

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
First Session — Fifteenth Legislature
30th Day

Thursday, March 18, 1965

The Assembly met at 2:30 o'clock p.m.
On the Orders of the Day.

MOTION REGARDING SITTINGS ON WEDNESDAY AND FRIDAY EVENINGS

Hon. W. Ross Thatcher: (Premier) — Mr. Speaker, may I, with leave of the house, move a substitute motion for item no. 2? I have discussed this matter with the Acting Leader of the Opposition (Mr. Brockelbank, Kelsey) and it is my understanding that there will be unanimous consent. I indicated some days ago that there are still about sixty-five pieces of legislation to come before the legislature, and we still have all the items of supply to pass. The government had felt that it would facilitate business to sit Wednesday evenings and Saturday mornings. However, the Acting Leader of the Opposition felt that perhaps we were pressing a little too hard. He suggested that, for the time being, we should only sit mornings, and not sit Wednesday night or Saturdays. The government has agreed to this, with the understanding that in a week or ten days, if the house is not proceeding along as quickly as we think it should, that we could take a look at the matter again. So in place of the motion that I had moved, I would now move, seconded by the hon. member for Moosomin, (Mr. McDonald):

That notwithstanding Standing Order 2, this house shall, commencing Wednesday, March 24, 1965, meet at 10 o'clock a. m. and there shall be a recess from 12:30 o'clock p. m. until 2:30 o'clock p. m.

Mr. Speaker: — This motion requires leave of the house. Is leave granted?

Mr. J.H. Brockelbank: (Acting Leader of the Opposition, Kelsey) — Mr. Speaker, I do not want to delay dealing with this motion but I do want to say a word of appreciation to the Premier and Leader of the house, for their consideration of this question. I think the decision is wise and I think probably we will make just as good time, just as much progress as if we were plugging ourselves away, six days a week.

There is one question that was raised, and that was a question of the committee work, and this will mean that there is only Friday morning, Monday morning, and Tuesday morning, for committees, so that if the committee work is not all finished, there will have to be some arrangement made to make time for committee meetings to get that done, and I assume that we can do that by negotiating a time. Thanks very much.

Mr. Martin Pederson: (Arm River) — Mr. Speaker, may I ask the Premier a question? I would take it, that this means no evening sitting on Wednesdays and Fridays as normal?

Mr. Thatcher: — No. Friday night, under the ordinary rules, the house leader may ask us to sit on Friday night if he wishes. I think it will likely be the intention to sit Friday evenings from this time forward. No, not Wednesday.

Motion agreed to.

WELCOME TO STUDENTS

Mrs. Sally Merchant: (Saskatoon City) — Mr. Speaker, before orders of the day, I would like to take a moment to point out to you and to the assembly, a visiting group that we have from Saskatoon. They are the grade seven students from Holliston School in Saskatoon. I know this house will want to make them welcome and wish them a very enjoyable and very educational day.

Some Hon. Members: — Hear, hear!

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Mr. J.A. Pepper: (Weyburn) — Mr. Speaker, before the Orders of the Day, I would like to draw the attention of the members to a group of students in the east gallery. They are the grade seven and eight class from the Talmage School in the Weyburn constituency. These students are accompanied by their teacher, Mrs. McRae, and their bus driver, Mr. Obst and his wife. I am sure the members join with me in wishing these students a safe journey home and that their visit here will be both educational and constructive, and enjoyed by all of them.

Some Hon. Members: — Hear, hear!

ANNOUNCEMENT RE QUEEN ELIZABETH'S APPOINTMENT TO THE ORDER OF THE BRITISH EMPIRE — CAPTAIN J.P.M. BEAUREGARD, GRAVELBOURG

Hon. Lionel Coderre: (Minister of Labour) — Before the Orders of the Day, Mr. Speaker, I would like to draw the attention of this house to the fact that Her Majesty, Queen Elizabeth this morning made Captain J. P. M. Beauregard, of Gravelbourg, a member of the Order of the British Empire. I would ask the members of this house to join with me in congratulating him on this occasion.

Some Hon. Members: — Hear, hear!

STATEMENT RE RADIO RE-BROADCAST

Mr. R.A. Walker: (Hanley) — Mr. Speaker, before the Orders of the Day, as one of the members who was aggrieved by the radio station failing to carry a speech on re-broadcast, I just want to say that there has been abundant evidence this year of poorly handled re-broadcasts of the legislative proceedings. I listened to the re-broadcast of the financial critic of the opposition. It was being re-broadcast on the day he made the speech. There were four or five minutes near the beginning of the speech where there was complete silence, and when I phoned the radio station and spoke to the operator, he pretended not to know anything about it. Of course, Mr. Speaker, the member for Regina west, (Mrs. Cooper) lost her re-broadcast. I lost mine, and I wasn't too concerned about this, Mr. Speaker, until I discovered the fault now is attributed to the advertising agency, MacLaren Advertising Agency, who is handling this account. I would think, Mr. Speaker, that the government ought to take this up with them, and try to ensure a better quality of program next year.

I also want to say that as far as I, myself, am concerned, if I am here next year I intend to ask for production of the voucher, and I want to satisfy myself that that half-hour time was not paid for. I am just giving notice that I shall be asking for it next year.

QUESTION RE LOST AUTOMOBILE

Mr. D.W. Michayluk: (Redberry) — Mr. Speaker, I put a question on the order paper some time ago with respect to a lost automobile on the legislative grounds, and it was changed to an order for return. I have another question to ask in respect to another lost car but I would appreciate an answer to the one that I submitted some time ago. I am just wondering when the answer will be forthcoming.

Mr. Thatcher: — Mr. Speaker, we will be pleased to look into this. Nevertheless I must say that orders for return and questions have been coming pretty thick and fast this session. We cannot have our whole staff devoting their time to looking up answers. There are the ordinary routine matters of business that have to go on, but we are making an effort and will continue to make an effort to get these questions answered as soon as we can.

Mr. Brockelbank: (Kelsey) — The ministers will be able to work at it on Wednesday nights and Saturdays now.

Some Hon. Members: — Hear, hear!

NOTATION RE RECORDED VOTE ON MARCH 15TH.

Mr. W.E. Smishek: (Regina East) — Mr. Speaker, before the Orders of the Day, under Votes and Proceedings, Monday, March 15th, under a recorded vote taken on bill 30, my name is omitted. I was in the house and I did vote with the yeas. I would

just like to bring that to the attention of the house and have it corrected.

Mr. Speaker: — In answer to the question the hon. member has raised, the official records of the house show that he voted, with the yeas, and the member for Redberry (Mr. Michayluk) did not vote at all. It is on the records of the house and it was inadvertently placed in the Votes and Proceedings in the way that it was.

RESOLUTION NO. 11 RE QUESTION OF TIME

Mr. Martin Pederson: (Arm River) moved:

That this assembly recommends that the government take suitable action to alleviate the distresses now occasioned in some areas of the province by the differences in time.

He said: Mr. Speaker, in introducing this motion to the legislature, I realize that we are probably entering into an area of trouble in this province that can stir up more controversy than almost any subject you care to name, and I hesitate to place this matter before the house at this time. In view of the very real concern expressed over the years by many people all over this province, concerning the question of time, I felt that it was wrong to wait for another session before introducing this particular measure.

I have heard, Mr. Speaker, the leader and the various members of the government party mention time and again, with some degree of pride, and perhaps justifiable pride, that they have introduced in this legislature, in this session, many of their election promises. But I have noticed, Mr. Speaker, that they have been extremely careful to avoid any reference to this most contentious issue of settling the time question in Saskatchewan.

You will note, too, that the motion as it appears on the order paper, does not spell out in any great detail; or in specific terms, the exact proposals. My reason for wording it in that fashion, Mr. Speaker, was so the government would have an opportunity to take whatever course of action that must have been in the mind of the now Premier (Mr. Thatcher), when he spoke some time ago in the election campaign and said that if he was Premier he would settle this once and for all.

I am most anxious, as I am sure most people around the province are, that he should have the opportunity to settle this before the advent of the summer months and the re-occurrence through the summer months of these problems dealing with time. I find, Mr. Speaker, in my own constituency of Arm River, that the question of the various types of time employed in one centre as opposed to another causes perhaps more argument and hard feelings than any other thing that has occurred in that constituency for a long time. These difficulties are certainly nothing new. Back in August of 1963, writer for the Saskatoon Star Phoenix wrote of problems back in 1918, and outlined the basic areas of dispute at that time. The remarks, at that time, as far back as 1918, were of a general nature. Farmers cannot see the advantage of daylight saving, whereas city people are generally enthusiastic over it.

It seems to me, being a farmer myself, but seeing the other side of the coin, because I live in the city, that I perhaps understand the mentality of both groups of people who, generally speaking, line up against each other on this time question.

The office worker does enjoy the longer hours of daylight in the evening, away from his job, that is accorded to him by daylight saving time. The farm worker in the summer and the farmer does not care what time the clock says because he is usually working from sunup to sundown, but it does aggravate him to have to adjust his farm operation to the time in the cities and larger towns surrounding him.

I want to give you an example of what I mean, Mr. Speaker. In my own district, which is fifty-two miles from Saskatoon, I have seen the occasion during harvest time when if I happen to have a breakdown on my combine at 3 o'clock slow time in the afternoon, then I am virtually stymied until the next day to get repairs because that is 4 o'clock city time, and it takes me a minimum of an hour to get there and, by then, the machine agents are closed. These are the sort of things that make farmers resent fast time. I do believe, Mr. Speaker, that if the people of this province were given an opportunity to devise a time zone that would be acceptable to the majority,

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and people by and large would ultimately accept this and abide by it.

I remember a few years ago when the previous administration started out with high hopes that they were going to correct all of the ills of the time question. The hon. Attorney General of that day made some rather strong statements about how this was going to be fixed up and everything was going to be fine. I recall that there was an act passed which provided for mountain standard in the winter and central standard in the summer, and that led to complete chaos, not only to the areas of the central part of Saskatchewan, and perhaps east of there, but in virtually every area of the province. Communities were arguing and fighting back and forth and complete chaos resulted from the actions of that day.

It would appear to me, Mr. Speaker, that some of the lessons of that legislation should have been learned, and from those lessons, surely, some guide lines for action in the future on this question could be set up.

I know the government asked that a committee be established, to do something about this matter and to submit proposals. The S.A.R.M., the S.U.M.A., and the Saskatchewan School Trustees Association brought in, not one, but three suggestions. This, I believe, is indicative of what will happen if you ask a number of organizations to submit proposals, if the number is ten, you will get ten proposals, and for this reason, I believe, it is imperative that the government take a certain course of action and stick by it regardless, because only by taking that type of action are we ultimately going to overcome the real problem that exists in Saskatchewan.

There was one suggestion by the School Trustees — they wanted mountain standard time for the whole province. The S.A.R.M. favored splitting the province into central and mountain standard times, and the S.U.M.A. wanted something in between. Now, last summer, Mr. Speaker, in my constituency, in the town of Davidson, the schools and I believe, the hospital, operated on mountain standard time. Some of the businesses were on daylight saving time but up the road at Kenaston, the school was operating on half time, and as a result nobody had any time.

I believe, Mr. Speaker, that this could be duplicated in almost every constituency, with the exception perhaps of the constituencies bordering on Alberta and Manitoba. I believe that hon. members on both sides of the house will share with me the real concern about this grave problem of taking action on the question of time zones.

I have checked the maps regarding the various divisions of time, and I find that the province of Saskatchewan lies almost completely within one of the time zones that was adopted many years ago, and has been the zoning system that has been set up around the world and accepted by most people. I recognize, Mr. Speaker, that when time zones split inhabited areas, it is sometimes difficult to draw a straight line and cut it off one side or the other.

I do believe, Mr. Speaker, perhaps on the boundaries of this province, that people would be willing psychologically to accept some type of a standard time zone for the province of Saskatchewan. Time has become almost as great a conversation piece as the weather, and coming from Saskatchewan, I believe weather is probably the greatest conversation piece that we have.

I want to give you an example, referring back to my own constituency again, of the type of confusion that exists in the area surrounding Davidson and up to Kenaston. Going back to the 7th of October, 1963, when the Davidson Board of Trade recommended that the town adopt time to conform to the two major cities between which it is situated. The next day on October 8th, the Davidson School Unit approved a request of a Kenaston School Board for the operation of Kenaston School one-half hour in advance of standard time. On the 5th of November, which was just a little less than a month later, Davidson town council ordered preparation of a bylaw to provide for central standard time throughout the whole year. Then coming into 1964, the rural residents around Davidson revolted against this. They, through newspaper columns, asked that rural municipalities be in on the voting in the deciding of this question. This is one of the anomalies, Mr. Speaker, that rural municipalities do not have a voice in deciding what time shall be used. It seems that only the urban areas make that decision.

On the 15th of January, just a week later, central standard time passed for the town of Davidson with a vote of 199 to 87, but only seven days later, the whole question boiled up again, when people from the rural areas and from the Maple Dale Farmers Union asked the Davidson School Unit to re-

main on mountain standard time all the year around.

Here we have a town that is operating on central standard, and the schools all operating on mountain standard. The bylaw was passed and the town went on to daylight saving time. The entire community boycotted the town with great effect, so that by mid-February, a meeting was held in Davidson to consider this problem and a formal motion was taken to rescind the bylaw which had brought in central standard time. It took some time for the rescinding of the bylaw to take effect, and as I recall it, last spring the bylaw was finally rescinded and the town reverted to mountain standard time, and then two weeks later, according to another bylaw, which was in effect, went back to daylight saving time. This is the type of ridiculous situation that exists as long as governments are afraid to take a firm hand in the question of time.

I must say that I was rather disappointed with the way the previous government retreated from this position as quickly as they did. I had hoped that they would have held on for awhile, supported the action that they had taken and attempted some stronger enforcement tactics in the various areas where the law was, in fact, flouted, and perhaps amended the act so that it could be more applicable to the province.

But above all, I think perhaps that the greatest cause for concern was that not enough thought was given to developing a type of plebiscite that would give some type of a clear cut answer. I think that the greatest criticism that I heard, during that period, from people all over the province was that it did not matter how you marked the ballot it would not come out right anyway. You could mark the ballot one way — you could mark it the other way, and you would be voting according to your conscience, but voting against yourself, somewhat in the position that I find myself sometimes, as the lone member over in this corner of the house.

I think that I have outlined the situation as far as the province is concerned, sufficiently, Mr. Speaker, so that members will have, I am sure, a good idea of what I am attempting to accomplish in introducing this motion. I just want to quote some of the remarks made by hon. members opposite recently, when they discussed this question of time. Mr. Gardiner, the hon. member from Melville, speaking about a motion in committee, (this was at a time when he was sitting in the opposition) said:

At the time I was quite willing to support the one time motion, if the government did have the courage to bring it in. I would have prepared to second the motion of our young friend . . .

He is referring to Mr. Thurston, who was a member of this legislature at that time.

. . . for one time over the entire province. It is going to mean that everyone is going to have to change their time twice during the year, which is inexcusable, when the government could have brought down a motion to provide for one time for the people of this province, as they have been suggesting in their speeches here.

I believe, Mr. Speaker, that his statement, coupled with the statement of the Premier, referring back to a speech that was quoted in the Leader Post on March 25, 1964, when the Premier was speaking in Gravelbourg, and answered questions regarding time. He said:

I don't care if it is mountain standard, central standard, or half-time at this point. All I know is that it must be definite and uniform.

Mr. Speaker, my purpose in introducing this motion, as I mentioned, is to give to the Premier, the opportunity to carry out this very vital and essential promise that he made during the election campaign.

Some Hon. Members: — Hear, hear!

Mr. Pederson: — For that reason, Mr. Speaker, I move, seconded by the hon. member from Pelly (Mr. Larson)

that this assembly recommends that the government

take suitable action to alleviate the distresses now occasioned in some areas of the province by the differences in time.

Mr. Cy. MacDonald: (Milestone) — Mr. Speaker, I am sure that this motion of the member from Arm River (Mr. Pederson) is of great interest to all the members of this house, but not only to the members of this house, but to all the people of Saskatchewan. I am sure that it will have great effect upon each individual constituency. Therefore, in order that each one of us might have the opportunity, not only to consult our own conscience, but to consult our constituency, I beg leave to adjourn the debate.

Mr. Speaker: — The member from Milestone (Mr. MacDonald) has asked leave to adjourn the debate. Is leave granted?

Debate adjourned.

ADJOURNED DEBATES

The assembly resumed the adjourned debate on the proposed motion of Mr. George Leith for second reading of Bill no. 06, An Act to confirm a Certain Bylaw of the Rural Municipality of Cory No. 344 of Saskatchewan.

Mr. A.E. Blakeney: (Regina West) — Mr. Speaker, we have already had some debate on this particular bill. Some of the points of view which I would wish to express have already been adequately and effectively expressed. I do want to add a few words about the bill and about the principle which it contains.

Certainly, Mr. Speaker, the comments of members opposite when speaking in support of the bill have been such as to obscure rather than to clarify the issue.

The issue here is not whether industry should have any financial inducements to locate in Saskatchewan, but rather whether these financial inducements should take the form of municipal tax concessions. Certainly, all members of this house agree with the idea of establishing industry in this province. Similarly, all members agree that in order to establish industry we will have on occasion, to provide for financial incentives to this industry. This has been evident both since the new government has taken office, and in the days when the CCF were the government of this province.

Members opposite have seen fit to comment that there were no fresh ideas with respect to attracting industry to the province and in doing so they have overlooked many of the things which I have mentioned in earlier debates in this house. But I would simply mention once again, the Industrial Development Fund, which was the first such fund in Canada; the guarantee of bonds of another cement plant; and of the steel mill, certainly in the case of the cement plant, over the very bitter opposition of the Liberal party, at that time.

I don't need to recount the story, except to point out that there have been many ways found of encouraging industrial development in this province. I am confident that all the ways have not been found and that the new government will find other ways to attract industry. I hope that they are new and fresh ways because the winning of industry to this prairie province is always going to have its difficulties and accordingly, a flexible approach to attract the industry will be necessary. But I say that I hope that they find some new ways and not tired, worn out and discredited ways of attracting industry, such as giving municipal tax concessions. This is perhaps the oldest way of attracting industry that has been used in Canada and in the United States and wherever it has been used it has, over the years, been found to be wholly unacceptable as a way of attracting industry.

