

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — Fifteenth Legislature
23rd Day

Thursday, March 10, 1966

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

WELCOME TO STUDENTS

Mr. A. Thibault (Kinistino): — Before the Orders of the Day I would like to draw to your attention a fine group of students in the east gallery; they are from the Kinistino High School. They drove in this morning, 200 miles, and they are visiting in the city today and will spend the rest of the day visiting around the buildings. As this is Education Week, which I have pointed out on previous occasions, I am sure that this trip will make a great contribution to their education. I hope that the house will be on good behavior while they are here. I want to point out also that their teachers are Mr. Buck and Mr. Carlson. Their bus drivers are Mr. Briter and Mr. Thorson, and I also want to wish them a safe journey home.

Hon. Members: — Hear, hear!

Mrs. Sally Merchant (Saskatoon City): — Mr. Speaker, may I draw to your attention at this time that there is another class today from Hugh Cairns School in Saskatoon. They are in the west gallery. I would like to welcome them to this assembly and I know the members would want to join in wishing them a very happy day and a safe trip home.

Hon. Members: — Hear, hear!

Mrs. Marjorie Cooper (Regina West): — I also would like to call the attention of the members to a very fine group from Athabasca School. I think there are 45 students and I believe I see their principal, Mr. McDonald, with them. We would like to thank all teachers who bring their students to the legislature. We hope they will enjoy themselves. We hope they will find it interesting and profitable. I know you will all join with me in welcoming them.

Hon. Members: — Hear, hear!

Hon. D.G. Steuart (Minister of Public Health): — Mr. Speaker, I would like to draw the attention of the house to a group of really fine students from the greatest city in the province, Prince Albert. They attend St. Anne's Separate School and they are accompanied by their teacher, Sister Valentine. I would like to welcome them to Regina. I hope they have a very pleasant day and a safe trip home.

Hon. Members: — Hear, hear!

Mr. A.R. Guy (Athabasca): — I would like to join with the member from Prince Albert (Mr. Steuart) in welcoming these students from St. Anne's School. There is one face in there that I am quite accustomed to seeing from time to time, smiling down on the Liberal members here, so

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I hope she enjoys herself along with her comrades up there.

Hon. Members: — Hear, hear!

Mr. A.E. Blakeney (Regina West): — Mr. Speaker, I, too, would like to call the attention of all hon. members to a group of students who are in the west gallery from the Kitchener School in Regina. They are a large group, some 55 to 57 of them. They are here as part of their course of studies, being led by their teachers, Mrs. Gary and Mr. Secure, and I am sure that all of us would want to join in wishing them an enjoyable and instructive afternoon.

Hon. Members: — Hear, hear!

Mr. H.H.P. Baker (Regina East): — Mr. Speaker, I, too, want to join with the other two Regina MLAs in welcoming our local schools, the Athabasca School and the Kitchener School. I had the privilege of speaking at the Athabasca School graduation last year. I also want to welcome the Saskatoon School and Prince Albert School students. Of course, the member for Kinistino (Mr. Thibault) has again invited me to welcome the Kinistino High School and I do so, as I did yesterday with the group from Yellow Creek. I hope they, and even those from Saskatoon, will take time out as others from other cities to see the fine sights in the city of Regina. We hope their visit here will be most fruitful to them and some day they may, too, be legislators as we have the privilege of being. May you have a good trip home and an enjoyable stay.

Hon. Members: — Hear, hear!

REPORT ON SALE OF SASKATCHEWAN SAVINGS BONDS

Mr. W.S. Lloyd (Leader of the Opposition): — Mr. Speaker, before the Orders of the Day, last year the Minister of Education (Mr. Trapp), I understand, was able to provide before the Committee on Estimates, information with regard to the distribution of the general formula grants to school units and to towns and cities outside the school units. I ask the Minister of Education (Mr. Trapp) when it will be possible for him to distribute similar information with respect to the grants this year.

Hon. G.J. Trapp (Minister of Education): — I will as soon as possible. I wouldn't like to say the

date, we have been rather busy, but I say as soon as possible I can give you those again.

Mr. Lloyd: — A supplementary question, Mr. Speaker. I take it they will be available prior to the estimates being considered.

Mr. Trapp: — I would hope so.

RESOLUTIONS

MOTION RE CONSTITUTION OF CANADA

Mr. A.E. Blakeney (Regina West) moved, seconded by Mr. Walker:

That this Assembly:

- (1) Expresses its approval of the principle of providing for the amendment in Canada of the Constitution of Canada;
- (2) Expresses its opinion that the provisions in that respect contained in the White Paper issued by the Federal Government entitled "An Act to Provide for the Amendment in Canada of the Constitution of Canada" are unacceptable; and
- (3) Expresses the opinion that provision to amend the Constitution of Canada should not be finally determined without the widest possible public consultation and debate so as to permit the opinions of all interested groups and individuals to be solicited and obtained.

He said: Mr. Speaker, this is a motion dealing with the Constitution of Canada, and as you will see from the way that it is phrased on the Order Paper, the motion is in three parts. It first asks the assembly to express its approval of the principle of providing for the amendment in Canada of the Constitution of Canada. It then asks the assembly to express its opinion that the provisions in that respect (i.e. for the amendment of the Constitution of Canada) contained in the White Paper issued by the federal government and entitled "An Act to Provide for the Amendment in Canada of the Constitution of Canada: are unacceptable. Thirdly, it asks the house to express the opinion that provision to amend the Constitution of Canada should not be finally determined without the widest possible public consultation and debate, so as to permit the opinions of all interested groups and individuals to be solicited and obtained.

Mr. Speaker, it will be recalled that we had a similar debate in the house last year which surrounded the White Paper issued by the federal government last year, a White Paper in a little gray book, issued by the Hon. G. Favreau, Minister of Justice as he then was, and in which there is outlined a proposal for the amendment of the Constitution of Canada which has come to be known popularly as the Fulton-Favreau formula.

