a person may be referred to a facility for psychiatric examination by a judge or magistrate, and a couple of small changes in the manner in which people may be apprehended in a public place where it appears that they are suffering from a mental disorder, providing that they shall be forthwith examined. All of these are changes dealing with principles which were dealt with

in earlier mental health acts. None of them, I think, is a new principle to our legislation in Saskatchewan. All of them I think can be adequately and effectively dealt with in committee, Mr. Speaker, and accordingly I would move that the said bill be now read a second time.

Motion agreed to and bill read the second time.

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