The reasons for this have already been stated by some members. It simply leads to competition among municipalities, and competition which does not bring benefits either to the municipalities or to the ratepayers, but only to the industries who get one municipality bidding against the other.

Some provinces in Canada have engaged in this practice or have permitted municipalities to engage in this practice. But wherever it has been widespread and wherever it has continued for any extensive period of time, a reaction has set in. I would refer hon. members to the province of Manitoba where this sort of endeavor has been going on and which has recently been the subject of an exhaustive study by the Royal Commission which has

recently tendered its report in Manitoba, the Michener Commission.

I do not propose to quote in detail the recommendations of the Michener Commission with respect to municipal tax concessions for industry. I simply refer to a couple of the recommendations which set out the position with clarity and with force. Recommendation no. 42 says, very simply:

The authority to grant special municipal tax preferences to industry in any form should be discontinued.

In their view, municipalities, because of the way that this has been carried on in Manitoba and because of the very unfortunate results which have flowed from this type of concession, the Michener Commission recommends that authority to grant special municipal tax preferences to industry in any form should be discontinued. The Commission goes on to state its views under a heading, "Exemption for Industry" in the following terms:

We recommend that the authority to grant any kind of special municipal preferences to industry be discontinued. At present, industry may be exempted in whole or in part from municipal taxes but not from local improvement taxes or school rates. These exemptions may be granted for a maximum period of ten years, if at least three-fifths of the ratepayers voting on the measure, approve.

As indicated, we have recommended that authority to grant such exceptions be rescinded. Furthermore,

And I mention this particularly,

Furthermore, we disapprove of special legislation which permits the granting of fixed assessments to a particular industry.

The Commission goes on to say that the practice of allowing municipalities to grant concessions to industry is gradually dying out. Enabling legislation for this purpose was repealed in Alberta. in 1957, in British Columbia in 1958, in Ontario in 1961. Here we have a recommendation with respect to Manitoba, and there is a similar recommendation with respect to New Brunswick which I believe will be referred to by another speaker.

Mr. Speaker, the reasons for these recommendations are clear. The competition among municipalities does not, in fact, attract more industry. It simply affects the location of the industry, and it is with respect to the location of the industry in this particular case, that the bill is particularly unfair. It may well be that if the municipality which was putting forward this proposal was the R.M. of Whiska Creek or some one which was at a good distance from any built up municipality, some possible justification could be made for it, because it might be argued that the benefits which might accrue to the R.M. of Whiska Creek would be such as would justify the type of tax concession proposed. But, where the municipality is a fringe municipality, it is pretty clear, that the fringe municipality can get very substantial benefits which accrue from having an industry in their municipality without having any of the disadvantages — the disadvantages of providing the services which follow from the establishment of an industry and the coming to your area of the employees who work with the industry. This is for the very simple reason that the R.M. of Cory is a fringe municipality. It can attract to itself all the benefits which accrue from having this industry established, leaving to the city of Saskatoon, and perhaps the R.M. of Blucher or a couple of the surrounding areas, the task of picking up the tab for the extra social services which will be necessary to accommodate the employees who work in that industry. This point was ably and effectively put by the member for Regina East, the mayor of Regina (Mr. Baker).

But there is one other aspect of this which bothers me a good deal and it is that the government has evidently decided to use municipal tax concessions as a way of attracting industry. I think, Mr. Speaker, that this is a mistaken and indeed, a reprehensible policy on the part of the government. If it wants to offer concessions to industry, surely it ought to do so out of the funds of the provincial government. Surely, it ought not to make promises and tender and hold out inducements to industry and expect municipalities to pick up the cost. Surely, if a government is going to carry out a provincial policy of attracting industry, then it ought to bear the

costs of that policy. Mr. Speaker, the money which would enable the government to pick up this particular promise which it made, is available. The Saskatchewan Economic Development Corporation has ample funds which are available for concessions to industry, — funds that were set aside by the last legislature — funds of the order of \$2,000,000 available for grants that could be made if it is necessary to make grants, to attract industry. It is entirely wrong for this government to tender a concession to an industry and expect the municipality to pay the cost.

Mr. Speaker, that this was the sequence of events is perfectly clear. It was not the idea of the R.M. of Cory to offer this tax concession. This tax concession was not held out by the R.M. of Cory or the reeve of the R.M. of Cory but in fact, was held out by the Minister of Industry, the former Minister of Industry, Mr. Pinder. It was he who announced that the R.M. of Cory would make this concession. It was he who offered the tax funds of the R.M. of Cory to the Canada Cement Company. And the sequence of events is set out perfectly clearly in the press reports of those days. Along about December 10th of 1964, the then Minister of Industry, Mr. Pinder, was promising the Canada Cement Company that the R.M. of Cory would make concessions and at that same time, both the officials of the R.M. of Cory denied that they had offered any concessions and the officials of the Canada Cement Company denied that they had been tendered any concessions by the R.M. of Cory. I refer you to a clipping which appears in the Star Phoenix for December 11th, 1964, in which it is stated that:

The rural municipality of Cory denied today that it had made any special tax arrangements to attract this \$5,500,000 cement plant to the municipality, and officials of the Canada Cement Company also contradicted Industry Minister, Herb. C. Pinder's statement on Thursday, that Cory had made any such arrangements. Cory officials said that the R.M. had never offered any special inducements to the six major firms to locate within the municipality which surrounds Saskatoon.

So we see, that it was Mr. Pinder who made the offer of tax concessions. It was Mr. Pinder who said to the Canada Cement Company, "You come to Saskatchewan and we will give you a concession. Not from the provincial government but from the people from the R.M. of Cory".

Now, I do not know what happened between December 11th and December 14th, or 15th, or 16th, but it seems to me perfectly clear, that once the cat was out of the bag, once Mr. Pinder had been found out as offering, quite improperly, a tax concession on behalf of the R.M. of Cory, to the Canada Cement Company — and I say quite improperly, because while he would be in some position to commit provincial funds, being a Minister of the crown, he was in absolutely no position to commit the funds of the R.M. of Cory — when the cat was out of the bag, it seems clear to me, that the heat was put on the R.M. of Cory. Because on December 11th they were saying that they denied that they had made any special tax concessions to the cement company, and they pointed out that they had not made any tax concessions as a matter of policy to the six major firms which located there, and by December 14th or 15th it becomes clear that the R.M. of Cory had been pressured into making some sort of a tax concession. By December 14th, the Industry Minister, Herb Pinder, is, in the Star Phoenix of December 14th, saying that the Cory council is passing the bylaw which has been referred to.

Mr. Speaker, one can have what views he likes on whether or not industry should be attracted to this province. I, for my part, believe it should be. One can have his opinions on whether or not there should be financial inducements and I think that these too are necessary. One can have his opinions on whether or not these inducements should take the form of municipal tax credits and I think that they should not be, on the basis of the overwhelming evidence all across Canada. But there can be no room for doubt on whether or not a provincial government should go around committing municipalities to make tax concessions.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — There can be no room for doubt on the propriety of that particular course of action. And because this does not represent the views of the Cory municipality before the pressure was put on them . . .

Hon. D.G. Steuart: (Minister of Public Health) — How do you know?

Mr. Blakeney: — Because they say so. That is why. They deny it after Mr. Pinder announces it. That is a pretty good indication that they are against it.

Mr. Steuart: — Was that said lately?

An Hon. Member: — You will find out.

Mr. Blakeney: — Oh, we know. We know that it has all been cooked up. We know that there are a good number of arrangements made with respect to acreage and how much the fixed assessment is going to be on how many acres and all these sorts of things, and presumably all this will come out at the time when this gets in the private bills committee.

There has been a great deal of work done to make this look plausible. I know that, Mr. Speaker. But my point is . . .

Mr. Steuart: — It is plausible.

Mr. Blakeney: — It is plausible but it certainly is not commendable for a Minister of the crown to go around committing a municipality to tax concessions without the knowledge of that municipality and without their consent, as evidenced by these clippings.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Now, Mr. Speaker, as I say, I have no objection to financial inducements to industry. I do not think these should take the form of tax concessions offered by municipalities. And I most assuredly do not think that tax concessions by municipalities should be promised by Ministers of the crown, five or six days before the council of the municipality has had an opportunity to deal with the question. I think that for these reasons we cannot view this with anything but grave misgivings, because if Cory can be committed without their council having acted, so indeed can Regina or Saskatoon or any other city or town or municipality in this province. If this is so, then municipal councils have lost charge of their own finances.

This, Mr. Speaker, is conduct which I do not think should be condoned by this house and for this reason, both because tax concessions are the wrong way to attract industry and secondly because this is the wrong way to promise tax concessions, I think the house should defeat this measure.

Mr. W.S. Howes: (Kerrobert-Kindersley) — I had not planned on saying anything in this debate. In fact, I haven't got a speech prepared but after the last speaker (Mr. Blakeney) I would like to say a little bit.

I think that maybe we should look at the acts. Under the Municipal Act it is illegal under section 226 for a council to grant industrial bonuses, whereas in the Town Act under 312, it is legal. Now, this appears to be two different classes of municipalities and this bill is just making them equal.

I find the position of the opposition just a little hard to understand in this matter. I looked up the Municipal Act and it says under section 155:

That the council shall appoint an assessor who may be the secretary of the municipality.

Then it goes on under section 284 to say:

As soon as may be in each year, but not later than the 31st day of May, the assessor shall assess

And it says what he shall assess.

Now, I was the secretary of the R.M. of Mantario from 1948 to 1955. I received a letter in 1949 in December from the Director of Assessments requesting me as secretary and assessor to reduce the assessment on the Sodium Sulphate Plant at Alsask. That was under the previous administration. It was a tax concession. It was their idea and nobody can deny it. The letter is on file in the records of the municipality and I have no doubt that it is

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on file with the Department of Municipal Affairs. This is only another way of arriving at the same thing.

Mr. Blakeney: — Mr. Speaker, would the member permit a question before he resumes his seat.

Does he take the position that any town can make a concession similar to the one provided in this bill without special legislation?

Mr. Howes: — For the current year only.

Mr. Blakeney: — Ah.

An Hon. Member: — Do you object to us amending your bill?

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 or he will be precluded from doing so.

Mr. E.I. Wood: (Swift Current) — I would like to make a few comments on this.

It has been noted that municipalities are able to make concessions yearly in regard to the abatement of taxes. I would also like to make a passing comment on what has been said by the hon. member from Kerrobert-Kindersley (Mr. Howes). I am surely not aware of the letter that he has referred to. I will take his word for this. Undoubtedly there was such a letter. No doubt it might be able to be introduced here.

There are, from time to time, changes made in assessments and it is not unknown that assessments have been reduced from time to time in the province through the usual channels of the Court of Appeal and going to the Assessment Commission. The ways of reducing assessments or raising assessments are well known to the member opposite and it is a common occurrence for assessments to be raised or lowered through the channels of which I have referred. However, I know nothing of this one which you have before us. It may be, quite possibly, another manner in which this was done through a regular channel. I am not prepared to comment on it at this time. I would be very pleased to see this document at some time and to assess just what the reasons were behind asking for a reduction of assessment in this case.

I think that we have before us an instance of a municipality asking for the privilege to reduce the taxes in regard to an industry which is, may I submit, Mr. Speaker, an ordinary industry. There is nothing to set this industry apart from any other industry that may come in to this municipality or set it apart from most industries which are already in the municipality, or any other municipality in this province. I submit, Mr. Speaker, that what we do, in regard to this bill which is before us, in regard to the industry which is under discussion, can leave no room to deny this sort of assistance to any other industry that may come in to this municipality of any other municipality in the province.

I would point out, Mr. Speaker, that the principle involved here is a very bad one. Anyone who has had dealings with property assessments and property taxation throughout this province is well aware that you must stick to the principle of equity. If you get away from this, you are in no end of trouble. If you are setting a mill rate, it has to be the same for all throughout the municipality. Any assessments that are carried out must be equitable between one municipality and another and the mill rates which are applied in those municipalities must be equitable to all ratepayers in that municipality. When you start getting away from that, Mr. Speaker, it is well understood and well recognized that you are in definite trouble. I think that this is one reason why we should not approve of this bill.

I will not go into some of these matters further but I would like to point out that when the hon. Minister of Health (Mr. Steuart) spoke on this the other day, I believe he said that he did not wish to see any great change and it was certainly not the desire of the government to have this sort of thing widespread in the province but he looked for a flexible program that the municipalities would be able to work out; that they would not be so hidebound and they would not be so staid in their approach to this. He used the words "flexible program". I think this is a very serious thing. When you start to get flexibility in regard to taxation, you are getting into pretty deep and troubled waters and I think that this should not be. If

municipalities start to be flexible in their approach to taxation — they treat one person different or one industry different from another, this is not good.

I will not go further on these things because I believe that the hon. member from Regina West (Mr. Blakeney) has done a very good job of pointing out his ideas to this house, and the stand of this side of the house on this. I would like, however, to point out that the S.U.M.A. has been sending letters to the urban municipalities, and there have been a large number of replies coming back. I, myself, have received letters from an urban municipality in my constituency, protesting against this bill. I think that the people in S.U.M.A. are well advised to look upon this bill with a good deal of apprehension and disfavor. I find that I cannot support this motion on second reading.

Mr. I.C. Nollet: (Cut Knife) — I would like to make a few remarks in connection with this bill. A good deal has already been mentioned that I had intended to say but I do want to mention that it is very evident from the information that has been supplied to this house by a great number of municipalities, by councils, boards of trade, that there is general opposition to municipalities being permitted, over a long term period, to make tax concessions to industry.

The reasons given, Mr. Speaker, are sound. This was realized nearly forty years ago. It appears that the Premier and this government, in desperation, are making irresponsible commitments and promises to the electorate. They are now prepared to give away almost anything and everything, even local taxes, and thereby placing an added burden on hard-pressed ratepayers.

This comes strangely from a government that has talked consistently about reducing property taxes insofar as local governments are concerned. This give-away policy, Mr. Speaker, may have been acceptable at the turn of the century but certainly it is not acceptable today. It reminds one of the days when the Anaconda Copper Company established its dominant position in the state of Montana — years and years ago, at the turn of the century, a huge giant that has a gross income of well up towards \$500,000,000 a year from its vast holdings in America, in the state of Montana and elsewhere.

In contemporary Saskatchewan, and elsewhere, it was well accepted by the government and industry that payment of taxes, particularly local taxes, is necessary. And that this is a social obligation and responsibility that no one can evade with impunity. The action of the government in this regard indicates that it will go to any length to continue its political hoax that the previous CCF government discouraged legitimate private investment in the industrial and resource development of our province.

This nonsense was effectively answered by the hon. member from Melfort (Mr. Willis), who used a long litany of enterprises that had been established in Saskatchewan without tax concessions.

Mr. Speaker, their attitude is in sharp contrast in connection with the Power Corporation which provided the basic ingredient for industrial development, has over the past years, been quite different. They were most vocal regarding local taxes — usually cried that the Power Corporation was not paying enough taxes or was not paying enough when it assumed ownership and control by purchase of local plants, many of which were outdated and obsolete. Mr. Speaker, it seemed to me then, that the success of this major enterprise which I say, is the basic ingredient to industrial development in Saskatchewan.

Now, we find that they have gone all-out to endeavour to fulfil obligations and promises and statements that were irresponsible and to continue the hoax that somehow industry was previously discouraged.

The other point, Mr. Speaker, I think the Premier, particularly, is feverishly casting about, using every device end means that is at his disposal, so that private enterprise can be introduced in the province in the chance that perhaps private enterprise will fulfil his promise of 80,000 new jobs in the next four years. Well, we will wait and see what happens, Mr. Speaker, in that particular regard. I say again, that this was a hoax, and he is desperately trying to encourage industry by means that are not called for and that are repugnant to local governments and repugnant to the whole principle of industry paying its fair share of local taxes.

The companies that were established, and this one in the case of

Canada Cement, was already engaged in an expansion program, and this unnecessary inducement was a means by which they could accelerate an expansion that they had originally intended, and the purpose to my mind, seems to be quite clear. Because at that time the commitments were made by a minister of the crown, in connection with municipal taxes over which he had no jurisdiction whatever, and I say to the hon. Premier, if subsidization is necessary, in some form or other, or financial help needed, for heaven's sake, the provincial government should give it, because after all, the provincial economy will benefit far more as a result of industry than local governments will benefit.

I think, Mr. Speaker, this is all I wanted to say in this connection — that this sort of legislation is repugnant to everyone. It is out of date and reminds one of the turn of the century when our economy was indeed free-enterprise, but in the kind of world we are living in today, this is not possible, Mr. Speaker.

I will certainly oppose the bill.

Some Hon. Members: — Hear, hear!

Mr. W.A. Robbins: (Saskatoon City) — Mr. Speaker, I would like to say a few words with respect to the debate on this particular private bill. I believe it is completely wrong in principle and on this basis should be opposed if for no other reason.

If we believe that a municipality should permit tax concessions, what is to prevent many other municipalities immediately surrounding the area from engaging in competitive battle to attract industry on this basis? If Cory can give tax concessions in terms of an industry, what is to prevent Vanscoy, Blucher, or Montrose, or Harris, or any other municipality in the area surrounding the city of Saskatoon, from following a similar course and attempting to attract industry to their particular location?

If this situation arises, of course, heavier tax loads are then placed on the individual property taxpayer. Now, I find it rather difficult to understand why the government which always prides itself on being the friend of local governments, should take this approach — that it can, in fact, interfere, as it is quite evident interference did occur with this proposition in relation to the municipality of Cory. In support of opposition to this bill, the Royal Commission on municipal finance and taxation in the province of New Brunswick, 1963, commonly referred to as the Byrne Commission, should be referred to. I hope to read into the records some of the statements with regard to concessions by municipalities as they considered this matter in terms of attracting industry to municipalities in that particular province. I think we should take note of the fact, that the province of New Brunswick has a severe unemployment problem. It has a problem in terms of attracting industry. It has areas that are declared depressed areas and there are severe economic problems in that particular province. The Byrne Commission has some very interesting statements to make with respect to attracting industry. Quoting from section seven, paragraph two, chapter seventeen, it states:

We have also recommended a uniform and stable property tax base throughout the province.