I want, Mr. Speaker, to express some views on the three headings which are set out in the resolution. Dealing first, Mr. Speaker, with the first proposition asking the assembly to express its approval in principle of the principle of providing for the amendment in Canada of the Constitution of Canada, I believe that this proposition will be noncontroversial. I think that with the

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general idea that it would be desirable to arrive at a way whereby the Canadian Constitution could be amended in Canada there will be no quarrel. The procedure of using the Imperial Parliament is one which appears to rankle the pride of some Canadians. I agree that one of the necessary trappings of sovereignty is the ability to amend our Constitution here in Canada. When I use the phrase trappings of sovereignty I don't mean to use it in any derogatory sense. The sense of sovereignty, of governing themselves, which people may have, is made up of many items, many things, tangible and intangible. And we have seen in recent years how some things which are intangible, such as a national flag, can indeed stir the minds and hearts of substantial numbers of Canadians. So that I would like to see a way whereby we could amend our Constitution in Canada, I would like to find an alternative way to amend the Constitution — alternative to the present method of governing through the Parliament at Westminster.

However, I think it should be pointed out in the clearest possible terms that the Imperial Parliament exercises absolutely no discretion with respect to amendment to the Canadian Constitution. Accordingly the arrangement whereby amendments are confirmed by the Imperial Parliament does not in any practical sense represent a derogation from Canadian sovereignty. The changing of the BNA Act to provide that it could be amended in Canada will not make us anymore sovereign as a nation than we are now. The Imperial Parliament has since 1926, perhaps, and certainly since the Statute of Westminster in 1931, acted simply as a legislative trustee, if I may use the words of Mr. Ivan C. Rand, the former Judge of the Supreme Court of Canada, and formerly Dean of Law at the University of Western Ontario.

The Imperial Parliament has made it clear that it will act only to confirm a request by the Parliament of Canada in the exact and precise terms of the request. In earlier years these requests used to be changed as to format in order to conform with the rules followed by the legislative draftsmen at the Parliament at Westminster, but in latter years because of some more felicity in draftsmanship in Canada, so as to make the amendments comply with the drafting rules which are normally followed in the Imperial Parliament, and because of the fact that the Imperial Parliament wanted to be particularly scrupulous, the amendments have gone through in the precise words passed by the Parliament of Canada.

Accordingly, while it would be, as I have mentioned earlier, the completion of another symbol of our nationhood to arrive at an amending formula which would not involve the Imperial Parliament, it is of no real or practical significance in expanding the liberty or sovereignty of Canadians. The patriation of the Canadian Constitution will be a symbolic gesture. I do not suggest it will not be important as a symbol, but it will be no more than that. I think then, Mr. Speaker, that there will be general agreement with proposition number one, asking this assembly to express its approval of the principle of providing for the amendment in Canada of the Constitution of Canada.

Propositions two and three are somewhat more controversial. I would like to turn to proposition three, which asks this assembly to express the opinion that provision to amend the Constitution should not be finally determined without the widest possible consultation. Mr. Speaker, I would have thought that this proposition was one which would not have been controversial. I would have thought that there would be general agreement that the Constitution of a country is something which ought not to be determined in secret. There is, I think, a sense in which one can

say that a Constitution of a country belongs to the citizens of that country. Ideally it ought not to be a product of any bargaining between governments but ought to be something which evolves from the will of the governed.

The Constitution of the country is the most basic legal document governing the lives of the citizens of that country, and accordingly, the terms of our Constitution are a matter of vital concern to all citizens of Canada whether they realize it or not. The terms are not something which should concern only lawyers, or only Attorneys General, or only Premiers, or only members of parliament, or members of legislatures, but rather all the people, because again, whether or not they appreciate it, the terms of the Constitution will have far-reaching consequences for people in every walk of life. And because this is true, I submit that no effort should be spared in obtaining the views of all interested and knowledgeable people in arriving at those terms. Nor should effort be spared in acquainting all segments of the public with the concept and framework of the constitutional document. Accordingly, I take the view that the Constitution of Canada should be subject to study by the House of Commons, by the Senate, and through some device which will enable public hearings to be held all across Canada, and a report on such hearings made to parliament and to the legislatures.

I don't think it is enough for a committee of the House of Commons or a committee of the Senate to study the matter. However, I think it would certainly be a useful start if a Commons committee, or a Senate committee were to give the various proposals for amending the Canadian Constitution a thorough study and hold hearings, and hold them all across Canada. Certainly we have had many precedents of Senate hearings which have been public in the sense that briefs by interested parties have been submitted to the Senate. And I see no reason why a Senate committee could not go from coast to coast in Canada if Royal Commissions of various kinds can go to the farthest corners of Canada in order to seek out opinions on banking, or tariffs, or bilingualism, and biculturalism or some of the many other subjects which have come under study by Royal Commissions. I see no reason why a matter of equal or greater importance should not similarly be the subject of public hearings from coast to coast. It may be argued that the Constitution of Canada is fundamentally too complicated a subject to be suitable for public hearings, but when one thinks of some of the things which have been studied by Royal Commissions: banking, which is not a simple subject; tariffs, which are not something which are dealt with from day to day by the ordinary citizen; patents and trade marks than which there can hardly be a more complicated area, I think it will be seen that the argument that citizens across Canada could not, because of the technical nature of the subject, make useful contributions to a study of Canada's Constitution, is a faulty argument.

Certainly if there is any subject on which it is more important that a consensus of the views of Canadian citizens be sought, any subject more important than the Constitution of our country, I am unable to call it to mind. The Constitution will guide the future of this country, of ourselves and of our children, for decades and presumably centuries and accordingly it deserves our closest and most earnest scrutiny. The idea that there ought to be widespread public hearings was advanced very early in the game by influential groups at the time of the constitutional discussions which started the present series of discussions: the ones which were held in Ottawa in 1960 and 1961 when the Hon. Davie Fulton was Minister of Justice. At that time the Association of

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Canadian Law Teachers was particularly forthright in urging that a Constitution was something which ought not to be arrived at in secret but ought to be something which is arrived at after the widest possible consultation with the people who will be governed by it.