It appears probable, in this province, that the government is contemplating eliminating machinery and equipment grants through SEDCO which have been used in the past in an attempt to attract private industry to this province, and if this is the intention, thereby shifting the load to municipalities, I oppose it. Quoting further from the Byrne Commission:

It should be noted that relief from the real property tax is not one of the inducements which we suggest for use in attracting new industry to the province.

First of all, we have already said that inducements offered to potential new industry will have the most impact per dollar when their benefit can be precisely calculated, and firms are apt to consider that relief from future real property taxes has a less certain value than assistance yielding a more immediate benefit. Second, it is more difficult to terminate tax concessions than it is other forms of assistance; almost invariably concessions are extended beyond the period for which they can be justified.

Thirdly, it would be very difficult indeed to confine property concessions to projects which would not occur in the absence of such an inducement.

Fourthly, since we are convinced . . .

and this is the Byrne Commission in New Brunswick

. . . since we are convinced that the cost of attracting new industry should be handled exclusively by provincial government incentives, it would only be logical for us also to recommend that the province pay grants to the host municipality equal to the revenue which the municipality lost because property tax concession has been made to attract a new firm.

Here is the concluding remark of this particular section:

We believe that it is necessary to cancel all outstanding tax concessions. We recommend that all existing tax agreements be terminated by provincial statute and no new ones be granted even for the purpose of attracting industries to the province of New Brunswick.

I concede that inducements are required to attract industry, but in my opinion, this is a completely wrong approach and that the provincial government is in serious error with respect to the situation that they have foisted upon the rural municipality of Cory.

I shall oppose the bill.

Some Hon. Members: — Hear, hear!

Mr. Speaker: — I must again draw the attention of the members of the fact that the mover of the motion is about to close the debate.

Mr. G.G. Leith: (Elrose) — Mr. Speaker, in rising to close the debate on the motion that this bill be read the second time, I find myself in a peculiar position in one way.

Ordinarily private bills are not discussed on second reading, on the floor of this house, because they do not deal particularly with matters of principle. We have a matter of principle here and we have had a fair discussion on the principle of tax abatement and tax easement and tax cancellation. Much of the debate has been ideal, to say the least.

Mr. Speaker, many of the members opposite who spoke have not taken the trouble to inform themselves about the particulars in this bill, and the reason for the bill. They have made allegations that the bill was inspired by political considerations. These allegations are entirely unfounded in fact. They have imputed motives and this is certainly their privilege, but I do not think it does them or this house any good.

We are today considering a private bill, and members of the house should take a moment to try to understand why this proposal was brought in as a private bill. Several of the members have stated and declared that this is a bill that in principle should be defeated. But the very purpose of a private bill is to allow certain matters to be taken into consideration by the house — certain things that may be done without creating new precedents or without breaking a principle by a general bill.

This is why, Mr. Speaker, bill no. 06, which affects the RM of Cory and the Canada Cement Company, is brought in as a private bill. I think members are in general agreement that the principle of tax abatement is wrong. We have heard speaker after speaker get up and say this, and I believe it myself. I think members on this side of the house believe that the principle of tax abatement is generally wrong.

If members to your right, Mr. Speaker, had believed that tax abatement was necessary in many cases; if they had believed that the precedent against it should be broken now and a new principle established, then I have no doubt, Sir, that a government bill would be brought in to allow

general abatement of taxes to municipalities.

I say that much of the debate on this matter has been ideal, but I do not think any member opposite mentioned the fact, and it is a very important fact, Sir, that rural municipalities are not allowed to abate taxes under any circumstances. We have heard mention of a submission by the SUMA. We have been informed that SUMA is going to oppose the bill in committee. Many of the speakers opposite based their speeches on this particular fact. I submit to you, Sir, that not one of them over there knows that SUMA, which concerns itself with towns and cities, has nothing to do with rural municipalities. Even the mayor of Regina, who sits in this house, I do not think, knows that rural municipalities cannot abate taxes under law, whereas towns and cities, may abate up to the entire amount of taxes, on a year to year basis. I have no doubt in my mind that members opposite and the members on this side know that cities and towns in this province are now abating for industry on this same basis.

I was interested to see an article in the Saskatoon paper mentioning that two parking trees are going to be built in Saskatoon. In this article, tax abatement was also mentioned. The fact is that the city of Saskatoon can abate up to one hundred per cent of the municipal taxes on a year to year basis. All it takes is a gentlemen's agreement to keep this going for five or more years. I think that if we were to investigate the new CN property in Saskatoon, perhaps we might find that this is exactly what is taking place. Still, members opposite say, "no, rural municipalities are not, and should not be allowed to do this". I say again, that in principle, we agree, but in this particular case, I for one, do not agree and I think members on this side of the house and to your right, Mr. Speaker, do not agree. This is a particular case, a peculiar case. It is not a case of a new industry coming in. It is a case of an extension to an industry that is already established.

I know that this is perhaps going beyond the principle of the bill, but the principle has been violated again and again in this debate. I want to tell you that the total amount of taxes that would be ordinarily collected on the extension of the Canada Cement Company, would be \$10,718 for the extension. Fifty per cent of this comes to a little over \$5,000 a year, of which about \$1,700 is municipal tax. The speakers opposite have said, "We can't, or we shouldn't take this revenue away from the municipality". Well, I submit to you, Mr. Speaker, that this is revenue that the municipality would never have seen or might never have seen if this tax abatement was not granted.

Mr. W.J. Berezowsky: (Cumberland) — Nonsense. You can do better than that.

Mr. Leith: — This is a matter of opinion, Mr. Speaker. Some members feel that the Canada Cement would have built this year anyway. I want to read something into the records. It is a letter on the stationery of the Rural Municipality of Cory, addressed to the hon. W. R. Thatcher. Before I read this in, I want to take note of a small article that appeared in the Regina paper on March 12th, 1965. It is headed:

Saskatoon Board Protests

And in it, Mr. Galbraith, or the article says that:

Mr. B. Galbraith, reeve of Cory, supported the recommendations of the council of Saskatoon Board of Trade, when it agreed Thursday to protest against concessions offered by Cory Municipality to the Canada Cement Company.

I want to clear up a little misconception now. This letter is addressed to the hon. W. R. Thatcher, from the R.M. at Cory, and it is signed, L. B. Galbraith, reeve of the R.M. of Cory:

Dear Sir:

Bylaw 6-64 and the request to the legislative assembly for ratification of the bylaw under bill 06 is unanimously supported by myself, as reeve and all members of the council of the rural municipality of Cory. The council has fully supported this bylaw with the knowledge that it will bring increased revenue to the municipality.

It means that the Canada Cement Company will expand its existing plant in the municipality to the extent that if the assessment will be doubled, the present tax revenue of \$10,109.37 would be increased by \$5,000, allowing for the fact that only fifty per cent of the increased tax of approximately \$10,000 can be considered as immediate increased revenue.

Representatives of the company

. . . and here he refers to the Canada Cement Company,

. . . indicated that immediate expansion of their number ten plant would not take place unless tax concessions were granted similar to concessions they had received in some other municipalities in other provinces.

The council agreed to consider their requests only because it would mean an increased assessment and more revenue to the municipality as a whole and would lessen the burden of taxes to all ratepayers.

Some Hon. Members: — Hear, hear!

Mr. Leith: — Here it is. This is the point of the whole bill. It is an extension to an existing industrial plant, and if you want to take the average that might be gained by the municipality, considered over ten years, the R.M. will, looking at it from one point of view, lose \$5,000 a year for ten years, which would be \$50,000. But looking at it from the other point of view, from the view that I take, and I think reasonable people will take, is that this is not \$50,000 lost but \$50,000 gained, and if you average this over twenty years, this will be ten years of abatement and ten years of full taxes, then it increases substantially. The company, I believe, is going to supply most of the services to the plant itself. The drain on the municipality will be negligible. They will have an increase of this amount of money.

There is a different way of looking at it. I am surprised that some members did not mention it. This is the fact that the city of Saskatoon may have to host another 100 or 150 working families. There is some concern about this, but this is offset, in my opinion at least, by the fact that the city will gain this much more population. It is true that they are going to have to supply schools, and sewers, and water, and streets for this extra population, but each of us here know, that when a new income-producing wage earner comes to a city, or when ten, or twenty, or one hundred come, that the demand for services increases and in the long run it is going to be a boon to the city of Saskatoon.

There are various other things that I could say but I don't want to prolong the debate any further. I don't think that it is necessary to outline the economic benefits that are going to come to the people of Saskatchewan, the people of Cory and the people of Saskatoon, from this extra addition.

Either you take the position that the Canada Cement Company would have built this year anyway, or you don't. I happen to believe that they would not have built. They could just as easily have added to their plant capacity in Alberta, in Manitoba or in Nova Scotia. In two other places, they were offered tax concessions. I think that the R.M. of Cory did the right thing in offering to abate their taxes fifty per cent for ten years, just to get this extension to new industry into our province.

You can look at it in another way — in terms of broadening our tax base over twenty years. After all, some of us may not be here in thirty years, or twenty years, but the people of Saskatchewan will be here and the people of Cory will be here, getting the benefit of this new industry. It will broaden our tax base. It is an opportunity for employment, which is important. No member in this house would disagree with this point.

In one more way, it is important. The extension of the Canada Cement is going to help build the industrial muscle that is going to help make Saskatchewan a completely industrialized province.

March 18, 1965

I support this bill right down the line. People have said time and time again that the R.M. is losing, but in fact they are not losing. They are gaining extra revenue, and I ask every member of this house to vote for this private bill.

Some Hon. Members: — Hear, hear!

Mr. R.A. Walker: (Hanley) — May I ask the hon. member a question before he resumes his seat. I tried to follow the hon. member's remarks as closely as I could, but I got the impression that he was suggesting that there was some difference between the powers of rural municipalities and the powers of urban municipalities with regard to tax abatement.

Mr. Leith: — It is my understanding that towns and villages under the Town and City Act may abate taxes annually, up to one hundred per cent. It is also my understanding that a rural municipality cannot abate any taxes under any conditions. I may be wrong, but this is what I believe.

Mr. Walker: — I wonder if the member was aware of this section . . .

Mr. Speaker: — Order!

Mr. Walker: — I thought I would ask him if he was aware of this section, Mr. Speaker, because it deals with the matter which he was commenting on.

Mr. Speaker: — I think the member spoke in the debate and I think the other member is closing the debate. I think these are questions that you could well ask when in committee.

Mr. Berezowsky: — Mr. Speaker, I would like to ask the hon. member a question? Is the hon. member not aware that the Canada Cement Company had issued a statement to its shareholders that they were going to proceed with this additional construction unconditionally?

Hon. AC. Cameron: (Minister of Mineral Resources) — This is not a question. It is a statement.

The motion was agreed to on the following recorded division and bill read a second time.

**Yeas — 30
Messieurs**

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

**Nays — 24
Messieurs**

Brockelbank (Kelsey)	Nicholson	Broten
Cooper (Mrs.)	Kramer	Larson
Wood	Dewhurst	Robbins
Nollet	Berezowsky	Brockelbank (Saskatoon City)
Walker	Michayluk	Pepper
Blakeney	Smishek	Pederson
Thibault	Link	
Willis	Wooff	
Whelan	Snyder	

MOTION RE SNOW REMOVAL ASSISTANCE — RESOLUTION NO. 9

The assembly resumed the adjourned debate on the proposed Resolution no. 9 moved by Mr. Pederson:

That this assembly recommends to the consideration of the government that a special emergency grant be established to provide assistance to rural municipalities for the purpose of opening school bus routes where snow clearing facilities are inadequate, resulting in the inability of pupils reaching school.

Hon. W.R. Thatcher: (Premier) — Mr. Speaker, this has been a problem which has been with us for many years . . .

Some Hon. Members: — Hear, hear!

Mr. Thatcher: — . . . Former governments saw fit to do nothing whatever about it. However, this administration has looked into the matter and discussed it with the Department of Municipal Officials. We are hopeful that, at the appropriate time, we may be able to bring in some legislation which may be useful. Under the circumstances we will not oppose this bill, or this resolution this afternoon.

Some Hon. Members: — Hear, hear!

Mr. A. Thibault: (Kinistino) — Mr. Speaker, I do not like to say too much about this matter. It is one that I have always supported.

Mr. Thatcher: — Why did you . . .

Mr. Thibault: — You had the floor a while ago. I want to say the budget for the municipality — I shouldn't discuss the budget, but the budget has been cut down on the estimates which should have been increased towards such programs as snow removal.

Some of the areas of this province have a real problem with snow removal. Snowfall is heavier in some parts of the province than others. I want to give you some of the records of the snowfall in this province back to 1948.

The Melfort district, in 1948, had fifty-two inches of snow. Regina had twenty-nine inches. In 1949, Melfort had thirty-two; Regina had forty-four. In 1951, fifty-nine for Melfort; forty-seven for Regina. You go down to 1945 — Melfort had fifty-six inches of snow. You have only a trace of snow in Regina. In 1955 and 1956, you had seventy-seven inches of snow in Melfort. You had only a trace of snow in Regina. So you can see why you would have spotty support for such a program. But it is one that I think needs consideration in view of the fact that a grid road program is coming to an end and I think this is one area that the government should consider assistance for because it means assistance to the municipalities for winter maintenance. I hope that before too long we will see some assistance for winter maintenance in one form or another.

So, I certainly will support this resolution.

Motion agreed to.

RESOLUTION NO. 10 — RE ROYAL COMMISSION ON HEALTH SERVICES

The assembly resumed the adjourned debate on the proposed Resolution No. 10, moved by Mr. W.G. Davies (Moose Jaw):

That this legislature endorse in principle the recommendations of the Royal Commission on Health Services and urge the Government of Canada to call a conference of Provincial Premiers and Health Ministers immediately with a view to the progressive implementation of recommendations of this report; and further urge the Government of Canada to enter immediately into a financial agreement

to pay half the costs of a Medical Care Program to any province which institutes or has instituted a Medical Care Program that conforms with the Commission's recommendations respecting medical care plans.

Hon. D.G. Steuart: (Prince Albert) — Mr. Speaker, in speaking to this resolution, I think before I adjourned this debate, I went on record as saying that we support the purpose and the idea behind this resolution. Mind you, it is a fairly sweeping resolution and I think we should make it clear that we do not support everything that is in the Hall Commission Report necessarily. But we support the philosophy and we support the general idea, and most of the recommendations, especially as they deal with medical care. I think it is recognized that the Hall Commission Report, in recommending a type of medical care program, to the national government, pretty well recommended a program along the lines that have been set up here in Saskatchewan and is working here in Saskatchewan.

There are some parts of the resolution that do concern me a little bit. In the first place, I think we should point out that the steps that have been taken towards moving the adoption of the Hall Commission Report along, naturally one of the first steps would have to be or should be, a meeting of all the Health Ministers with the national Health Minister. I think it should also be recognized that until the second report of the Hall Commission came in, that there would be very little point served in having this meeting. That report is now in and we have been promised by the federal Minister of Health and Welfare, Miss LaMarsh, that she will be calling such a meeting. I would think that to call immediately for a meeting of the Premiers of the provinces is a little premature. I do not think this is enough. The fact that this is contained in this resolution is enough to have us oppose the resolution because we support the principle of the resolution.

But the last part of the resolution does concern me:

and further urge the Government of Canada to enter immediately into a financial agreement to pay half the costs of a Medical Care Program to any province which institutes or has instituted a Medical Care Program that conforms with the Commission's recommendations respecting medical care plans.

Now, what we are saying here, in effect, as I read it, is that if we pass this resolution and support it, this assembly will go on record as urging the federal government to immediately pay half the costs of a plan that is similar to the plan that the Hall Commission recommends. I pointed out when I spoke on this matter earlier, that we should be very careful that we do not take a stand that will not allow the federal government some latitude. Already the province of Alberta has entered into a plan. The, province of Ontario is thinking about going into a plan very shortly.

Whether we in Saskatchewan agree with the kind of medical plans that they have embarked on in the case of Alberta, or that they are thinking of embarking on in the case of Ontario, we may not agree. We may think that the plan that we have developed here in Saskatchewan is a better one and we may take steps to try and encourage them to accept the same kind of a plan as Canadians. But I think we have to be very careful. I would not like to see the federal government get into a position where they say they will only support a medical care plan, a national medical care plan that conforms exactly, or conforms very closely, to what is recommended in the Hall Royal Commission. It has been suggested in the Hall Commission also, that they should do this immediately that two provinces containing at least fifty per cent of the people come in. If Ontario came in., the fact that Alberta is in a plan now, and we are in a plan, the moment Ontario would come into a plan would mean that this particular recommendation of the Hall report would have been met. The federal government then, I think, would have a responsibility to start cost sharing.

But if we have gone on record to say they should only cost share of about fifty per cent of the people of Canada, more than one province, enter into a form of medical care plan that is very close to Saskatchewan, very close or similar to the one recommended by the hall Commission Report, we could find ourselves never getting it. We might be in a position where we would never get cost sharing. So I think we should go on record as we are on record, on both sides of the house, as saying this is the kind of a medical care plan we think suits us best in Saskatchewan. I do not think,

as a provincial government, it is our business what they do in Alberta or what they do in Ontario. It is, I suppose, in the context that we are all Canadians. But I would hesitate to support this last recommendation in this report.

Mr. Speaker, I have an amendment and I think it still follows the spirit of this, in that this assembly in this house, would urge the federal government to take steps as soon as possible to become involved in a national medical care plan and to enter into agreements with provincial governments to cost share medical care plans and my amendment reads as follows.

That all the words after the word "report" in the fifth line be deleted, and the following substituted therefor: "and further urge the Government of Canada to enter immediately into a financial agreement to pay half the costs of a comprehensive medical care program which has been or will be introduced by any province in Canada."

Mr. Speaker, I so move, seconded by the hon. Mr. Heald.

Mr. Speaker, I haven't any more to say but just on the amendment. It isn't that I did not support the principle behind the original resolution. I just felt that it could be too restrictive and I would urge all members to support the resolution as amended.

Mr. A.E. Blakeney: (Regina West) — Mr. Speaker, I just had an opportunity to look at the amendment proposed by the hon. the Minister of Public Health (Mr. Steuart) and I think the effect of it is to ask the federal government to urge the federal government to pay half the costs of a comprehensive medical care program which has been or will be introduced by any province in Canada, rather than one which conforms with the recommendations of the Royal Commission on health services.

I think, Mr. Speaker, it is rather difficult for us to, at one and the same time, to endorse in principle the recommendations of the Royal Commission on health services and urge the government of Canada to call a conference with a view to the implementation of those recommendations, and then, in the next breath, ask them to pay half the cost of a comprehensive medical care program which may be at very great variance with those recommendations. Because it seems to me, very clear, Mr. Speaker, that the recommendations of the Royal Commission on Health Services with respect to the desirable type of medical care plan were clear and definite. Therefore, it seems to me, inappropriate for this legislature to call upon the federal government to endorse those very clear and definite recommendations contained in the report of the Royal Commission on Health Services and tack on to the endorsement something which suggests that the federal government should pay half the costs of any comprehensive medical care program which has been introduced into any province of Canada.

I think it is unreasonable for us to expect the federal government to pay for half the costs of a medical care program which might be introduced into some province in Canada and which might be diametrically opposed to the type of plan recommended by their commission.

Accordingly, it seems to me that we have to have another look at this amendment. When we look at it we will see that it asks the federal government to bear the costs of a medical care program which may be introduced into any province of Canada and the only qualifying phrase is that it be a comprehensive medical care program. I do not know what a comprehensive medical care program is but the word "comprehensive" when used with respect to a medical care program is usually used, not to define the group of people who will be covered, but rather the range of services which will be offered. Accordingly, a comprehensive medical care program can, in the usual parlance of medical care programs, be very much less than universal. In fact, it can apply to a very small segment of people. It can offer a comprehensive range of benefits to a relatively small segment of people. This is the usual meaning applied. When you talk about a comprehensive plan you are talking about the range of benefits. When you are talking about a universal plan or a universally available plan, you are talking about the group of people to whom it would be available.

Mr. Steuart: — You must have convinced yourself. You said you did not know what it meant and then you proceeded to explain what it meant.

Mr. Blakeney: — Well, I am trying my best . . .

Mr. Steuart: — Well, you have convinced me and that is good.

Mr. Blakeney: — . . . and as they say, my best is none too good.

Mr. Steuart: — It would be easier if you knew what it was all about.

Mr. Blakeney: — But my point is this, that if we are asking the federal government to pay for half the costs of a comprehensive medical care program which is far less than universal, then I oppose this, and I oppose it for all the reasons which are set out in the recommendations of the Royal Commission on Health Services which we are approving in the first portion of this resolution.

The Commission dealt with this very fully. They considered proposals similar to, let us say, the Alberta plan. They considered briefs submitted to them by the insurance industry of Canada and they reached the conclusion that comprehensive medical care programs which were not universally available offered the wrong solution or the wrong partial solution to the health problems of Canada. They felt this to be the case because the only way to divide the people who would be covered from the people who would not be covered would be on some sort of a means test basis. Then they considered arguments which would have suggested that a plan ought to be set up which would offer a comprehensive range of benefits to the people who were financially unable to provide such benefits for themselves. They tried to work out some basis for making this division. They considered a financial standard or threshold. They said, in seeking this standard, perhaps people should not spend more than four per cent of their income on health services but they felt that was obviously rather ideal. Perhaps it should be five per cent. Or let us make it six per cent. Or even seven per cent. After they had applied a seven per cent standard, the number of people who have now to spend more than seven per cent of their income to provide themselves with a proper range of health services and who accordingly would be entitled to some benefits under a less than universal plan, is nine million. Nine million in Canada.

And they reached the very proper conclusion, that to apply a means test to nine million people or any number approaching nine million people, was administrative nonsense.

They went through all these arguments and they reached the conclusion that the plan which Canada had to have was a universal plan of the type we have in Saskatchewan. Having done this, they considered the various arguments put forward by the insurance industry for plans which were administered by dozens and dozens of different carriers and they reached the conclusion that this would be exceedingly wasteful. This might cost an extra, perhaps, ten per cent — might cost many tens of millions of extra dollars to operate individual comprehensive medical care programs which were not universal in their application.

The Commission felt — Mr. Justice Hall felt, in his report and in many of the speeches he has given since the report was made public, that Canada could ill afford to spend tens of millions of its health dollars pushing paper in this direction and then back in the other direction. He reached the conclusion, and he has reinforced this in public statement after public statement, that the proper health plan for Canada is a plan patterned very much after our Saskatchewan plan insofar as it relates to physicians, services. This is indeed what he recommended.

And if, Mr. Speaker, we are to endorse in principle the recommendations of the Commission, then I believe, in order to be consistent, we ought only to ask the federal government to share the costs of those medical care plans which are consistent with these recommendations.

It seems to me that the wording suggested by the Minister of Public Health (Mr. Steuart) is designed to ask the federal government to share the costs of medical care programs which are inconsistent with Mr. Justice Hall's recommendations and, that being the case, because it is manifestly logical nonsense to approve of the recommendations calling for a universal plan and then ask the federal government to share the costs of something other than a universal plan, I cannot support the Minister's amendment. And because in any case, we on this side of the house, or at least, I, believe that the recommendations of the Hall Commission are right in their diagnosis of the type of plan we need to serve the health needs of Canada, and because I feel

that is the kind of plan which the federal government ought to participate in. For those two reasons I cannot support the Minister's amendment.

My third reason is that when the hospital plan was instituted in Canada, the federal government set out standards which were very adequate, and which have resulted in Canada having a national hospital scheme which has been highly desirable for all people in Canada. And one of the main reasons why it has been highly desirable is because it has a degree of similarity all across the country. Because of those three reasons; because the amendment is illogical when tacked on to the first portion of the resolution; and because the amendment seeks to approve medical care plans of a type which I do not believe will do the job and which Mr. Justice Hall does not believe will do the job; and because the amendment is consistent with our having a whole range of medical care plans which will mean that Canada would have a very variegated pattern providing gaps in coverage, difficulties when transferring from province to province, and all the other problems which would be met if our hospital plan were ten different plans, I will oppose the amendment. Because we have had the experience of the hospital plan and know that this is a sound approach; because the report of the Royal Commission headed by Mr. Justice Hall, but whose report was concurred in by some other learned authorities like Dr. Baltzan and Dr. O.K. Firestone, and some of these other people who may be classed as authorities, even if the Hon. Minister waves off Mr. Justice Hall; because these things are true, it seems to me that I must find myself unable to support this amendment and find myself in agreement with the motion as it originally stood.

I know, Mr. Speaker, that the hon. Mr. Davies will want an opportunity to close the debate. He is home sick today. But because some other member on this side of the house might want to speak on the debate, I will not now ask leave to adjourn it but will simply restate my position in saying that for the reasons stated, I feel that the amendment is unacceptable and the motion as originally presented by the hon. member for Moose Jaw (Mr. Davies) is the one which ought to be adopted by this house.

Mrs. Marjorie Cooper: (Regina West) — Mr. Speaker, I would like a little more time to consider this amendment and I beg leave to adjourn the debate.

Debate adjourned.

RESOLUTION NO. 2 — RE APPOINTMENT OF OMBUDSMAN

The assembly resumed the adjourned debate on the proposed Resolution No. 2 — re appointment of an Ombudsman, moved by Mr. A. E. Blakeney:

That this Assembly recommends to the consideration of the government the appointment of a committee composed of members of the Legislative Assembly to conduct an enquiry, following Prorogation of the Assembly and during the inter-Sessional period into all matters relating to the appointment of a Legislative Commissioner or Ombudsman in order to provide further means of redress for grievances of citizens against administrative injustices.

Hon. D.V. Heald: (Lumsden) — Mr. Speaker, may I again compliment the hon. member from Regina West (Mr. Blakeney) on his remarks in support of this resolution the other day. May I assure the hon. member and all members of the house, that the government has under consideration, not only the office of the Legislative Commissioner but as well, the entire field of the administrative process in its relationship to the individual.

A Legislative Commissioner or Ombudsman, if established, can only be a part of this entire administrative process. Now, I had the very good fortune last fall to meet Sir Guy Powles, when he attended and spoke to the Canadian Bar Convention in Montreal and I was impressed by what he had to say about the success of his office in New Zealand over the past two years.

I have also, Mr. Speaker, as Attorney General and as a member of the legal profession in this province, followed with interest the various articles appearing from time to time, on the desirability of establishing such an office in various common law jurisdictions.

I agree with the member from Regina West (Mr. Blakeney) when he says that the increasing role assumed by government in our society through

various programs, exposes our citizens to additional peril to their individual liberties. Unlike private business, the citizen cannot take his business across the street or down the street, if he is dissatisfied. He is often compelled to deal with the government or some agency of government. Fortunately, I believe that the people of Saskatchewan enjoy a fair and efficient and conscientious public service and the occasions of maladministration or indiscretions by public servants, in my view, have been few, to my knowledge, in this province. Generally, the individual who is dealing with government in Saskatchewan, is confident that he can rely on the public servant to treat him fairly and in good conscience. I therefore, wish to make it clear at the outset, that my remarks today are not intended to reflect in any way, on the quality of service provided to the people of this province by our public officials. The standard of service is, in my view, excellent. However, it is only human to err and there are always exceptions to some rule.

The fact that the individual is compelled to deal directly with the government, or that his activities are made subject to what we might consider is control legislation, makes it necessary that adequate remedies exist for his protection. This demands, in my view, a constant review of our procedures which provide these remedies to keep pace with increasing government intervention.

I think we are all aware that existing procedures for the protection of the public and of the individual, are sometimes complicated and expensive. In some cases, the protection offered varies from statute to statute, and in some cases no procedures exist whatsoever to provide the individual with recourse when faced with an arbitrary decision of a public official.

Most jurisdictions have been concerned with the question of providing adequate appeal and control legislation over such decisions without unduly prejudicing the operation of government programs. This has been evident, for example, in Britain and in the United Kingdom, where we have seen critical examinations made of the entire administrative process in relation to individual rights. The latest report was called "The Franks' Report". In Saskatchewan, we do not have nearly as elaborate a system of administrative tribunals as presently exist in Britain.

Now, to evaluate, Mr. Speaker, the possibility of establishing an entirely new remedy and this is what the office of an Ombudsman would be. In my opinion, Mr. Speaker, this requires an appreciation of existing remedies to determine whether such an office can be supplementary to these remedies because I do not think anybody would suggest that the Ombudsman could replace or become an alternative to existing remedies. To understand existing remedies, it is necessary to appreciate the trichotomy of legislative, executive and judicial powers in our political theory.

Our political system has been based historically on a separation of these three powers. The legislative power has been defined as the creation of a general rule of conduct without reference to particular cases. The executive power, or, as it is often called, the administrative power, is the making an issue of a specific direction or the application of a general rule to a particular case, in accordance with the requirements of policy. The third function, the judicial function or power, is the determination of an issue conclusively after investigation and deliberation by the application of your legal rules, your pre-existing legal rules. More simply, I suppose we could say that the Legislative Act is the making of a law. Administrative or Executive Act is the carrying into effect the law, and a Judicial Act is the enforcement of the due observance of the law.

Now, under our present system of government, it is axiomatic, I suggest, that the legislature is the supreme authority through which the law emanates. No court or any other authority can or should have the power to question the propriety of legislation within the powers of the legislature, of course.

Generally, parliament carries out the legislative functions. The public service under the responsibility of the various cabinet ministers, ministers of the crown, carries out the administration of the law and the courts exercise the judicial functions. Initially this division between the various functions was clear, but as government became more complex, it became increasingly difficult to differentiate, in some cases, between the functions being exercised. For example, one of the most notable developments over the past hundreds of years has been the evolution of the technique of parliament delegating legislative power to various authorities. We see delegation occurring to municipal corporations, the ministers of the crown and the government agencies and departments, to name but a few. Under many

statutes for example, the Lieutenant Governor-in-Council or a particular minister may have delegated to him the power to enact regulations that can affect the individual as much or more than the statute itself, We are taking a step in this regard, Mr. Speaker, in this house insofar as the Regulations Act is concerned.

I commend my predecessor in office in this regard. In addition, parliament has delegated to these authorities, vast areas of discretion in such matters as the necessity for expropriation of land, licensing provision and taxing powers that are only subject to the limits prescribed by the statutes. As government becomes more complex, it has been necessary to delegate legislative power and discretion to all levels of government. That is, of course, necessary for the efficient operation of the various legislative programs, but in delegating the power to make these decisions, the legislature must necessarily lose some of its control. The most important aspect of such delegation applicable to the question before the house at this time, is that in some instances, delegated. discretion is legislative in nature, not necessarily involving a regulation or a minister's order, and not necessarily involving the minister. In other cases, the discretion delegated is purely administrative in nature and may be exercised by the minister or his officials.

The result of the process of delegating legislative power and discretion, is to obscure certain areas, the lines of demarcation between the traditional concept of the legislative and administrative functions. This has led an eminent legal writer on the subject to remark, after describing in detail the criteria to distinguish between a legislative and an administrative function and this is what he (Mr. S.A.D. Smith) says:

Since the general shades off into the particular, to discriminate between the legislative and the administrative by reference to these criteria may be a peculiarly difficult task and it is not surprising that the opinions of judges as to the proper characterization of the statutory function are often at variance.

Similarly, Mr. Speaker, the hard and fast line dividing the judicial and administrative functions has been to some extent obliterated. In some Saskatchewan statutes, the court is empowered to sit in appeal on a purely administrative decision of a public official, substituting the court's own discretion for the official's discretion without a single guide line for the court to follow. Through various remedies, the court now enters the administrative function. Through various tribunals, the administration has entered the judicial field, as we all know.

The most important and most complex judicial participation in the administrative process, I suggest, is by way of prerogative writs of mandamus, prohibition, certiorari, and so on. We have seen the development of the concept of an administrative tribunal that may or may not be acting judicially, depending on his duty. It is the extension of these writs to quasi-judicial and administrative acts that has helped to obscure the division of power between judicial and administrative acts and has carried the courts into the administrative function. There is now, as any lawyer can attest, an immense body of legal precedent surrounding the control of such tribunals by the court.

I cannot today, begin to describe the complexities of the application of these prerogative writs other than to indicate the application of two of them, mandamus and certiorari.

In general, mandamus lies to compel a public duty and certiorari perhaps to control the decisions of inferior courts and those tribunals exercising a judicial function that may include administrative tribunals or even individual officers exercising a judicial function. An example, of course, of such an administrative tribunal is the Labour Relations Board. The courts, rightly or wrongly, and I make no comment, have increased the application of these writs to control the areas that perhaps at one time, were thought to be outside the jurisdiction of judicial review, As I said, Mr. Speaker, I do not want to get into a discussion of the court's role in this area, as I merely wish to indicate to the members of the house, that the court does now to some extent participate in the administrative process. I think it is generally recognized that the prerogative writs are fairly technical in nature and present a great deal of difficulty in their application.

Mr. Speaker, we must consider, I suggest, whether we can place within this framework of our political structure, the office of an Ombudsman.

It seems obvious that the Ombudsman cannot properly review any decision involving the legislative function. New Zealand has precluded, quite properly so in my opinion, any examination of legislative acts, and the Wyatt report which was quoted by the hon. member for Regina west, recommends that the commissioner's duty should not extend to acts of the legislative nature. In addition, it is generally conceded, I think, that the Legislative Commissioner should not have the power to review judicial decisions, nor to act in those areas where recourse to the courts is available, or where other appeal provisions are provided. This is recommended by the Wyatt report. The situation in New Zealand is that the Ombudsman or the Parliamentary Commissioner's jurisdiction is expressly excluded, if there is some right of appeal on the merits of the case, even though that right may not have been exercised.

I do not think anybody can seriously quarrel with that position. It is apparent then, Mr. Speaker, that this leaves those acts of an administrative nature, that might properly be subject to review by a Legislative Commissioner. If we examine the administrative function it can perhaps be roughly divided into five principal classes, some of which will to some degree overlap into the legislative and judicial functions. I suggest that these five classes are as follows:

- (1) Decisions of a legislative or administrative nature affecting policy.
- (2) Decisions of an administrative nature with a right of appeal.
- (3) Decisions of a discretionary administrative nature without the right of appeal, not affecting policy.
- (4) Maladministration.
- (5) Those administrative decisions now controlled by the prerogative writs, that I mentioned a few minutes ago, mandamus, certiorari, and so on.

It seems apparent that the Ombudsman's duty should not apply to policy decisions on two grounds. First, where the decision is of a legislative nature, all legislative acts must be beyond the scope of the office. Such a decision perhaps more properly falls into the legislative function, but as the decision is made outside the legislature, by a minister of the crown, or an official of the crown, I have included it as part of the administrative process. Secondly, where the decision is based upon the policy of the administration but is not of a legislative nature, it should not be subject to review, in that it would derogate from the principle of ministerial responsibility upon which our system of responsible government is founded.

Sir Guy Powles, when he appeared before the parliamentary standing committee in Ottawa last fall on Privileges and Elections, stated that this was the attitude the New Zealand parliament adopted with respect to a review of decisions involving policy.

This is what Sir Guy had to say on this matter, as reported in the minutes of Proceedings and Evidence of the Standing Committee on Privileges and Elections on page 356. He is talking about his experience in New Zealand:

There is the question of my relationship to ministers of the crown. I am empowered to examine any recommendation made by the department, whether or not, a minister has acted on it; but I have no authority to examine or criticize the actual decision of the minister himself.

At the time when the bill was being passed, it was said in the house that under our parliamentary system, the minister, of course, is responsible to the house for his actions, and that is where he should be called to account, if he is going to be called to account at all.

In effect and in practice, we do have the situation where I have to inform a minister that I do not consider the recommendation upon which he had acted, to be a sound or valid recommendation. Also, there is the contrary circumstance, where a department has made a sound recommendation, but the minister has done the other thing,

deliberately and on his own decision. There, again, is a circumstance which is outside my jurisdiction. I feel in applying the office of Parliamentary Commissioner for investigations to a situation where we have as you have, a system of ministerial responsibility, in a parliamentary democracy it is advisable to be very clear with regard to the relationship between the Ombudsman and the minister.