Mr. Speaker, since we considered this last year the need for a public consultation has become all the more obvious because it now seems clear that the basis which was put forward a year ago, called the Fulton-Favreau formula, has become unstuck. And it has become unstuck because it did not effectively present an acceptable model for a Constitution of Canada in the eyes of the public. It is clear that the Fulton-Favreau formula was not fully understood and in order to reinforce that statement I would like to quote from the Montreal Star of January 28, 1966, and I am quoting from the text of a letter of Premier John Lesage of Quebec to the Prime Minister of Canada in which, after first indicating that many events had occurred since the formula was elaborated, he goes on to say the following:

For instance I personally am struck by the fact that as early as last spring . . .

that would be the spring of 1965

. . . the formula was not being interpreted everywhere in the same way. This I had always assumed that, as regards the amendment of legislative powers, any diminution of provincial power required unanimity, whereas any increase of such power called for the concurrence of only two-thirds of the provinces representing one-half of the population.

I thought that an interesting comment because I can recall preparing some remarks last year to address to this house in a similar debate and this very question occurred to me, "What consent would be necessary in order to transfer the administration of Indian or Eskimo affairs to provinces?" I read the document which was distributed to us, and I reached the conclusion that I didn't know whether or not unanimity would be necessary. I then felt that my doubts must have come from an inadequate study of the document, and that if I had given it additional attention my doubts would have been resolved. I now see that I was not alone in this, in that Premier Lesage says that there is a difference of opinion as to how this provision ought to be interpreted.

I think also that it is fair to say that there is a degree of uneasiness in Canada because of the rigidity of the Fulton-Favreau formula. And because of the fact that the Fulton-Favreau formula is not interpreted the same way everywhere and because of the fact that there is a growing sense of uneasiness about the adequacy of the formula as a Constitution for Canada, I submit that the need for the widest possible public consultation and debate is greater now than it was heretofore.

Certainly if I am right in thinking that the Fulton-Favreau formula has become unstuck, and if I am right in thinking that Canadians would like to find a way to amend their Constitution in Canada, then we must seek some other way in which to find a formula which will be generally acceptable to Canadians. I know of no other way which is likely to be met with more success and met with better results than a way which would involve the widest possible consultation and debate. I, therefore, will be inviting the

house to express its opinion in favor of such consultation and debate, and I doubt whether there will be any substantial disagreement with the point of view which I expressed, Mr. Speaker, in that regard. Any disagreement will, I think, be a matter of degree rather than of substance.

I turn now to the second part of the motion which invites the assembly to express its opinion that the provisions in respect of the Constitution contained in the White Paper, to which I earlier referred to are unacceptable. Here, Mr. Speaker, there may be some greater measure of controversy, but I think that in view of developments which have occurred, there will be a much wider measure of acceptance than there would have been previously.

As I have earlier indicated, the key question is not whether or not the Constitution is patriated. Rather the key question is the terms and conditions under which the Canadian Constitution will be able to be amended in Canada. To put it another way, the key question is not whether we have an all-Canadian amending formula, but rather the nature of the all-Canadian amending formula.

As I indicated, there is general agreement on the desirability of an amending formula; the disagreement is on the question of what constitutes a satisfactory amending formula. As I have also indicated I think that the Fulton-Favreau formula is far from satisfactory. At the present time Canada has, I believe, the most rigid Constitution of any federal state in the world. One states these propositions with hesitation now because since I got up this morning there may be another national state and it may have a more rigid Constitution. But certainly, confining my remarks to any national state which was in existence two years or more ago, I believe we have the most rigid Constitution of any federal state in the world. Certainly this is true at least in practical terms. There maybe legal argument to the effect that the Canadian Constitution can be amended by a decision of the Parliament of Canada without the consent of all of the provinces, or indeed of any of the provinces, but in practical terms the consent of the major provinces, at least, is necessary, and it may well be that for any major amendment the absence of opposition, if I may phrase it that way, of all of the provinces is necessary. I say "absence of opposition" because there is no evidence based on precedent that the active consent of all the provinces is necessary. One can't state propositions with any degree of certainty here, because we are not talking about law which is written down; we are talking about practice which has grown up over a century, and we have to make our own judgment as to how rigidly past practice will be adhered to in any future situation.

The most important transfer of legislative power which has taken place in recent years has been the transfer of legislation over unemployment insurance. Some may say that the Canada Assistance Plan was of equal importance, but viewed from a background of transfer of power respecting federal old age pension, I think it will be conceded that the most important transfer which has taken place in the last thirty or forty years has been the one on unemployment insurance. This is the one which started the transfer of legislative jurisdiction with respect to social welfare programs from the provincial governments to the federal government. This was brought about, — the transfer of jurisdiction with respect to unemployment insurance — was brought about by amendment to the British North America Act, 1940. Of the provinces, one province only, so far as I can ascertain, consented to the change by resolution of the legislature. Two provinces, Alberta and New Brunswick, specifically passed resolutions not

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approving of the proposed changes, dissenting from it. Each of the Premiers of those two provinces, Alberta and New Brunswick, subsequently advised the Prime Minister without consulting the legislature that the objection of his province was withdrawn. It seems that Premier Aberhart said that Alberta no longer objected to the change, or words to that effect, and I think Premier McNair followed a similar course. The other provinces gave consent by way of letters from the Premier, or responsible ministers as opposed to conveying resolutions of the legislature. I think it will be appreciated immediately that this type or form of consent, in some cases expressing approval and in some cases only a lack of disapproval, is a very far cry from a formal consent passed by all the legislatures. But this relatively informal procedure requiring unanimity is now the most rigid formula for constitutional amendment in the world. How much more rigid would it be if we followed the Fulton-Favreau formula and insisted that for any substantial change in our Constitution the consent of all provinces would be necessary as opposed to any absence of dissent, and that such consent had to be expressed by resolution of the legislature.