Mr. Speaker, our system of cabinet government, of responsible government, rests upon the principle of ministerial responsibility and it is my firm conviction, that any decisions involving the policies of the administration, must, to preserve this principle, remain outside the jurisdiction of the courts or any other authority, including a Legislative Commissioner. Anything that will erode this principle of ministerial responsibility, or any law that would present an opportunity for the weakening of this principle, will receive my strongest objections, and I am certain that most members of the house, feel this way.

I would therefore submit, Mr. Speaker, that a review by a Legislative Commissioner must stop short of the following matters:

- (1) Legislative functions, whether carried out by the legislature or under delegated legislative powers.
- (2) Right of appeal, to a court or tribunal, whether that right has been exercised by the individual or not.
- (3) Decisions involving the policy of the administration whether such decisions are made by the minister or otherwise.

Now, Mr. Speaker, if my classification of administrative decisions is correct, there remain only two areas that could be within the proper jurisdiction of an Ombudsman. These are:

- (1) Decisions of an administrative nature, not involving policy without the right of appeal, or review by some authority.
- (2) Maladministration.

I think that it is necessary to define maladministration, and I use that term as it is defined in the Wyatt report. The term maladministration is not one of precise meaning, but it is not concerned with complaints against administrative acts, merely because they give effect to laws which are considered objectionable or in some way undesirable. That is not maladministration. Similarly, administrative acts that implement what is considered to be a wrong policy are not acts of maladministration; nor are complaints against discretionary decisions which are lawful in themselves, but unwelcome to the complainants.

Now to state a definition of maladministration. In my view, maladministration would be an act of official misconduct in the sense that the administrative authority responsible for the decision, has failed to observe the proper standards of conduct and behavior, when exercising his power. It would take the form, I suggest, of an abuse of power by the administrative authority as, for example, when a public official behaves oppressively towards a man who has been lawfully placed in custody. This would be an example of maladministration; or where a public official shows an unfair preference when allocating government contracts, something like this would be maladministration. Maladministration could occur when official misconduct causes loss or damage to a citizen through inefficiency, negligence or error on the part of the official involved.

Mr. Speaker, it is interesting to note that the Wyatt report recommended the implementation of the office of a Parliamentary Commissioner, but would restrict the operations of the Commissioner to a review of acts of maladministration in the sense that I have defined the term. Perhaps this is an area in which the Ombudsman could properly operate. In some instances, the citizen may be without a remedy. Undoubtedly, depending on the facts, the improper conduct in question might allow an action in court for damages, or a criminal prosecution or an injunction maybe. However, maladministration alone, Mr. Speaker, would not in my opinion, warrant the establishment in this province of the office of Ombudsman. I think the reasons are many, but primarily, maladministration as I have defined it, has not been a major problem

in this jurisdiction and if it has existed, the press and the individual members of this house are quick to take up the cause, and this is as it should be.

With respect to purely administrative decisions that do not involve policy, I think that the dilemma facing an Ombudsman in distinguishing such a decision from one involving policy, is best expressed by Sir Guy in his address to the Canadian Bar Association last fall. He stated, in discussing the New Zealand Act, and I quote:

The main operative section prescribes that the principal function of the Commissioner, is to investigate any decision or recommendation made including any recommendation made to a minister of the crown, or any act done or omitted, relating to a matter of administration and affecting any person or body of persons in his or its personal capacity, in or by any of the departments or organizations named in a schedule to the act or by any officer or employee or member thereof, in the exercise of any power or function conferred upon him by any enactment.

Further on in his address, Sir Guy stated:

It will be seen that the jurisdiction extends to matters of administration with the consequence that matters concerning policy only would be excluded. The notoriously difficult distinction between a matter of policy and a matter of administration, is thus one which periodically raises its head in the office of the Ombudsman. So far it has not been possible to construct any guiding principles but merely to decide upon common sense grounds each case as it arises. The actual level at which a decision is made is not helpful because matters of administration are some times decided at the highest level, even by cabinet itself.

I think this defines the problem. There is, perhaps, in many administrative decisions, some element of policy. Now, I would say that no objection could be made to the Ombudsman reviewing purely administrative decisions, involving little or no policy. But it is difficult to differentiate between a policy and non-policy decision. It appears that this would present some threat to the concept of ministerial responsibility. How big a threat, it is hard to say.

As the institution of the Ombudsman becomes more firmly established and it issues recorded precedent, what checks are there on the Ombudsman to restrict his review of decisions involving a considerable amount of policy?

A very great opportunity exists, in my opinion, for the Ombudsman in cases involving severe hardship to extend his authority to decisions involving a fair degree of policy. If this process were to proceed without check, each precedent advances the proper jurisdiction of the Ombudsman further into the field of policy decision. Whether this can be a valid reason for precluding all administrative decisions from his jurisdiction is difficult to decide. In my own mind, it is more than a possibility that this process will occur and it is interesting to note that the jurisdiction of the English Ombudsman contemplated in the Wyatt report, referred to by my hon. friend from Regina west (Mr. Blakeney), would not extend to administrative decisions, not following within the class of maladministration.

Mr. Speaker, I think that as it is more than a possibility, we should proceed cautiously to prevent serious damage to our political and parliamentary institutions. If the scope of the Ombudsman's duties eventually include policy decisions, would not the office then become an undue impediment to the making of policy decisions, while becoming a convenient "whipping boy" or "wailing wall" or "out" for the administration?

Mr. Speaker, I cannot, in all honesty, fully assess the implications of extending to the Ombudsman, the power to review administrative decisions — no one can until the office has been in operation over a considerable length of time.

Mr. Speaker, I trust that I have in some measure indicated how

difficult it would be to vest in an Ombudsman a power that could be superimposed generally over the field of government. I trust that I have expressed the concern that I have with the effect that an Ombudsman might have on the fundamental concepts of our parliamentary system. I, therefore, think that the criticisms that have been raised against the observation of Professor Rowatt, to whom my hon. friend referred the other day, are perhaps justified. It is one thing to advocate the establishment of the office, but it is quite another thing to integrate the office satisfactorily with existing institutions. I have the feeling, in looking into this matter, that the office of Ombudsman would be super-imposed over these institutions, unless it was severely limited in its application, rather than working with them, and I am, therefore, reluctant to advocate the creation of the office in this province, without seeing how the New Zealand situation develops. It has only been going for two years over there. As I have said, Mr. Speaker, I am going to suggest that we delay the establishment of such an office in this province, or even a consideration of it, until the experience of the New Zealand Parliamentary Commissioner has been more extensively developed. There are other practical aspects that seem to suggest the postponement of any consideration of the establishment of this office. I believe that we initially need a review of existing control procedures for the protection of the individual's rights, and as I stated, the government is presently considering matters of this nature.

In addition, if we were to establish an Ombudsman with powers parallel to the Ombudsman in New Zealand, I hope that I have demonstrated, as I have been trying to do, that his area of inquiry, of necessity, would be quite limited. To obtain a person with the necessary qualifications to head up the office would require a substantial expenditure. I suppose that to get the kind of man we would need — he would be of superior court calibre, a judge — we would have to pay him probably what a judge of a superior court receives.

There would be, of course, the additional expense of staff and accommodation. Now, I hasten to add, Mr. Speaker, that expense should not be considered where the program would be of benefit to the province and the citizens of the province. But I think that there is some balance necessary between the expenditure and the value of the service provided. In New Zealand, which is not a federal state, the Ombudsman has the opportunity to review many programs. In Canada, with our federal system and with our division of legislative jurisdiction, the powers of the Ombudsman would be restricted to those matters falling within the jurisdiction of the province, under section 92 of the B.N.A. Act. The report of the Ombudsman to the New Zealand parliament, for the year ending March 31st, 1964, indicates that a great number of cases that came before him, and my hon. friend referred to some of them the other day, were cases which, if they had occurred in Canada, would be matters within the exclusive jurisdiction of the parliament of Canada, and of course, the Ombudsman in Saskatchewan, would not have any jurisdiction to look into a great many of these matters.

I am not convinced at the moment, in view of his necessarily limited powers, and in view of the population of this province, that there would be sufficient complaints of legitimate character to warrant the expenditure at this time. There might be, but I do not think so, not now anyway.

I cannot agree with some of the statements that the hon. member from Regina west made the other day with respect to the duties of a member of the legislature, although I certainly appreciate how busy members are, but I think one of the fundamental duties whether a member is a minister of the crown or not, is to make himself available to hear the complaints of his constituents and I know we all do, and to take whatever action we can to assist the complainant. Surely this principle goes to the very root of our function, as elected representatives. Through this procedure, every member can be an Ombudsman, and if this is not sufficient, then we have the press and, of course, the question and answer technique and the return technique in this house, which can bring into review administrative decisions.

Mr. Speaker, in conclusion, may I say that I feel that the resolution put forward by the hon. member for Regina west (Mr. Blakeney) is premature. I must admit to some sympathy with the remarks he made, and I enjoyed his remarks. However, I do not feel that at this time, without considerable study that I would be willing to recommend that a legislative committee be established to report on the proper duties of an Ombudsman in this province.

I think the interests of this province would be better served by waiting to see how the experiment in New Zealand, if you can call it an experiment, works out. I do not feel that the post of Ombudsman in the Scandinavian countries can be in any way related to the post in our jurisdiction.

Therefore, I feel that the experience of the Scandinavian countries cannot assist us very much.

In his address in Montreal, Sir Guy Powles pointed this out. He noted the considerable distinctions between the Scandinavian post of Ombudsman and the post as created in New Zealand. Therefore, I must advise, Mr. Speaker, that I will have to vote with admitted reluctance against the resolution, not on the grounds that I resist the idea of an Ombudsman, but on the grounds that I feel that the relationship between the Ombudsman and our political institutions has not been investigated sufficiently to permit the implementation of the office at this time.

Some Hon. Members: — Hear, hear!

Mr. J.H. Brockelbank: (Kelsey) — Mr. Speaker, I was very interested in listening to the Attorney General and also interested in listening to the member for Regina West (Mr. Blakeney), when he moved this motion which is now before the house.

I disagree with the Attorney General in his stating that he is opposed to the resolution: I agree with him, in the idea that we should not be in any undue haste to establish this office. I disagree with him with respect to not appointing a committee of this legislature to work in between sessions. They might very well want to work for more than the one summer season. This certainly does not commit the legislature to take action to establish this kind of an office. I think that the sooner we get some people who will specialize in studying this question, people who are interested, people who are in this legislature, the better. So I, in spite of the Attorney Generals arguments, will have to vote for the resolution, because I cannot see anything to be gained by putting off consideration of this question.

At the best, Mr. Speaker, if a committee is appointed and it submits a report at the session a year from now, it would be probably a year after that before action is actually taken. I do not know how many years we want to wait to watch the operation of this in New Zealand or any place else, but the proposed action would give us about four years before taking actual steps to put this into effect. So I do not see any reason for delaying, and I will support the motion.

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. A.E. Blakeney: (Regina west) — Mr. Speaker, I think I will take five or ten minutes possibly. Perhaps not that long but more than two minutes, and I wondered therefore, if you would agree to call at 5:30 o'clock.

Assembly recessed at 5:30 o'clock p.m.

WELCOME TO MONTANA VISITOR

Mr. Sam. K. Asbell: (Bengough) — Mr. Speaker, it is indeed a privilege to have with us tonight, a member of the state of Montana legislature in the person of Mr. Art Lund, a resident of the area of Scobey, Montana, adjacent to the Bengough constituency, on the border.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Mr. Speaker, when we rose at 5:30 the Attorney General (Mr. Heald) had just taken his seat after having spoken on resolution no. 2, and I had risen to close the debate.

May I, just before commenting on the Attorney General's remarks, join in the welcome which was extended to Mr. Lund, as a representative of the State of Montana. I know that hon. members, by their response to the introduction by the hon. member from Bengough (Mr. Asbell), join with him in welcoming Mr. Lund.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Mr. Speaker, I want to compliment the Attorney General (Mr. Heald) on his very thoughtful and thorough presentation on the resolution

with respect to the committee to investigate the possibility of establishing a Legislative Commissioner. The speech which he gave consisted of a very exhaustive review of several remedies which are open to legislatures to establish in devising means of protecting the rights and liberties of citizens.

I want, also, to associate myself with a couple of the remarks which he made early in the course of his presentation. He indicated that the quality of the public service rendered by the public servants of Saskatchewan was of a high order and the courtesy and thoughtfulness in dealing with the public was the general order of the day. And with that I most heartily concur.

I know that it has been my experience to deal with a good number of public servants in Saskatchewan. I suppose this is the lot of any lawyer who necessarily has dealings with a number of government agencies and I know that I have, almost unfailingly, been treated in a courteous and helpful manner. I can think of many branches of government where those comments would be well merited.

I believe that I have received the same courtesy when I was entitled to courtesy and service and I further received the same courtesy and helpfulness when I perhaps was not entitled to it, I not having done the proper amount of work before consulting the public servant. I can think of the Companies Branch and the Land Titles office and several others, where they have been only too willing to assist me in work which I perhaps should have done myself.

Hon. D.V. Heald: — No more rejections.

Mr. Blakeney: — No more rejections.

Turning more particularly to the resolution, I want to say that I was disappointed in the position taken by the Attorney General (Mr. Heald). I can appreciate the line of argument which he advanced and I do not suggest that it is wholly unreasonable. I do admit that there are legitimate questions about whether or not we should have in Saskatchewan, the office of Ombudsman, and there are even perhaps legitimate questions as to whether or not we should investigate the matter more fully. He raised the question of the possibility of introducing other remedies, and whether or not the New Zealand experience was sufficiently lengthy to enable us to use it as the basis for action in Saskatchewan.

I noted some small differences of opinion as to fact, which I have with him. I do not share with him the full confidence in the efficiency of M.L.A.s in investigating complaints. I fully share with him the general willingness of M.L.A.s to hear complaints tendered by their constituents and to do everything that they can do about it. I do not believe that the facilities open to the M.L.A. allow him to be as efficient in the pursuit of complaints lodged by constituents as I think ought to be the case.

I also do not agree completely with him in his dismissal, in its entirety, of the Scandinavian experience. I agree with him that the Swedish experience is not particularly helpful because of their much more limited concept of ministerial responsibility. But that same argument is not equally effective for Norway or for Denmark where they have substantially the same type of ministerial responsibility as we do.

However, I do not labor those points. I just say that while I had some sympathy with the argument he was advancing, I felt it, in its key point, to be unconvincing.

He suggested that, in essence, we ought not to pursue this matter further at this time. In essence, the proposal was premature because the office of Ombudsman had not been sufficiently investigated. He uses that as an argument to vote against further investigation. This I find difficult to follow.

In my earlier remarks, I conceded the fact that there were points which needed investigation and accordingly, I did not believe that a resolution should call for the establishment of an Ombudsman but only for an investigation of the possibility of establishing an Ombudsman or Legislative Commissioner.

I believe that the very arguments marshalled by the Attorney General (Mr. Heald) do indicate that there is a role to be played by the Ombudsman but that whether or not it could be particularly useful is now difficult to determine. Those very arguments suggest, not that there should not be an

investigation, but rather that there should be an investigation.

I believe that there is merit in the proposal to establish a Legislative Commissioner. I believe that the evidence presented partly by myself, and partly by the Attorney General (Mr. Heald) is sufficiently convincing to merit a further investigation by this legislature as to whether or not this device could serve the people of Saskatchewan.

Accordingly, I believe that the resolution, in the form in which it was submitted, ought to be passed by this house. If it is defeated, I will interpret the defeat as the expression of opinion on the part of those who vote against it that the resolution is premature, and I will accordingly assume that at a later session it will not be so premature, and will raise it again.

With those remarks, Mr. Speaker, I believe that I have dealt with what I thought to be the salient arguments advanced by the Attorney General (Mr. Heald) and I believe that I have suggested to members of the house, that while there is some merit in the comments made by the Attorney General, there is not sufficient merit to preclude some investigation at this time. Accordingly, I would urge all hon. members to support the resolution.

Motion negatived.

RESOLUTION NO. 7 RE EXPROPRIATION OF LAND

The Assembly resumed the adjourned debate on the proposed Resolution No. 7 moved by Mr. Ed. Whelan (Regina North):

That this Assembly urge the Government to give consideration to introducing a bill providing the procedure for the acquisition of land and the determination of fair and equitable compensation, as contained in the unanimous recommendations of the report of the special committee of the Legislative Assembly, appointed by resolution of the Assembly, dated April 4, 1963.

HON. J.W. GARDINER: (Minister of Public Works) — Mr. Speaker, in opening my remarks the other day, I cannot remember now what day it was, but in opening my remarks on that occasion I did indicate the pleasure that I had had in having the opportunity of sitting on the committee which considered the problems of expropriation of property by governing agents and other agencies that are allowed to expropriate property in the province of Saskatchewan.

I would like to take this opportunity of expressing the appreciation of all members of the committee to those who were appointed to look after our needs and give us advice, in most cases, I think, very good advice, as to the work of the committee progressed. Mr. Griffin and Mr. Sandstrom advised us in a legal capacity and of course, Mr. Koester, the clerk of the legislature, who was working as secretary of the committee. All three have played a very active part in the work of the committee.

We have been considering here this afternoon the rights of individuals which are closely related to the problems that exist with regard to expropriation of land. I think we would be quite correct in saying that the greatest wish and desire of people in our nation and I believe in any country in the world, is to own property, and have freedom to rights in that property. We find, at times, that the rights of government, the rights of administrators in our province and in our nation, and in our municipalities, must run counter to the rights of the individual. Of course, when they do this is when great difficulty is bound to arise.

Party considerations were completely forgotten in the discussions of that committee and all members spent their time as carefully as possible, considering the desires and wishes of the individual and how to best serve them and protect their rights.

The first question that I think we tried to determine in the work of the committee was the question of governmental decisions. When we made a suggestion of the possibility of forming a committee there were different opinions as to how much power this committee should have but the majority felt that at no time should the right of decision be taken from the governing agency. In other words, there should not be a second body of decision established in a country such as ours where the responsibility of the government is recognized. In other words, it must remain the responsibility of

the government itself to make final decisions.

I think the proposal was of a committee which could consider the decision of the administrative arm of government and could make suggestions but not make decisions. The decisions must be left to the governing agent and the governing agent must accept responsibility for its decision. The work of this committee could not and must not be allowed to supersede the right and responsibility of the governing agent concerned.

Once a decision is arrived at by the governing agency, whether it happens to be the provincial government, municipal government or other agencies that by law are given the right to expropriate, once that decision has been made then, of course, the second point that was taken into consideration, was consideration of the rights of the individual as the expropriation agency moved in to take action. This includes giving proper notice to the individual concerned regarding the actions of the expropriating agency and giving the individual the knowledge of the rights that he has, in order to force the expropriating agency to justify the means that it is using in order to undertake expropriation measures.

In the suggested legislation, great care was taken to see to it that the rights of the individual are protected as much as is humanly possible. All of us who have administered departments of government, realize the difficulties that will arise from time to time in the administration of legislation such as expropriation measures. We realize, at times, that government must make hasty decisions but at the same time, they must, as far as possible, recognize the rights of the individual.

We tried to draw up legislation which would recognize the need for quick government decision and at the same time of ultimate protection to the individual.

In considering whether or not this legislation should be put into effect for all expropriating agencies, I feel that the suggestion of the former Attorney General (Mr. Walker) that we give this a try, perhaps with one particular agency, would not be a satisfactory experiment. It would only be adding to the hodgepodge of expropriation that we have at the present time in our province.

So I would hope, ultimately, that when the government decision is made, it will be made in such a way that it will not add to the confusion that has existed in the past and that it will provide a simplified form of expropriation which will provide protection to the individual and at the same time provide expropriating agencies with the power they must have in order to look after the needs and wants of the majority of the people of the province, or the municipality, or the particular interest concerned. I am sure that the members opposite and probably the mover of the motion, realize full well that it would be very difficult for the government in this first session, to bring in legislation of this import without giving it further study and examination. I am quite certain that all hon. members can support the request that the government give consideration to bringing in legislation along the lines of the report of the committee that sat in 1963.

So, I am just going to close by saying that I will be supporting the motion.

Mr. Arthur Thibault: (Kinistino) — Mr. Speaker, as usual I am going to make my remarks very short.

I was one of the members of the committee, and I want to say that it was one of the most useful thirty days that I spent as far as government is concerned. I want to compliment all those who sat on the committee.

Very constructive work was done at all times. I am sure there was not a minute spent, with the idea in the back of anyone's head, that it was for political reasons. It is my hope that legislative committees will be used a lot more on serious problems. It is also my hope that the work of this committee will not be lost because the government has changed. I think this would be wrong. I think that every member who sat on this committee, whether Liberal or CCF, gave devoted service. I would be disappointed if all this work would just be laid aside and forgotten. I would not press for doing something at this session. We sometimes hear it said, "Well, why didn't you do something last year?" I do not think that is an argument at all. I hope that the government will consider doing something at this session. And if they cannot, I hope that this is not just laid aside.

Protection of the rights of individuals is very important. We, on

the committee, fully realize that some people get hurt unnecessarily. Something, I believe, should be done about expropriation laws. There are so many authorities that have the right to expropriate and believe me, in one of the acts, they said, allow the people to enter with horses, and so on. So you can see that some of the acts were very out of date and that a lot of cleaning up needs to be done.

That is all I have to say at this time. I want to say that I feel very strongly about the work done by these committees. I hope this is a pattern that could be adopted so that all, politicians will be able to contribute very valuable time and feel that they are doing something worthwhile. I found, the time spent in this committee, was about the most useful thirty days that I have spent since I have been elected to the legislature. Thank you.

Mr. Heald — Mr. Speaker, in rising to say a few words in this debate, I wonder if I could be permitted, Sir, to draw to your attention, the fact that in the speaker's gallery this evening, are about thirty members of the Royal Canadian Mounted Police attached to the headquarters division, F. division, and also to Depot Training Division here in the city of Regina, and I would like, Sir, on your behalf to welcome them to the legislature.

Some Hon. Members: — Hear, hear!

Mr. Heald — Mr. Speaker, I want to assure you, Sir, and the hon. member from Regina North, who introduced this resolution (Mr. Whelan) and who was the chairman of the special legislative committee on expropriation last year, that the government fully intends to implement legislation, as soon as possible, based on the unanimous recommendations of that committee.

As you will recall, Mr. Speaker, the report was submitted to the government of the day before the commencement of the last session of the legislature, and the government of the day was not in a position apparently, to introduce such legislation. I make no critical comment about that because I am certain that the reason why they were not able to introduce the recommended bill was due mainly to certain representations made to the government after the report came down. I am sure that this caused them some concern as to the operation of the recommended act.

Now, we also, Mr. Speaker, since we took office, have been approached by these same authorities, to alter the application of the act recommended by the committee and because of the complexity of the matter, which I am sure those of you who sat on the committee will appreciate, we did not want to bring down at this session, an act, without having given adequate consideration to all factors involved, to prevent unduly prejudicing the rights of the individuals whose land has been taken, or to unduly fetter the operation of some expropriating authority.

I hasten to add, Mr. Speaker, that the fact that it is not our intention to introduce this bill at this session, reflects in no way on the content of the committee's report. The government feels that the report is an excellent one and that by and large, the recommendations should and will be implemented, and I think I can safely assure all members that the legislation that will be introduced will be based almost entirely on the recommendations of your committee that sat last year.

As the members of the house will recall, Mr. Speaker, the committee recommended uniform application of the act to all bodies having the right to expropriate. The representations the government have received thus far, have been from certain municipal authorities to, at least in the first instance, exempt them from the operation of the act.

Furthermore, Mr. Speaker, questions have been raised with us by some of the public utilities as to certain powers necessary for their operation in emergency situations. These matters have not so far, been resolved to our satisfaction and, until they are, we feel that it is necessary to delay the legislation, at least for this session.

Mr. Speaker, I am certain that an act will be introduced at the next session of the legislature which will give the government ample time to further assess the representations made to it and to consult with the various agencies.

So with that brief explanation, I would like to advise you, Sir, and all hon. members, that I am heartily in accord with the resolution and I intend to support it.

Mr. E.I. Wood: (Swift Current) — Mr. Speaker, I would like to say a very few words on this matter. As the hon. Attorney General (Mr. Heald) has pointed out, there were some who did not quite agree with some of the recommendations of the committee in regard to municipal expropriation. I cannot say that all people have always been entirely happy with municipal expropriation but I do believe that on the average, the expropriation, as is set forth in the Municipal Expropriation Act and the Municipal Act, has worked out very well indeed, in regard to the municipalities. I think that it would be a mistake to have them included in this as the Attorney General has said in the first instance.

When the act was brought before the government last year, I received numerous representations from the municipal men that they did not wish that they, at this time at least, should be brought under it. I made representation to the government on this, and must say that they agreed that any act that would be brought in at that time would not include the municipalities. I would recommend to the government at this time, that they continue to give this the same consideration because I think it would be a mistake, in view of the fact that these recommendations have not been put into effect and they have not been tried. It would, I think, be asking for more trouble than what is necessary if they did bring in the municipalities at this time, to take over a procedure that had not been tried and tested nearly as well as what is now in use by the municipalities.

With these few remarks, Mr. Speaker, I would indicate that I would be in favor of the resolution.

Mr. E. Whelan: (Regina North) — Mr. Speaker, when our good friend from Montana had a meal with us this evening, he said he was looking forward to some good hot arguments, and at this rate we are not going to have any. We are going to disappoint him, I am sure.

Hon. D. Steuart: (Minister of Public Health) — You better sit down . . .

Mr. Whelan: — Mr. Speaker, I appreciate the remarks made by the hon. Minister of Public Works (Mr. Gardiner) who was a member of this committee and who made a good contribution and worked hard. I felt that all members who were on the committee made a sincere effort to arrive at the answer that the people of the province were looking for regarding the acquisition of land. I am very pleased with the position that has been taken by both the Attorney General (Mr. Heald) and the member for Kinistino (Mr. Thibault). I believe the summary that was made by the hon. member for Melville (Mr. Gardiner) was accurate. He pointed out that we were very carefully protecting the rights of the individual, while thinking in terms of working out an efficient and just manner of acquiring land for public use.

I had hoped, Mr. Speaker, that legislation would have been brought down at this session. This resolution was drafted to draw to the attention of the hon. members of the house that the committee had reported, that they had studied diligently and that legislation had not been introduced. However, the reassurance from the government spokesmen indicates clearly to me that we can expect the legislation, that was suggested in the draft bill, to be presented at the next session of this house.

The people who came to the committee to make representations will be pleased to hear this. The lawyers who worked with us will be happy, I am sure, to know that the legislation will be presented, and the members of the committee will be gratified to find that their work was considered effective and worthwhile and that the legislation they suggested will be presented.

A legislative committee is a good means of contacting the general public and making a record of their representations and considering their representations when we are writing legislation. It is my contention that the work and representations of a legislative committee should not be allocated to a political pigeonhole. Therefore, I am very pleased to hear that the government intends to introduce this legislation, and I will be supporting the motion. I am pleased that the members opposite will be supporting the motion as well.

Some Hon. Members: — Hear, hear!

Motion agreed to.

RESOLUTION NO. 4 — REDUCED RATES OF ELECTRICAL POWER FOR RINKS

The assembly resumed the adjourned debate on the proposed resolution no. 4 regarding reduced rates of electrical power for rinks, of Mr. J.B. Hooker (Notukeu-Willowbunch) and the proposed amendment thereto by Mr. Kramer (The Battlefords).

Mr. Steuart: — Mr. Speaker, it was some time ago that some of the members on this side of the house brought in a relatively simple resolution that requested the Saskatchewan Power Corporation to give consideration to reducing the rates of electrical power for community skating and curling rinks. Ever since then, the opposition has been dragging in one red herring after another. First, it was amending it to give general power reductions, and they thought they had succeeded in trapping us to vote against that. We had already given one general power reduction rate in the last year and as we make more money in the Power Corporation, with proper businesslike administration, we will give lots more power reductions as the years go by.

But now I see that they have introduced another amendment and this is that we add community halls and give rate reductions to them. To get us to vote against this would be like asking us to vote against mother love, or the flag, and we are all for community halls, you know, and all the people that go into community halls and come out of community halls and vote for the Liberal party, and, of course, we intend to support this. What the opposition is obviously trying to do, is to throw dust on that wonderful resolution that came in here to begin with, and that is the Power Corporation consider giving a rate reduction to rinks and curling rinks. In connection with community halls the power is not nearly as large a factor as it would be in a curling or skating rink, although I suppose it is a factor and there are far more of them. They are far more difficult to identify.

In spite of that, Mr. Speaker, no one can outdo the Liberal party in bleeding for the common people . . .

Some Hon. Members: — Hear, hear!

Mr. Steuart: — . . . and even the opposition, and they have some of the commonest supporters that you can imagine, but we are going to add another little amendment to the amendment, or maybe it is an amendment to the amendment to the amendment, and that is that I would move, seconded by the hon. (the hon. is not in his seat. I wonder where he went.)

Mr. Martin Pederson: (Arm River) — Mr. Speaker, I . . .

Mr. Steuart: — Would you like to join us? I should tell the hon. member it is his turn to vote for us this time. He has been voting with the Socialists so long today. I do not want to upset him, so I will put the hon. Mr. Gardiner (Minister of Public Works) as seconder:

That the following words be added to the motion as amended:

“and because community rinks are primarily concerned with the youth of Saskatchewan, that they be given priority in any such reduction of rates.”

and I challenge you to amend that one.

Some Hon. Members: — Hear, hear!

Mr. Steuart: — . . . and I so move.

Mr. J.H. Brockelbank: (Kelsey) — I suggest that the motion is not in order.

Mr. Steuart: — I will leave it . . .

Mr. Brockelbank: (Kelsey) — That is quite right, Mr. Speaker, The motion before the house is a motion to amend, and to add those words after the motion will read:

community halls, and

then all this sort of thing, and then go back to the motion again,

skating and curling rinks.

I do not think it will make sense when it is put together. I think the Minister (Mr. Steuart) is ahead of time. He should wait until after the amendment is dealt with and then, probably, his motion will be in order at that time and then we will be able to debate it. But I am sure it is not in order now.

Mr. Steuart: — I will leave it to your unbiased judgment, if I can ever get a page boy to give it to you.

Mr. Brockelbank: (Kelsey) — On a point of order, the motion handed in says that the following words be added to the motion as amended. The motion is not yet amended. There is only an amendment proposed., There is no motion as amended.

My hon. friend (Mr. Steuart) sits too close to the member for Gravelbourg (Mr. Coderre) and he is seeing things.

Some Hon. Members: — Hear, hear!

Mr. Speaker: — The point of order raised by the member for Kelsey (Mr. Brockelbank) is well taken. We cannot amend the motion that is not as yet amended.

Some Hon. Members: — Hear, hear!

Mr. Steuart: — That was sabotage.

Mr. R.A. Walker: (Hanley) You had better learn to . . .

Mr. Brockelbank: (Kelsey) — I would like to say a word or two about the amendment. As the Minister of Public Health (Mr. Steuart) said, with community halls it is probably not as important, but I would point out that very often in the country a great many community halls are really getting along with very little resources. I am not talking about the community halls in big towns, cities, or anything like that but these are away out in the country. It would certainly help them to have better rates, and I am certainly going to vote for the amendment.

The amendment agreed to.

Mr. Speaker: — The debate continues on the motion as amended.

Mr. Steuart: — Now, Mr. Speaker . . .

Mr. Brockelbank: (Kelsey) — Mr. Speaker, on a point of order . . .

Mr. Steuart: — You don't know what I am going to say yet.

Mr. E. Kramer: (The Battlefords) — It is hard to tell.

Mr. Brockelbank: (Kelsey) — First of all I would like a check to be made, (this has been standing here so long), to see whether the member spoke on the motion, because we are on the motion now, and secondly, I would suggest to you, Mr. Speaker, that a question cannot be proposed to the house a second time.

Mr. Steuart: — You don't even know what I said yet. I was just going to raise that very point, for all you know.

Mr. Speaker: — I am informed that he did not propose the motion the first time, because I did not propose it to the house. I am also further informed and I am not sure whether I am correct on this or not, that he spoke to the amendment, and has not spoken to the motion. I am not sure whether this is correct or not.

Mr. Brockelbank: (Kelsey) — Very good, Mr. Speaker. Thank you.

Mr. Steuart: — I will introduce the motion of which I have lost all my copies and I am sure you have — having been kind enough to give them to the opposition and sundry people. I will now move the amendment.

that the following words be added to the motion as amended:

“and because community rinks are primarily concerned with the youth of Saskatchewan, that they be given priority in any such reductions of rates.”

Mr. Blakeney: — Mr. Speaker, I feel that we really ought not to pass this resolution, because it seems to me that it would be a serious reflection on the Board of Directors of the Saskatchewan Power Corporation to suggest to them that they should need prompting on when they are going to make reductions in electrical power rates. I am sure that the Chairman of the Board of the Power Corporation has this matter under advisement and I doubt whether he needs the recommendation of this house to consider this. I know that he made a great number of promises during the last election, with respect to the reduction of power rates. I remember a speech at Bruno on how much power rates were going to be reduced . . .

Mr. Steuart: — You weren't at Bruno.

Mr. Blakeney: — No. I can read though. This is the very great difficulty in making election speeches when reporters are about. They will write it down. They will write down that the time question is going to be solved if you are down in Gravelbourg; or in Bruno that they are going to have a reduction in power rates. I think that in view of the fact that the Chairman already has this under advisement, I believe, it would be a reflection on the Board for the assembly to pass this. I would suggest that perhaps that sort of advice to the hon. Minister is really not necessary.

Mr. A.H. McDonald: (Moosomin) — Always open to suggestions.

The amendment was agreed to.

Motion agreed to.

RESOLUTION NO. 6 — HIGHWAY TRAFFIC SAFETY

The assembly resumed the adjourned debate on the proposed resolution no. 6 of Mr. Whelan (Regina North), and the proposed amendment thereto by hon. Mr. Heald (Attorney General).

Mr. Thatcher: — Mr. Speaker, the government takes no great exception to this particular resolution. The resolution calls upon us to consider that a special committee will be set up. We will certainly consider it but I can give no assurance that after considering it, we will proceed. We will certainly give it all the consideration that it needs. Therefore, the government will support the resolution, and the amendment which has been moved.

Mr. Brockelbank: (Kelsey) — Mr. Speaker, I would like to say a word on this and I hope that the Premier would take a recommendation from this assembly a little more seriously than he has indicated just now.

Mr. Thatcher: — Deepest consideration.

Mr. Brockelbank: (Kelsey) — I think that if the Premier takes no exception to the motion and is going to vote for the motion, or the amendment, and finally the motion as amended, then he should be willing to say he is going to give this favorable consideration. If he does not proceed, if the government does not proceed to set up this committee, this house will be very critical of him for not carrying it out. This house does not expect to pass recommendations to the government and have them treated lightly as if they were of no importance whatsoever. We do expect that when we pass recommendations they will be either followed by the government, or the government will have some awfully good reasons why they could not follow them. This one which proposes work to be done on this very important question of safety, the amendment which is before us, I am in favor of it because it includes the study of the relationship between the drinking of alcohol and accidents, and I am certainly in favor of a committee looking into that question. I think the work of the

legislative committee on this kind of a subject will give this question a lot of good publicity, which it needs throughout the province, because this is the kind of a safety program which must have a good deal of public support, if it is going to meet with any success whatsoever.

I am certainly going to vote for the amendment and if the amendment carries, I will vote for the motion as amended.

Mr. McDonald: (Moosomin) — Perhaps I should say to the hon. member from Kelsey (Mr. Brockelbank) that the government will not treat this lightly. But the resolution calls for this committee to meet during the intersessional period, and, of course, sometimes there are activities during the term between two sessions of the legislature that make it impossible for such committees to meet, and it is always possible that such an occasion may take place during the coming recess of this house, that I want to assure the member for Kelsey (Mr. Brockelbank) that the government is going to give every consideration to the establishment of this committee if it is possible. And I am sure that all members on this side of the house are going to support this resolution, not for the purpose of cleaning it off the order paper, but with the hope that a committee can sit and can do this work.

Mr. Speaker: — Is it the wish of the house to adopt the amendment?

Amendment agreed to.