Because we have the most rigid Constitution in the world it would be presumed that any change would be by way of making the formula somewhat less rigid, making it as flexible as the formula which is used in the United States or Australia, or Switzerland. In speaking of Switzerland I think I would call to the attention of hon. members the fact that Switzerland is a country which in some way is like Canada, in the sense that it is divided into two linguistic groups, in fact four linguistic groups but two major linguistic groups, and that their position in numerical strength is not very different from the numerical strength of the English-speaking group in Canada as compared with the French-speaking group. The German Swiss would, I think, be about twice as numerous as the French-speaking Swiss in Switzerland.

The draft which was circulated last year by Mr. Favreau, and which has become known as the Fulton-Favreau formula, makes the Constitution much more rigid. In essence it provides that no changes may be made in the BNA Act unless they are concurred in by the legislatures of all the provinces. It is true that in section five the Act provides that, subject to previous sections, changes may be made in the BNA Act by the Parliament of Canada, concurred in by the legislatures of at least two-thirds of the provinces representing at least 50 per cent of the population. This would be a desirable measure of flexibility. In fact, it would be too flexible if it were not subject to modification. It should be modified as an amending formula to provide for unanimous consent with respect to a certain narrow range of subjects. These would concern the use of French and English languages, possible provisions with respect to education, at least in the province of Quebec, the amending formula itself and possibly some other matters.

However, the Fulton-Favreau formula entrenches or requires unanimous consent to change virtually every provision of the BNA Act. In particular every power of a provincial government to make law is entrenched so that it cannot be changed without the unanimous consent of all the provinces. For example, it would not be possible for the people of Canada to decide that the federal government ought to provide prisons and reform institutions which are now covered by section 92 (6) of the BNA Act. And I don't need to recall to the hon. members the fact that there have been many discussions about the desirability of the federal government moving into the operation of penal institutions housing offenders

who are sentenced to terms of more than six months.

I repeat again that the Act would not allow consent to be given in the informal way which has hereto before been done. I simply give one example. I have others in my notes, but I think that any member who wishes to contemplate problems which could be met in the future should take the BNA Act, look at section 92 and think of matters which might come over those heads which he might wish to see handled by the federal government in some circumstances in the future which he might contemplate. The precise nature of the problems which arise in the future cannot be predicted. Suppose that the courts should decide that credit unions came under Savings Banks, which is a head under the section 91, and, therefore, come under federal jurisdiction. We might very well want to turn back to the provinces the jurisdiction over credit unions; would this require unanimous consent? We can't predict the areas where federal action might commend itself as desirable to the vast body of Canadians.

Let's consider some of the problems which the Attorney General mentioned in this house in other debates. Mr. Speaker, I do not propose to deal with the Attorney General's remarks, but only to refer to some of the general subject headings. The regulation of sale of securities on a countrywide basis; many feel that this ought to be done by the federal government. It is unlikely to be done by the federal government if unanimity is required. The marketing of some natural products; many feel that this ought to be done by the federal government in certain instances. This is unlikely ever to be achieved if unanimity is required. We may at some later time believe that a countrywide basis of uniform labor standards would be desirable or the provision of a system of nation-wide system of post-graduate centres for scientific study and research. These are simply suggestions of matters which we as Canadians might decide ought best be handled by our federal government.

Nor, I think, can we predict what powers we might think ought best be handled by the provincial government. One thinks of the control of affairs of the Indians and Eskimos. We hope that the day will come when the affairs of the Indians and Eskimos will be no different than the affairs of Ukrainians and Welshmen, and that, therefore, there will be no reason why their affairs ought to be under the control of the federal government. We might decide, if treasuries become impoverished, that provincial governments should levy an indirect sales tax. We might decide that some rivers which are now classed as navigable waters, — and you might be amazed at what rivers are classed as navigable waters, including Wascana Creek, — should be returned to the jurisdiction of the provincial government. The control of inland fisheries might be a subject appropriate for provincial government control. I am sure the Minister of Natural Resources has wondered from time to time why regulations which he propounds concerning the control of inland fisheries must be passed pursuant to a federal act. He is, legally at least, a nominee of the federal government in some respects in the control of inland fisheries although the practical control resides with the provincial government. One can think, perhaps, of certain aspects of Bankruptcy and Insolvency. The area now is divided; Bankruptcy and Insolvency are a federal matter. Fraudulent preferences have been thought to be a provincial matter. Some of our courts are taking a different view, but certainly there is an area here which suggests jurisdiction is divided and effective jurisdiction does not seem to be on one side of the line or the other.

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All I am suggesting, Mr. Speaker, is that there are many areas where we in the future may wish to change the legislative jurisdiction either from provinces to federal, or from federal to provinces. Yet it is suggested that in order to do this the unanimous consent of all provinces would be necessary. One of our provinces represents less than one per cent of the total population of Canada; each of five others represents less than six per cent of the total population of Canada. Accordingly there are many, many opportunities for a small minority in each one of these provinces to prevent a change which might be desired, and desired ardently by a very large majority of Canadians.

The Fulton-Favreau was put forward in the name of patriotism and stability. In this connection I can do no better than to quote the words of a great constitutional expert, and a great Canadian, the late, The Hon. Norman McLeod Rogers, who when he was pursuing his academic career said that:

The purpose of unanimous consent is security through stability, but political societies are not static, but progressive. If their needs and aspirations grow with the times, stability of constitutional arrangements will produce friction instead of security.

Mr. Speaker, in my view, the Fulton-Favreau formula is so rigid that it may condemn Canadian governments in the future to inaction and sterility and thereby create serious problems.

In the last twenty-five years or so we have amended the Constitution to provide for unemployment insurance, universal old-age pensions, now a Canada Pension Plan, and I feel that there is very real doubt that any one of those changes would have taken place if there had been a prior requirement that it had to be approved by the legislature of each of the provinces of Canada.

Mr. Speaker, I oppose the Fulton-Favreau formula on another ground although similar, and that is because I believe it is based on a fundamental error of approach. The reason we are considering the matter at this time is because there is a wave of nationalism sweeping Canada. Now this is by no means the first time constitutional amendment has been considered seriously. It was considered very seriously for perhaps the first time at the time of the Statute of Westminster; and members will recall that the Imperial Parliament wanted to include in the Statute of Westminster, a provision which would say that no Imperial Statute should bind Canada. The Canadians said, "You can't do that. What will happen to the BNA Act?" Whereupon the United Kingdom representatives at the conference said, "Well, put an amending formula in the British North American Act whereby you can amend it", whereupon the Canadians tried to evolve a formula and tried unsuccessfully.

There was a similar try at evolving a formula at the time of the countrywide study which was associated with the Rowell-Sirois Commission. There were additional tries immediately after the Second World War, at the time when we were considering nationwide social security measures, the Marsh Plan and other proposals which were based upon this plan. Then we had another round of negotiations which we are still engaged in. It started in 1960. So it is hardly a new subject and hardly one which, I suggest, requires immediate decision. It has come to the fore because of feelings of Canadian nationalism and particularly, because of feelings of French nationalism. This French nationalism has been coupled with demands for a larger measure of provincial autonomy for the

province of Quebec. Now, English Canadians have been prepared to concede that the French in Canada have a legitimate claim to a measure of autonomy, and have sought to incorporate these claims into amendments for the Constitution. Unfortunately, at this point, the error was made. The error persisted during the Conferences of 1960 and 1961, and those which followed, and the error was this; the error was to assume that every power which was given to the province of Quebec had also to be given to every other province in Canada.

Mr. Speaker, this is, I believe, unsound in principle. In my view, it stems from the view that the province of Quebec is a province just like the others; and this is not true, either in history, or in fact. The province of Quebec is in some respects like the others but it is also the homeland and the heartland of the French Canadian minority, and with this special status it seems to me entirely appropriate to provide special provisions and protection for Quebec which need not be given to the other provinces.

Now, this is reasonable not only because Quebec is the special representative of the French in Canada, but also because it is a large province. In respect of the latter head I would not suggest that it have any privileges because of its size which would not be enjoyed by, let us say, Ontario, but in respect of the former head, that is the heartland of French Canada, I think it must have some special position. A province such as Manitoba or Saskatchewan, or Prince Edward Island, neither represents any substantial minority group in a special way nor any large minority of the population in Canada.

Now, my suggestion would be that the draft as presented be amended to provide that a substantial number of the powers falling within section two of part one of the Fulton-Favreau formula be transferred to section five and thereby come under the more flexible amending formula.

I don't for example think that the power to legislate with respect to property and civil rights ought to be entrenched. This phrase has a very wide application; none of us can predict the meaning which the courts might give it in the future, and it seems to me that a degree of flexibility ought to be retained. However, because of the special interest of the people of Quebec in the Civil Code, I would see no objection provided that no amendment coming within the authority of the legislature of Quebec to make laws in relation to any matter now included in the Civil Code of Quebec shall come into force in Quebec unless it is ratified by the legislative assembly of Quebec. Similar provisions could be used to protect other agreed special interest of the province of Quebec without extending the principle to all the provinces.

Before anyone reaches the conclusion that this is somehow a special concession to Quebec, I would call attention of hon. members to the fact that this, in fact, is what is happening now. This is the de facto position of the Canadian Constitution. We have an arrangement whereby the federal government carries on programs which are under the legislative jurisdiction, strictly speaking, of the provinces, and I may instance the hospital plan or the Canada Assistance Plan, and it is provided that any province may opt out and get a fiscal equivalent if it desires to do so and will operate a plan of similar scope in its own province. This option, in theory, is available to any province. In fact, if all or most of the provinces exercised it, the whole program would

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collapse. It only works because the province of Quebec is the only one that exercises its right to opt out; it might work with one other province opting out, but if any large number of provinces opted out of the National Hospital Scheme there wouldn't be a National Hospital Scheme.

We have de facto a special status for Quebec, and I see no objection to legislating in law that which is already a fact. My prime objection to the Fulton-Favreau formula, and I have expressed it in several ways, is the rigidity of the formula. Saskatchewan has always opposed a rigid formula which should entrench provincial power. We have had a historic interest in preserving a federal government at Ottawa which had some strength. And the reasons for that are not far to see. Our interest as a province and the interests of our people are likely to be better served by a Canada governed by a strong federal government than a Canada governed by 10 provincial governments. Saskatchewan has been traditionally, and is likely to remain, an exporter of primary products such as grain, meats, oil, potash, metallic minerals and the like. These are frequently sold outside the boundaries of Canada on the world market. But the manufactured products we buy come from a protected Canadian market. The tariff laws of Canada hold us to ransom and we pay a continuing tribute to the manufacturers of eastern Canada.

No doubt we will increase our manufacturing industries in the future, but for decades and, perhaps, centuries to come, it is likely that we will be the economic losers from the tariff structure designed to protect eastern industry. This is the price of Canadianism and it is now understood widely. In order that we may receive the quid pro quo for our tariff disadvantages we have, historically, pressed for a number of things. We have pressed for a federal government which collected the bulk of the tax stemming from the fruits of this industry; — income taxes, corporation taxes, and estate taxes, — and for a federal government that distributed these revenues across the whole nation, regardless of where they are generated. We have pressed for a federal government which would pursue a national transportation policy, protecting us against the evils which would flow if the monopoly position, particularly of the railway companies, was unregulated. We have pressed for reserve assistance from the federal government in case of a natural disaster, and we have pressed for national marketing legislation which would allow our primary producers to compete more effectively with the government assisted primary producers of other lands. All of these require a strong federal government. All of these are in the interests of Saskatchewan, and all of these will in some measure be threatened by a rigid constitution, and more certainly be threatened by the trend which this particular formula indicates.