Mr. A. Thibault: (Kinistino) — Mr. Speaker, in rising to speak to this motion, I want to bring to the attention of the house the fact that back in 1961, I introduced a motion into this house. I quote from the resolution:

that in view of the rising toll of death and injuries on our highways, and the consequent appalling loss of human life, this assembly recommends to the government that Saskatchewan give consideration to further encouragement of assistance to a comprehensive program of driver education.

This year we had 150 people killed on our highways. Now, that resolution was debated in March, 1961. I have always felt very strongly about safety on our highways. Maybe I am one of the worst drivers on the highway, who knows?

Mr. Thatcher: — You should use purple gas.

Mr. Thibault: — Purple gas is going to spell your doom, boys.

Mr. Thatcher: — Give me some more doom like that one.

Mr. Thatcher: — I also want to quote from a statement made on March 9th, by the ex-premier of this province regarding traffic accidents. He said:

It is, therefore, my intention at a later date, to ask the legislature to establish a legislative committee of highway traffic safety.

Last year we killed 230. When the new government came in we had a grant for driver training of \$30 per student and that was reduced to \$25 per student. This disturbs me and I feel that instead of going ahead, we are going back. I also feel that it is the wrong place to cut. If we are going to approach this question of driving safety, I say that we should not approach it only in the terms of drunken driving. I think we must approach it on every front — moral as well as mechanical, and everything else. I think the emphasis of the fifth commandment of God cannot be emphasized too much in this regard. I don't want to get religious, but there are some people that still believe, and I am one of them.

I hope that after this motion gets through the house that something will be done, and not only serious consideration given, because when you look at the figures of \$8,500,000 property damage, if we could save a part of that it would well pay the cost of looking into this matter and dealing with it properly.

Two hundred and thirty dead is a laughing matter to the boys across the way. I cannot understand it. Six thousand and four hundred injuries. They laugh across the way. I just wonder if they are really here to govern this province or just make a joke of the whole deal. With these remarks, I want to say I hope this resolution will get full support of the house and not only serious consideration. At that rate, next year we will be getting close to 300 deaths in our province. So let's do something about it. It is not enough to pass laws. I have heard of a father who says to his son, "Look behind and see if the police are coming. I am going through the stop sign". Then he tells his son, "When you take the car, be careful and don't get into any trouble." This doesn't go very far in training young people to drive carefully.

Another thing, if the leading citizens of the community cannot drive decently, how do we expect our young people to drive properly? That goes for me and everyone else. I can recall the member for Souris-Estevan (Mr. MacDougall) complaining that our speed limits were too low. Maybe they are but there is one thing I would like to see done — if we do not want to observe speed limits let us make it law that there is no speed limit. There is no use teaching our children to obey the law if we are the worst offenders. This is the wrong part of it, and I think when the speed limit is decided by the Highway Traffic Board, or whoever decides it, that we should all be examples to our young people to drive properly. We like to blame the young people, and sometimes we are the ones that are giving such a bad example so that we are partly responsible for the deaths that are taking place today on our highways.

I can recall a leading citizen bragging about coming back from down east. He said, "I drove 90 miles an hour practically all the way". He was a very respectable man in the community, but put him behind a wheel and he became a speed demon. I do not know what takes place in a person when he does that.

But right in that same community, they pull a young man nineteen years old off the steering wheel of the car, and who know whether the example of the leading citizen was not responsible for the death of this young man.

However, I say I would like to see this matter studied from one end to the other. I want everybody that can contribute towards the safety of our highways, to get in there and lend their help. I think we are going to need the help of the clergy as well as everybody else, with no exceptions. The death rate is too high. It is an appalling loss and there is no need for it. Therefore, I will support the motion. I am glad you fellows are not laughing anymore.

Mr. McDonald: (Moosomin) — Mr. Speaker, I would just like to correct the impression of the hon. member who has just taken his seat (Mr. Thibault). It is a mistaken impression.

Mr. Kramer: — He has spoken . . .

Mr. McDonald: (Moosomin) — I have not already spoken in this debate. I spoke on the amendment a moment ago.

The hon. member (Mr. Thibault), when he was on his feet, stated that the government had reduced the student grant that is paid for driving training. Mr. Speaker, this is not in accordance with the facts. The driver training program is conducted by the Highway Safety Council, and when this government took office, and appointed a Board of Directors to the Saskatchewan Government Insurance Office, the amount of money that was spent in the highway safety program was increased from \$115,000 to \$140,000. It was a decision of the Highway Safety Council to reduce the student grant from \$30 to \$25, because of the fact that there were so many schools applying for this driver training that in order for this money to cover more students, the grant was decreased from \$30 to \$25, but this year for the first time in the history of Saskatchewan, this program called for an expenditure of \$133,000. The government has nothing to do with this amount of money, either voting it, or spending it. It was voted by the Board of Directors and the management of the Saskatchewan Government Insurance Office and the program was handled by the Highway Safety Council.

Some Hon. Members: — Hear, hear!

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 anyone wishes to speak he must do so now.

Mr. Whelan: — Mr. Speaker, I was astounded and very disappointed by the almost frivolous manner in which the Premier indicated that this resolution would get consideration. I do not think this matter should be treated lightly, and the reason I say this is because there are 229 people who died in 1964; 6,401 people who were injured; and \$8,500,000 in property damages. I think the situation that exists demands immediate attention, and immediate action.

Some Hon. Members: — Hear, hear!

Mr. Whelan: — Mr. Speaker, the amendment that was introduced by the hon. Attorney General (Mr. Heald) emphasizing the study of the use of alcohol, as a factor in traffic accidents, meets with my approval although I felt, Mr. Speaker, that the original resolution calling for a study of all aspects of the traffic problem would have included this particular aspect. I have to congratulate the hon. Attorney General for his courage in mentioning the breathalyzer and its use.

Some Hon. Members: — Hear, hear!

Mr. Whelan: — Members on this side of the house introduced this legislation when they were the government back in 1957, and at that time they had studied the use of the breathalyzer in the Scandinavian countries and they knew its value. I think the hon. member has plenty of courage, and again I want to congratulate him when he suggests that they broaden the use of the breathalyzer because if he were to read our Hansard, when the breathalyzer idea was introduced in this house, he will know that the Deputy Leader, the hon. member from Moosomin (Mr. McDonald), the hon. member from Melville (Mr. Gardiner), the Minister of Public Works, these people spoke against it at that time. I should not forget either, that the hon. member for Qu'Appelle-Wolseley, Minister of Municipal Affairs (Mr. McFarlane) was most vocal. I am sorry that he is not in his seat. But the legal critic of that day, the hon. lady member from Humboldt (Mrs. Batten) in summary, said in her remarks, "that it represented compulsory, socialist control of body functions, and a violation of rights, etc." I could go on at great length. I realize that the time is limited. I am surprised that the three members mentioned kept their seats when the suggestion was made to study the use of the breathalyzer, and probably broaden the scope that it might have. Many factors, Mr. Speaker, such as mechanical defects, mental fatigue of the driver, this sort of thing, enter into fatalities — the location of highway traffic lights, for instance.

I hope the hon. member for Regina east (Mr. Baker), who is the first magistrate of this city, is listening. You and I could testify that it is almost as much as your life is worth to make a left-hand turn into the legislative grounds from Albert Street, during heavy traffic. Although there is a policeman on hand some of the time, we can testify there is a need for a light to stop the traffic to allow a left-hand turn into the entrance of the legislature. You, Mr. Speaker, on Tuesday last, proved beyond a shadow of a doubt, that without a traffic light a driver can be in collision with a car travelling north. We are thankful, Mr. Speaker, that you were not injured. The use of traffic lights and their location, starting right at the entrance to the legislature might constitute part of the study.

Mr. Walker: — Point of privilege, is there any record of what Your Honour said to the driver of the other car?

Some Hon. Members: — Hear, hear!

Mr. Speaker: — On the point of privilege, I am happy to inform the hon. member that our Hansard recorder was inoperative at the time.

Mr. Henry Baker: (Regina East) On a point of privilege, did the gentleman have the breathalyzer handy?

Some Hon. Members: — Hear, hear!

Mr. Whelan: — Mr. Speaker, I do not think there would be any need for that. The use of traffic lights, as I say, would certainly constitute part

of the study. Members will be interested to know that after my speech on this resolution was broadcast, every letter and call that I received urged the immediate organization of this committee. No representations that I received by letter, or in conversation, criticized the idea. It is gratifying that speakers on both sides of the house have expressed support for this resolution. Indications are that the people of Saskatchewan are anxious to have the committee begin its work.

I will support the motion as amended.

Some Hon. Members: — Hear, hear!

Motion agreed to.

Mr. Brockelbank: (Kelsey) — On account of the kind of motion, I wonder if you could just check if there are any nays and announce it unanimously?

Motion agreed to unanimously.

ADJOURNED DEBATES

The assembly resumed the adjourned debate on the motion of Hon. Lionel Coderre (Minister of Labour), that Bill no. 18, An Act to Amend The Employees' Wage Act, 1961, be now read a second time.

Mr. Walker: — At my request, Mr. Speaker, this was allowed to stand for several days now, and I am pleased to be able to say that I have had some discussions with the hon. minister, and in view of his assurances of certain house amendments that he would bring forward in Committee of the Whole, I have no further comment to offer. As far as I am concerned, I am no longer as apprehensive about the bill as I was earlier, and with those comments, Mr. Speaker, that is all I have to say.

Motion agreed to and bill read a second time.

The assembly resumed the adjourned debate on the proposed motion of Hon. Mr. Thatcher, (Premier) for second reading of bill no. 1, An Act to Amend the Department of Natural Resources Act.

Mr. F. Dewhurst: (Wadena) — Mr. Speaker, when I adjourned this debate the other day, I did so for two or three different reasons. This bill had first reading, and was ready for second reading for over one month, and seeing as how at that time the member for Meadow Lake (Mr. Coupland), the Minister of Natural Resources (Mr. Cuelenaere), and also the member for Cumberland (Mr. Berezowsky) were not present in the house. I thought that those three members would be interested in this bill because the implications of this bill will affect the minister concerned and those two northern members as much as any other member of the house.

Also, I would like to say a few words on this bill which provides for a branch of Indian Affairs in the Department of Natural Resources. I hope that this bill, as was expressed by the mover at the time, and by other speakers, will not become a political football because I believe that the problem that we are attempting to deal with is more serious than being a political football. I believe that the native people of this province should have a right to live in decency and to become part of our general trend of affairs and to be assimilated, if they so wish, into our general economy. But I do not feel that we want legislation or rules and regulations which are going to compel them to do certain things which they are yet not ready to accept.

I think one of the greatest steps that have been made over the past number of years is what we have seen in different areas, of Indian children being assimilated into our schools, where they are taking their education side by side, with the children of other nationalities and other mother tongues. This way the children are learning to accept and understand the ways of our children and our children are learning to accept the ways of the Indian children, and I think that is the line that we should proceed with. Too often we have seen in the past, where the Indian has been used by unscrupulous practices to make a quick buck out of them, selling them inferior goods for two or three prices. I have always deplored those actions and as long as I can remember, Mr. Speaker, I have talked out against them. Personally, I have known the Indians all through my life. My part of the province is an area where Indians have always hunted and trapped, and I have many personal friends among them. So, I hope that this department, when set up, will do

whatever it can to help raise their standards and to give them some of the things which they need in order to help them play a fuller part in our economy.

As that is all I wish to say at this time, I will be prepared to discuss it in Committee of the Whole.

Mr. W.J. Berezowsky: (Cumberland) — Mr. Speaker, I am rather uncertain what this bill intends, for the simple reason that when I go back some few months, to April 9th, 1964, I find that when the Premier of this province spoke to the Indian Chiefs, as reported in the Leader Post, April 9th, 1964, he said:

That a Liberal government would make every effort to provide Indians with appropriate education and training for employment, with more self-government for band councils, and representations on commissions or other bodies appointed (I presume by the government) to make regulations respecting hunting, fishing, trapping and other matters relating to Indian affairs, and to encourage employment of Indians by the civil service, and by the crown corporations.

This was the program, Mr. Speaker, about a year ago. Now, we find that in the last few days, the government has brought in an amendment for setting up an Indian and Métis branch. This is what I am concerned with, because if these were the original purposes of the Liberal party, if these are the purposes of the government of Saskatchewan, then I submit at this time, that it is not necessary to set up any kind of Indian and Métis branch.

We have had experiences, all members know, with the federal department of Indian Affairs. This department has struggled with this minority problem for many decades for hundreds of years, and ever since Canada was established in 1867, yet we have not been able to resolve the problem for these people. But there are countries that have resolved this kind of problem and they did not do it by setting up a branch for the indigenous people of that area. I am referring to the Maori people of New Zealand, for example, whose culture and traditions are very similar, Sir, to those of our native Indians — a culture completely different to the culture of European peoples. They did not resolve their problems in New Zealand by setting up a native branch. What they did was give those people equal rights. They took them into their society and gave them educational opportunities. They did those things that are mentioned by the Premier at the April 9th meeting. This action made the Maori people equal citizens of New Zealand and today they sit as representatives in the parliament. This is what they did.

But this government is going to do it the way that it has been done for many decades now, and has not been successful. Now, if the Premier was right, and went along with his enunciated program, then I do not think anybody would disagree, and would certainly support any pertinent legislation. This bill doesn't do that. It proposes to set up a branch, which is going to cost the people of Saskatchewan \$475,000 for administration alone, I understand. When you look at the estimates, you find that the purpose of the vote is to pay for fifteen or twenty administrators of one kind or another, who are going to plan, co-ordinate, and do things of that nature, to resolve the Indian problem.

May I bring to your attention, Sir, and of the government, that there has been, as I have said on previous occasions, considerable planning. There are stacks of records regarding the planning that has been underway. We had the reports of the Centre of Community Studies, and reports from private individuals, and from anthropologists. Hon. members from the north, including the hon. member from Athabasca (Mr. Guy) know this. An anthropologist stayed in that area a whole summer. I refer to Mr. Valentine, whom I have mentioned before and there were others. There were also anthropologists down in Cumberland House. They made various suggestions to the government and the previous government. On the recommendations of these people, the government undertook certain programs and these programs were very good, and we did not need to have a separate branch or department of government set up to do these things — the things that the Premier mentioned to the Indian people, when he met them just about a year ago.

We undertook, for example, a housing program for the people of native origin. They need better housing and you can, today, provide it in the northern administration district through the department of the hon. Minister

of Natural Resources (Mr. Cuelenaere). A very excellent job was being done, as I have said. But you built only twenty houses last year. You could have built 300 houses in a year and you do not need a co-ordinating branch to do that.

If it is a matter of providing better education for the people of the north, all you would have to do is expand the programs you have now. Hon. members know, though it has not been advertised too much, but there was a program for which I think I was partly responsible, under which we took about thirty young people out of the north into the city of Saskatoon. We saw to it that they lived in our homes and so they learned to live as we live. I think that we showed them that our way was a good way of life. They learned trades and there were very few failures. All you have to do as a government, is expand this kind of program. It is plain that you don't need to set up a branch of government to plan and co-ordinate, when you already have a program underway which can be expanded and do what you have said should be done.

If it is a matter of education again, you can expand and carry on the kind of program that is now being undertaken and which I proposed a year or so ago for Cumberland House. Take the Métis boys and girls and teach them practical know-how — the boys how to operate tractors and handle farm machinery, so that farmers can hire them and give them good jobs and see to it that they get a good standard of living. The girls could learn something about homemaking and housekeeping. This is the kind of training that is good. You can expand on this and you do not need to have a separate branch of government to do that.

It does not matter what objectives of the government you look at, whether it be hunting, fishing, or trapping, we are now set up to expand and to develop these resources. There was a time when the native, as everybody knows, was a private enterpriser on his own. If he had fur, he had to take it to the fur trader. It could have been the Hudson Bay Company or it could have been a private trader. He probably received a third of what it was worth. Today, the set-up is such that this same trapper can sell his fur through an auction mart, such as we have in Saskatchewan, or anywhere else. He is now getting better prices, but, possibly this could still be improved.

Insofar as fishing — and fishing has been mentioned by the Premier at this meeting — the government could encourage somewhat more co-operation, but you don't need a separate branch, to plan, to co-ordinate. Just go ahead and expand this program that you already have.

When I think of what the CCF government has done for the native people, the Indian and Métis, I feel very proud that we have done so much and I regret that this government has not taken the matter in hand and continued with expansion of these programs. Instead, as I have said, they are setting up an Indian-Métis branch, and I am worried. I read in the press the other day where the hon. Premier said that to a great extent we were to blame for the conditions among the Indians and I can say at this time, Mr. Speaker, that if the Premier were honest with himself, I think he is, but if he were honest and said what he knows he would admit that he knows of many people of white origin, friends of his, who are responsible for the kind of conditions that you have on the reserves. I have proof of white men going in and giving liquor at Christmas time and at election time, to these Indians. And then they have the face, and don't even turn red, to come into this house and say these are the conditions for which we are responsible.

I am not guilty, but there are people that I know of who are guilty for the kind of conditions that are created on the reserves. Mr. Speaker, this is the kind of thing that every member in this house should pay attention to., Indians hate Saskatchewan whites. Here is a professor who has made a study, Professor Pohorecky, I think it is. He says, as is reported in the Star Phoenix, and in the Leader Post, in the last couple of days:

We are the ugly Canadians, thinking the Indians must love us for treating them like Indian children.

He told a service club:

They hate us.

And that is true, my friends, that is true. The Indians hate us and if you set up another branch of Indian Affairs they are going to hate us even more. You will realize that you are not going to solve their problems when you hear

what natives have said themselves. According to a recent article under the heading “Further Segregation Feared”:

Many Indians find a new and separate department is working against the Indians’ aim of integration.

The Indians don’t want a department. The Indians want education. The Indians want an opportunity to get out and make a living. They don’t want a separate department. They have had more than enough of one department which is now controlled by the Department of Indian Affairs at Ottawa. In the same article:

A doctor who works closely with Indians at a Regina Indian and Métis Friendship Centre, describes another department as just useless.