It is all very well for Quebec to favor extreme provincial autonomy; it is all very well for Ontario to favor provincial autonomy; but of all the provinces of Canada, Saskatchewan is the one which has perhaps the most open economy, the one whose economy is least self-contained, the one that has the most to lose from the current assault on the concept of one Canada being launched by today's crop of Balkanizers. Saskatchewan will lose almost as much as any province by the trend represented by these changes, that every province is somehow an island unto itself.

I would have to do no more than ask the Provincial Treasurer to look at his estimates, at the very large amount of equalization payments, \$30,000,000. You may say that these are not directly

threatened. Let me say this, the manner in which the Fulton-Favreau formula entrenches and pays homage to provincial legislative powers and downgrades the federal powers, paves the way for a demand which is already being heard that the federal government has no right to raise revenues to spend for provincial purposes. If this demand were ever acceded to by the people who sometimes profess this ten little Canadas' point of view, — if it were ever adopted and it could be, — the result for Saskatchewan would be disaster. In the estimates which we are considering in this house, there is provision for federal spending for matters which are now within provincial legislative jurisdiction, — I haven't totalled them but I would think — \$75,000,000.

Then consider a national transportation policy. Railways are now under federal jurisdiction. But railways are declining in importance. We see that every day. Local trucking is not under federal jurisdiction. Who can tell what means of transport will come next and may well be called property and civil rights and be under provincial jurisdiction. I could say the same with respect to marketing legislation or the other things which are of vital importance to Canada and particularly to Saskatchewan.

Mr. Speaker, I suggest that every real and lasting interest of Saskatchewan is weakened or endangered by changes of the nature of the Fulton-Favreau formula, and no vital interest of Saskatchewan is strengthened by these changes. I say that Saskatchewan would be seriously prejudiced by any changes of that nature, and accordingly I would invite the house to say that the proposed changes in the Constitution are unacceptable on that account.

But they are unacceptable on other accounts. I say that Saskatchewan is not benefited but I say that Canada's larger interests are not benefited. The only conceivable benefit is the bit of pure symbolism of amending our Constitution without an act of the Imperial Parliament. Our true sovereignty will not be enlarged one grain and for this we are to set Canada on a course of ten little Canadas, for this is what the Favreau formula would do.

For this we are to weaken the long range interests of Saskatchewan, of the prairies and of Canada. The change would be wrong. It is at the wrong time and in the wrong direction. It proceeds from a fundamentally wrong premise.

Just how wrong it is and how uneasy many Canadians are feeling about it is I think best put by Charles Lynch in an article in the Ottawa Citizen when he said that:

Many Canadians must have a feeling of unease when a minority federal government, newly in office and still shaky on its feet, engages ten provincial governments all strongly entrenched and ably led and comes out with an agreement on the Constitution that could make the provincial governments much stronger than they are.

Naturally the provincial Premiers are happy about such an outcome and the federal government badly in need of some kudos would be happy about it. But the question remains, in the infighting behind closed doors did the concept of a strong federal government get a fair shake? Did the federal negotiators yield too much? Is repatriation of the Constitution with the new amending formula a step toward Balkanization with ten strong governments and a weak one at the centre? Provincial Premiers

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strong and able though they may be are provincial in outlook and cannot be expected to give priority to the national interests.

Well, Mr. Speaker, I am very glad to say that since the time Mr. Lynch said this in October of 1964, many in Canada have had sober second thoughts and the idea that the Fulton-Favreau formula is unacceptable has gained a large group of allies. And in many ways, Mr. Speaker, a very unusual group of allies. One of the persons who is now no longer satisfied with the Fulton-Favreau formula is the Rt. Hon. John Diefenbaker who has called for a National Constitutional Conference between Ottawa and the provinces to hammer out a new formula. Another person who is not happy, notwithstanding the fact that he agreed to it is the Hon. John Lesage who in writing to Prime Minister Pearson said this about the Fulton-Favreau formula, and his words bear close attention:

Many events have occurred since this formula was elaborated and it would not be proper to ignore them. Among them should be mentioned the countrywide debate which has taken place respecting the formula itself.

And I digress by saying that ought to have come before the formula and not after it.

The continued dialogue between Quebec and the rest of the country, a constant and sustained evolution towards a new relationship between Quebec, the other provinces, and the government of Canada, the progress of the studies and discussions undertaken by the Tax Structure Committee, the Royal Commission of Inquiry on Bilingualism and Biculturalism and our own Special Committee on the Constitution.

Then he goes on to say:

In the circumstances,

and he reviews a number of other circumstances,

the government of Quebec has decided to postpone indefinitely the consideration of the proposal for constitutional amendment.

Well, need I say, Mr. Speaker, that if the government of Quebec is unwilling even to consider the Fulton-Favreau formula all sensible Canadians must reach the conclusion that it is unacceptable as a basis for further discussion.

But, Mr. Speaker, the strangest ally amongst the ranks of the opponents of the Fulton-Favreau formula, is none other than the Hon. Guy Favreau, who has now abandoned the formula and has admitted that it is inadequate for Canada's needs. In a speech in Montreal, as quoted in the Montreal Star of Monday, January 24, Mr. Favreau was quoted as saying:

That the time is not ripe for repatriation and sweeping reform of the British North America Act.