I have stacks of material. Here is “The New Deal for Indians” and again the Indians say “Leave us alone. Let us resolve our own problems but help us to get on our feet. Help us to get an education. Help us to build new homes.” They don’t want you to build homes for them, but they want you to help them build new homes. These are the things they are telling you and yet the government persists in bringing in this kind of legislation. To those that do not know the natives as I know them, it may appear that this is a step in the right direction. I can say at this time, that I am not going to vote against this legislation, but I am giving good advice.

An Hon. Member: — If you don’t like it. Vote against it.

Mr. Berezowsky: — I am not. It is your responsibility. Our sheet is clean, and if you are going to keep the Indians in ghettos, and keep them as second-rate citizens, Mr. Speaker, the responsibility will be on the government and not on the opposition because at this time, I am warning them of what will happen.

Mr. Speaker, in any democracy we must recognize that there is freedom of the individual under the law, and Indians are individuals and Canadian citizens just as you and I are. We must recognize this freedom of ethnic groups, of minorities, as we call them. If this concept is true, then Indian people and Métis people should not be discriminated against. The simple fact of setting up a branch of government, which is going to be called an Indian and Métis branch is a form of discrimination against those people. This is not compatible with freedom and the kind of freedom that, we understand — that we have in this great country of ours.

I say, they must have the same privileges, and they must have the same rights. Sometimes we give them privileges, which on the surface appear to be wrong, but as these people say themselves, “Let us find ourselves. Let us resolve our problems. If we get drunk, if we do not know how to look after ourselves, please help us but not by setting up a branch. Let us do it ourselves.”

Mr. Speaker, I could go on and talk about others, the “monias” of people who came from Europe. We had the same problems. I and my colleague are of Ukrainian origin. Our folks were underprivileged. I remember in 1929, when another Premier by the name of Anderson, was considering setting up a separate branch for New Canadians. If ever I resented anything, I did then — the idea to set up a separate branch for New Canadians.

My folks came to this country to settle as equal citizens — not to be treated as separate and inferior people. We, today, stand proud that we have lifted ourselves by our own boot straps and have done as well as many other people. Because of persecution, because of the kind of prejudice, we had to fight. And I say, for God’s sake, let us give the Indians a chance. We have never given them that chance or we have only started to give them a chance to prove themselves.

Now, I can refer to a few specific instances. The previous government, as everybody knows, built some twenty houses a year ago. We had an agreement with Ottawa for housing projects for Métis people. I would particularly like to mention Tweedsmuir and Deschambault. All the government had to do was to carry on further negotiation and see that this program was approved by Ottawa so that we could have undertaken a program for good housing. Instead of that, there will be a branch set up costing \$500,000 to plan and

co-ordinate for another ten years, and getting nothing done.

It seems ridiculous that so many people with so many good intentions think they know what is good for the Indians and for the Métis, and yet as I said, the Indian people do not appreciate these intentions at all.

In my opinion, when we try to impose ourselves on them then it is the same thing as if you gave human beings castor oil. It is the same kind of reaction.

I would like to mention, Mr. Speaker, just a few things about the way Indian people live and how they think. First of all, I know a great number of them. I have worked with them. I have found them to be a proud people. I found, of course, that they are friendly, independent, and reliable. I have no regrets in my association. I have not had any bad experiences with Indians. When I treated an Indian like a human being, he treated me like a human being. I found that Indians were proud, as I said, and so they still try to speak their mother tongue. When you go into Indian settlements and talk to them, no matter how well they understand English, Sir, they will say to you, "Do you mind if we translate this into our beloved Indian tongue?" You see, they are proud, Sir. This is all that they have left. We have deprived them of their land. We have deprived them of their dignity. We have deprived them of so much and they have only honor and respect left. Now, we propose to take even that away from them.

I, for one, do not want to take that away. I want to help them regain some of the dignity and some of the pride that they have lost. I would like to see them hold their heads high. The way to do it, as I have said, is to carry on the programs that the previous government commenced and that this government should continue, not by starting all over again. Not by setting up something like the Centre for Community Studies. But trying to find out what we need to do for the Indians. As I have said, the Minister of Natural Resources, (Mr. Cuelenaere) knows quite well what should be done. He has got stacks of files and information from his staff and from other sources, indicating what is to be done.

A lot of people think, "Well, why do Indians not behave as we do?" They say that they should be like ourselves. They cannot be like you are or like I am for the simple reason that the white man, as we know him here in Canada and other places, is a human being raised in cities, in towns. He has been gregarious and has lived in communities of a different type than the native has.

The native has lived in the outdoors. he has lived with nature. He has lived out in the open prairies — in the shade of the forests. He is, in other words, a child of nature and he wants to be free. He wants to live where it is free — where nature is not always beautiful, but sometimes may be harsh. We sometimes do not understand why Indians do not appreciate material things in the same way as we do, and particularly, money. It is because they are children of nature that they are not so much concerned with material things. When an Indian kills a moose, he will share it with his brothers, or with anybody that is there. Keeping house, as far as Indians are concerned, is a casual thing. They have been raised to live in tents. You give them a house and they still think they are living in tents. This is a natural reaction on his part. It will take time, before he becomes used to the way of life of the white man. Maybe they will never adopt it, I don't know, but I think that they would, if given the chance, live a more modern way of life.

I cannot help but mention that there are countries such as New Zealand — there is the Soviet Union which had trouble with the aborigines in the far north, and they did not adopt a program of segregation. If hon. members will take time to go to the library, they will find that the program that was followed, was the program that was suggested by the Premier, when he met with the Indians in the first place. They carried out a program of education. They established schools. In that country, some people did not even have a language, and the government saw to it that they established an alphabet, and taught them written languages and gave them dignity and pride. So today, in the Soviet Union, that problem no longer exists. But they did not reach this goal by setting up a branch for native people, be they the Samoyeds, or whatever they may be called.

We sometimes do not understand why Indians react to religion differently to us. We must remember again, being children of nature, though they may be catholic or protestant, yet the Christian religion does not give them what their original religion gave them. The Aboriginal religion, as you know, Sir, gave them pow-wows; gave them ceremonies, beautiful dancing

and things like that and so they are now sort of half way between primitive and Christian religions. That is why they go to church but do not take religion as we do. I could go on and on and tell you some of the things that I have found out about these people. I know that this process of integration is requiring the attention of the government. I think what is going to happen, and I am going to predict that as the native people begin to accept the civilization of the white man, they will land in the slums of our cities and we will have to put up with the situation for awhile. Again, your Indian Branch is not going to resolve that at all. I would say, that if we are really going to help the native people; and if we can just see ahead for a few years as to what will happen to them and realize how we can help them and how we can speed up these processes of integration; then we must do the positive things that I have already mentioned, Sir. Again, I mention educational needs to give Indians the same opportunities as the white man has in employment and in other fields of endeavor.

We have a concept in this house, and it does not matter whether you are on this side of the house or the government side, we are all agreed that minorities must be protected. I think that we all agree to what was enunciated in the Atlantic Charter, that people have certain rights, religious, political and economic. If that is the case, then let us not hurry with this legislation but let us take a good look at it and see that we do the right thing by these people. I, for one, would rather see that we considered this legislation from the point of morality.

Let me explain what I think of morality. I think doing the right thing by these people and not because of a legislative majority. I would not want to see this government, just because they have a majority, just because the Premier or somebody has promised to do something to keep an election promise, that they will push this bill through. I think the bill is wrong. I do not think you should be passing it. I think you should first do some study and consider the advice of your employees, the anthropologists, and of others and do what is morally right and not what you can do by using your majority.

Mr. Steuart: — Are you still going to support it?

Mr. Berezowsky: — Yes, to give you a chance to prove yourselves. Some of my hon. friends, of course, will say that they must protect the rights of natives by paternalism. They know better than anybody else what should be done and I say that this is utter nonsense and the reason for it is that in the countries where they have got rid of paternalism, the native people have made progress. They have got rid of the reservations. They have got integration and they have a happy society. I would say this, I am glad the government is trying to find the answer. I cannot understand why the government has picked this bill as the answer. I think this government, as I said before, was in a fortunate position. They have programs in northern administration which we had begun. We built tens and dozens of schools all across the north. Today, the children do not just go to public schools. They can also go to high school. They can even go to higher schools of learning in the various communities and there is no reason at all why you should not have been expanding on these established programs. All of these programs would have benefited the native people and certainly there would not be the tragic waste of public funds that appears to me to be inevitable if this kind of set-up is approved. I, for one, suspect, (I do not like to say this) knowing the Liberal party as I do, that this branch of government will be used for politics, Sir.

Mr. Thatcher: — Oh, that is disgraceful.

Mr. Berezowsky: — It is not disgraceful.

Mr. Thatcher: — It is disgraceful.

Mr. Berezowsky: — You have done that in the past. You are doing it now.

Mr. McDonald: (Moosomin) — Nuts!

Mr. Berezowsky: — You are doing it now and I can prove it. If you want the proof I can dig it out right now. You would not want to face it. Your faces would turn red. I am just warning you that, in my opinion, this is what you want that branch for. You will have twenty men in that department, planning and co-ordinating, and you are going to tell the native chiefs, and you are going to tell the heads of the communities what they are to do at election

time, because this is what you have done. It has been shameful, as you know, and you should admit it.

Mr. McDonald: (Moosomin) — Your behavior has been shameful among them.

Mr. Berezowsky: — I have a clean slate. I have not anything to be ashamed of.

An Hon. Member: — Your white Indians up there will have to reform a bit too.

Mr. Berezowsky: — Now, there is much that you can do besides what I have mentioned, to help the Indians. There are going to be jobs in the north. There are going to be jobs in other parts of Saskatchewan.

An Hon. Member: — Who is going to have some?

Mr. Berezowsky: — The Premier always talks about the Anglo-Rouyn mine. I want to make it clear, Mr. Speaker, since he brought up the subject that I am not attacking the Anglo-Rouyn mine.

Some Hon. Members: — Hear, hear!

Mr. Berezowsky: — I have attacked the Premier and the Minister of Public Health (Mr. Steuart) in bringing Mr. Winters to promote a company that has no assets. When you talk about Rio-Algoma up in that area, which may provide jobs for the natives and may develop a mine, it will be a different story. But you have been promoting a mine that has no assets, has no shares. Out of 5,000,000 shares — 4,800,000 shares, according to the Financial Post, is out of their hands. They have no assets and you expect people to buy these shares at \$1.70 . . .

Mr. Thatcher: — Socialist arithmetic.

Mr. Berezowsky: — . . . and then they will lose their shirts and I stand by what I said before, and some day I will prove to you how wrong you were and you will not be able to face the people who have lost their money in that particular company.

I am not going to talk about the mine. I gave you facts about the mine and I gave you the figures and you do not have to interrupt again because I will give you just as good an answer.

Mr. Speaker, northern people — Indians, have come to me and said: “I am a carpenter. I have a trade. I can do a good job but because I am an Indian, I cannot get a job”. This is the kind of prejudice that we must do away with. We must give these northern people the same opportunity to work in the building trades; to work in the mines; to work anywhere — in garages or wherever it may be, so that they may hold their heads high and be able to make their living for themselves. I could give a number of suggestions to the government but I do not know whether I should because they are going to have all these experts — twenty of them — to decide what is going to be done. But I could tell you that you could take many people from the north and you could rehabilitate them. For example, we have an area at Molonosa in my constituency. It is a small community. Those people are ready today, with a little help from the government, to establish a factory to make fish boxes for the people of Reindeer Lake and other places. Why do you not do it? No, you are not going to do anything.

Mr. Thatcher: — Why didn't you do something. You had twenty years.

Mr. Berezowsky: — We were planning to do it.

Some Hon. Members: — Hear, hear!

Mr. Berezowsky: — . . . and we were doing it, Mr. Speaker. You have the opportunity to carry on from there but you are not taking the opportunity. You are going to set up a staff of experts who are going to think about plans and programs for the next ten years . . .

Mr. Thatcher: — We better adjourn.

Mr. Berezowsky: — There are small factories that can be built across the north. It does not have to be a box factory. There can be other kinds of factories — other kinds of plants. They are doing it in other countries. It is not my job to advise the government as to what they should do.

Mr. Berezowsky: — But because they are going to have experts, maybe they will find the answers. I say to them, that whatever they do they should spend their money wisely and not throw a half a million away. I would rather they spent that half a million for breaking land up at Green Lake; getting cattle for the people at Green Lake; for building a box factory or for helping to establish a factory in Molonosa to make fish boxes; maybe helping to set up a school for guides. I have all kinds of ideas that would be helpful. I may suggest one or two. You will probably steal them from me if I do suggest them. You are welcome.

There are Americans coming into the north — into Lac La Ronge. I am sure the hon. member from Athabasca (Mr. Guy) would be more than proud to have Indians dressed in native costume to take them out guiding. So, help them to get costumes and get them to go out guiding and make a decent living. Is there anything wrong with the idea? I can give you hundreds of ideas like that and I am sure the hon. member for Athabasca (Mr. Guy) has a lot of ideas too. So you don't need to set up a branch to plan. You can get all these ideas and put them into effect and see that these people make a better living and that they can go forward with the rest of us.

Well, I do not know how much more I should say. I have mentioned that you could break land for them. You could set up all kinds of industrial projects. You could give them education. You could do all those things. You do not have to have a branch. If you set up a branch and if you are going to get a headache, I shall not fail to remind you, in the future, and certainly the Indians will never forgive this government, if you fail in the undertaking.

Mr. I.C. Nollet: (Cut Knife) — I just want to say a very few words in connection with the amendments to this legislation, which I believe transfers a lot of the activities and programs in connection with Indians and Métis to one agency. I would just like to say that the fact of this being changed to one agency and everything placed in one agency, will not bring the desired results unless we are very practical in our approach to solving the economic problem of these people. Let us take, for example, Green Lake. There are undeveloped land resources there that ought to be developed and utilized for these people. The mistake, as I see it, at Green Lake, was simply that there was not enough land developed and allocated to each one of the Métis families. Forty acres, eighty acres, what is that? How could we ever expect to rehabilitate or establish anyone on the land with such a small acreage? I would, therefore, suggest, Mr. Speaker, that instead of hiring a whole lot of high-class people, and I have due regard and respect for anthropologists and sociologists and all the rest, but for God's sake, let's get some practical programs. These people have been investigated by these experts and reports have been filed.

We know the problem. It has been identified thoroughly and these people have just been examined from one end to the other but it seems to me there is one practical approach — to provide money to develop the resources that are available in the areas concerned. We have had a great deal of success in our 4-H Club work with the young native and young Métis children in the north above the line of settlement, with pretty good results. But this help and the extension work will be of no avail unless we follow up with practical programs that will give these people more resources to work with.

In connection with Green Lake and some of the others, I would propose that these projects be transferred to the Department of Agriculture and that we develop sizeable units for them; that we develop community pastures and community fodder projects for them, so that they will have sufficient land resources to obtain a living from the soil without having to go some place else to supplement their income. This has been one of the great problems, The sale price of land at Cumberland House. There is a vast area there that can be developed for agriculture, and other purposes too, but the big thing is to get enough land developed, so these people can take their place on the same basis as any white farmer. We should put in our extension workers and give them the benefit of our farm management skills and agriculture representatives services, and treat them just the same as we treat others. We should not segregate them and treat them as something special, but as citizens

of the country. If money is spent in this direction, and not on fancy frills, but on good practical development, I think they will get some place, Mr. Speaker, but if this is just going to be a sort of co-ordinating agency, and more examination made with very little money proportionately spent, or natural development, we will get nowhere.

I might say, Mr. Speaker, when I was minister, we did endeavor to work out a program with the Department of Indian Affairs, when Mrs. Fairclough was in charge, and worked out an agreement under which we could provide our extension services to the Indian reserves. But unfortunately, a dim view was taken of this, and I suppose it is traditional that the Department of Indian Affairs alone deal with the problem of the Indians.

On the reserves, there are quite a few resources that can be developed. Get them into livestock production, and above all else, encourage these people to take responsibility for the management of their own affairs. This, to me, is the crux of the problem. I know the solution is not easy. It is a long term proposition, as it is with anyone of any other race or any other nationality that is depressed economically. It takes a great deal to lift a person up — to broaden his mental horizon, but you have got to give them a good solid economic base first, and improve their income position. I would like to see money invested in this direction rather than in co-ordinating programs and all of this sort of thing, that we have been subjected to over the years.

Mr. A.R. Guy: (Athabasca) — Mr. Speaker, I was not going to spend too much time speaking on this bill, but in view of some of the statements that have been made tonight by the member from Cumberland (Mr. Berezowsky), I must do so.

I am not sure, when he sat down, whether he was going to support the bill or not. He said, about half-way through, that he was going to. All I can say is that if he was not going to support it, I would like to have heard the speech that he would give on that occasion. Because the way he spoke tonight he was against it, and then he ends up by saying that he was going to support it.

Mr. Thatcher: — . . . no guts . . .

Mr. Guy: — Well, if he believes that we are doing it wrong, why on earth doesn't he stand up and . . .

Mr. Nollet: — Mr. Speaker, on a point of order. He is not the subject of this debate. Let us talk about the subject matter under discussion and not personalities.

Mr. Guy: — I think the member for Cut Knife (Mr. Nollet) may have a little bit of a . . .

Mr. Berezowsky: — Mr. Speaker, on a point . . .

Mr. Guy: — He has a guilty conscience. I wasn't referring to him and if . . .

Mr. Berezowsky: — Mr. Speaker, on a point of privilege . . .

Mr. Guy: — . . . I was referring to the member for Cumberland.

Mr. Berezowsky: — On a point . . .

Mr. Speaker: — Order! State the point of privilege.

Mr. Berezowsky: — You will agree, Sir, that I have the right to speak against the bill, and let the government take the consequences if it passes.

Mr. Guy: — Certainly he has, and he also has the right, if he wishes, to stand up and to argue against it, and then vote for it. That is entirely up to him. But in view of the fact, that they had twenty years in order to

do something for the Indian people, I cannot see how any member on the other side of the house can stand up this evening and oppose the idea of setting up a branch or doing something that might help the people of Indian origin in this province. I am going to have some more things to say on this matter at a later date, and I beg leave to adjourn the debate.

Debate adjourned.

Mr. Guy: — Mr. Speaker, I might even have more letters.

Some Hon. Members: — Hear, hear!

The assembly adjourned at 9:53 p.m.