I am surprised that he has now come to this realization after urging these very courses of action only a year ago. He goes on to say:

Canada can do no better than carry on with the co-operative

federalism which has worked so well over the past three years.

To that I say "Amen", and I wish he would have taken that point of view last year. He goes on to say further:

It is possible indeed that Canada may some day be obliged to revise from top to bottom its structures and its constitutional machinery but how and why and in what way?

Very good questions, Mr. Speaker. Questions which he sought to answer with the Fulton-Favreau formula and which he answered very badly. I compliment him for having the good grace to acknowledge that he was wrong. He goes on to say further:

We will be in a position to judge accurately the changes required only after a full stocktaking of the social, cultural and fiscal needs and priorities of Canada and the provinces.

And to that I say 'Amen'. This stocktaking should not take place behind the closed doors of a conference of representatives of provincial governments but should take place throughout the length and breadth of Canada in public meetings and in public forums of all kinds. He further goes on to say:

We are not in a position to judge the depth of the constitutional modifications which will impose themselves until we have sufficiently established the inventory of needs and social and cultural and fiscal priorities of Canada and the provinces.

And that, Mr. Speaker, is a proper statement of our present position and that is a further refutation of the Fulton-Favreau formula.

Mr. Speaker, now that it is clear that the Fulton-Favreau formula will do no service to Saskatchewan, will do no service to the broader needs of Canada, is unacceptable to the province of Quebec, is unacceptable to Mr. G. Favreau, and presumably to his cabinet colleagues; I think no one can have any other opinion than that the Fulton-Favreau formula is unacceptable as a basis for amending Canada's Constitution. That being the case, Mr. Speaker, I think that the various provincial legislatures of Canada should make their position clear in order that steps may be undertaken to evolve some method of arriving at an acceptable formula.

The province of Quebec has started the ball rolling by saying that they will not consider the Fulton-Favreau formula. It must therefore, I think, be considered dead. We must seek a new way of arriving at a consensus. A useful first start would be for other governments to admit what is obviously the fact, that the Fulton-Favreau formula is unacceptable, — and having admitted this, to set out to find a new way of evolving a consensus. I think therefore, that it would be a useful move on the part of this legislature to record its view, which all must hold, that the Fulton-Favreau formula is passé and is no longer acceptable. And having recorded this, we should take the necessary steps to evolve a new way of obtaining a consensus of the views of Canadian people as to what their constitution should be.

Since this seems the sensible and prudent course of action I would invite the assembly, Mr. Speaker, to express its approval

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of the patriation of the Constitution to Canada, to express its opinion that the Fulton-Favreau formula is now unacceptable and to express the opinion that widest possible public consultation and debate should take place so that we may seek an acceptable formula for amending the Constitution and patriating it to Canada.

Some Hon. Members: — Hear, hear!

Mr. M.P. Pederson (Arm River): — Mr. Speaker, I must say that last year and again this year that I have anticipated with a great deal of pleasure the opportunity to speak in a debate such as this, dealing as it does with something that is perhaps far closer to the everyday life of people than most realize. I was most interested to listen last year, and to hear again this year the one speaker who has spoken to this resolution, the opinions that were expressed on this very vast and complex problem. But it did strike me, Mr. Speaker, that last year only those people who feel qualified through legal training seem to have the temerity to express opinions on this subject matter. I believe, Mr. Speaker, that this . . .

Mr. Speaker: — I think we are a little out of order. The motion before the house was moved by the hon. member from Regina West (Mr. Blakeney), seconded by the hon. member from Hanley (Mr. Walker):

That this Assembly:

- (1) Expresses its approval of the principle of providing for the amendment in Canada of the Constitution of Canada:
- (2) Expresses its opinion that the provisions in that respect contained in the White Paper issued by the Federal Government entitled "An Act to Provide for the Amendment in Canada of the Constitution of Canada" are unacceptable; and
- (3) Expresses the opinion that provision to amend the Constitution of Canada should not be finally determined without the widest possible public consultation and debate so as to permit the opinions of all interested groups and individuals to be solicited and obtained.

The motion is in order, the debate continues on the motion.

Mr. Pederson: — I trust, Mr. Speaker, that the opening remarks that I made were not too far out of order in that the motion had not been placed, but I was under the erroneous impression that it had been placed at the outset of the debate.

As I was saying, I was rather disappointed to find that very few people seem to have the nerve, as it were, to take part in this debate. I would hope that this year with some matters that I am going to place before this assembly, they will spur some of our members into taking part and expressing their views on this matter that is of such vital concern to all of us. I agree with the member from Regina West (Mr. Blakeney) that we should have the right to establish our own Constitution as well as the right to make changes and amendments. But I must say that I have been struck, both last year and again in listening to his speech this afternoon, by the fact that much of the thought surrounding this so-called Fulton-Favreau formula, the repatriation of our Constitution, and so on, is couched in legal language that has very

little warmth in it. It fails, in my opinion, to strike at the very emotions of Canadian people, and I believe, Mr. Speaker, that until legislatures and governments and parliaments in this country start to stir the emotions of the people there will be no great desire on the part of anyone to make a move or to support a move for what we are trying to achieve.

I disagree, I must say, with the member from Regina West (Mr. Blakeney) in that he intimated that the establishment of a new Constitution in our country would be little more than symbolic. I believe that a new Constitution could be something that might be sort of an indefinable, emotional anchor that would give Canadians for the first time a feeling of national purpose and national entity. This is something I think we are lacking. I, therefore, am going to take a rather different approach, to that which is normally taken by my learned and legal friends in this house, towards this question of the resolution, the White Paper that was tabled last year, and the question as a whole of repatriating our Constitution.

I believe that we have to try to understand why there has not been wide support for the actions that were taken last year. I believe that we have to first of all discover the cause of our inability to arrive at agreement so that we can instil in our people a desire to preserve the entity of Canada. Unless some method is found to provide for our being masters in our own house, a continuing erosion of legislative process will ultimately lead to the shattering of our nation. In this way, the issue is not merely a legal one but, in my opinion, Mr. Speaker, a very highly emotional one. We may well ask why there has been a retreat when we should have proceeded. The answer lies, I believe, in the lack of emotional desire in the hearts of Canadians to succeed.

Now, last year when the Attorney General (Mr. Heald) introduced in this legislature his resolution dealing with a subject matter very similar to the resolution before us this afternoon, I had some comments to make in my opening remarks that were applicable at that time and which I feel are doubly so now. At that time I had the view that the new Liberal government of the day should have called a special fall session, as they had promised during the previous election campaign, for the express purpose of dealing with this very far-reaching and important question, prior to the Premier and the Attorney General attending the conference, — I believe these were the two gentlemen involved, — where tentative agreement was given.

In my opinion, a separate session to deal exclusively with this subject matter would most certainly have been in order. I was, and I still am, of the opinion, that a matter that cannot be dealt with in the ordinary terms of debate should have received far more than the cursory attention given it by the new government and the new Premier.

I want to quote, Mr. Speaker, from what I had to say about this particular thing last year, I said:

This is a matter of vital concern to every citizen in this province and the voice of all people through their elected representatives should have been heard. Instead we have the Premier, in effect, agreeing with this formula and then coming back to Saskatchewan asking us to sanction his action.

I went on to say:

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This, in my opinion, is not in keeping with the inherent principles of democracy as I know them. However, it seems to be in keeping with the attitudes of governments both in Saskatchewan and in Ottawa, in that they tend to place the people of Canada in a position where they no longer have a choice. This has been true of many great issues of the last year or so. I refer to things such as the flag issue and now the Constitutional issue. Because of this reverse approach that has been taken on our behalf by the Premier and his government, the debate on this particular resolution takes on the tones of being a farce. It is obvious that the Saskatchewan government is committed to this course of action and little that we can say here will change more than, perhaps, a comma or the numbering of a clause.

Now, those were my comments last year, and as we saw, we didn't even change a comma. That was the stand that I took a year ago, and events since that time have proved that I was correct, as were other hon. gentlemen in this house. A full scale debate on this matter by legislatures across this nation would have prevented our Saskatchewan government, as well as other governments in other provinces, from being placed in the ridiculous position of supporting a proposal that is unsound. I believe that there should have been a free vote taken at a session like this, a free vote by all members after they had had an opportunity to study the vast and complex implications of what was being proposed.

I am convinced, Mr. Speaker, that an intelligent vote was not cast in this legislature last year, for the simple reason that the government placed the proposal before us and the overwhelming majority of members on the government side of the house merely supported it because it was a government measure. I doubt, Mr. Speaker, if more than three or four of those members gave any consideration whatsoever to the meaning and the implications of the resolution dealing with the so-called repatriation of our Constitution. Because it was obvious to me from some of the remarks that were hurled across the chamber by some of the members opposite that they had no interest whatsoever in finding out just what was involved in such a move, but were merely interested in harassing anyone who had the audacity to oppose something that the All-Sainted Liberal government had proposed in its first session. That seemed to be the attitude. Now, we find that the so-called Fulton-Favreau formula has been shelved by the great champions of this idea, the national Liberal party. It is now embarrassing for them to even mention it because it might hurt the feelings of Premier Lesage. They have become in fact a victim of a deep terror, they are too fat to run and they are too scared to fight. The mounting problems of the Liberal party with Quebec are emblazoned on the front pages of our newspapers every day. Concessions have become the order of the day, and we have been moving over the last two and one half years at an express train speed on a program of appeasement to one province and that, in my opinion, for one reason and one reason only, a political advantage for the Liberal party.

We have moved so far in this direction, Mr. Speaker, that the terms of a new Constitution, that, and I am sure all the members of this house most sincerely hope will be devised in the not too distant future, will have to make some very major concessions if it is to receive the approval of the province of Quebec. More and more the powers of the central government in Ottawa are being abrogated to this one province and I do not for one moment blame the province of Quebec for this. I do, however, blame a

weak and vacillating Liberal party in power in Ottawa.

I want to quote from an article that appeared in the Toronto Globe and Mail, a recent issue, where it deals with precisely this point that I am making:

In the Commons recently Mr. Pearson was pressed for clarification about an amount of \$17,350,000 paid to Quebec and whether this had been turned over unconditionally, or was specifically for educational purposes. Mr. Pearson did not appear willing to trust himself to give a direct answer. Instead he read extracts from correspondence on the subject with Quebec, but he failed to deal satisfactorily with the point that had been raised. Was he waiting for Mr. Lesage to clarify it for him? Mr. Lesage as we have seen is only too happy to oblige. He says quite frankly that he reserves the right to spend university money on sewers if that appears as a greater provincial need. This philosophy means, of course, that we can abandon hope of establishing common standards across the country. If we are really prepared to accept a free-for-all among the provinces in such matters as education and health why should we bother to sustain the fiction of federal authority and the ethereal dream of national sovereignty.

Those are the ideas and thoughts that I am trying to express with the rather poor words that I used a moment ago.

I want to turn for a moment to the reason for Quebec's refusal to accept the so-called Fulton-Favreau formula. Again, Mr. Speaker, a year ago, I brought to the attention of this legislature the fact that the formula would create a balkanisation of provinces, either separately or jointly. This has now become understood and accepted across this nation. There was a question of powers of delegation, that I referred to, and also was outlined by the hon. member from Regina West (Mr. Blakeney) in the White Paper. Mr. Lesage has now stated that this is precisely the area on which he is unable to find acceptance for this formula. He speaks of the right of veto on the constitutional amendments, and although he concedes that this veto will have the effect of being a weapon in the hands of Quebec, he also realizes the fact that it can be used as a weapon against Quebec.

This then, Mr. Speaker, is the crisis that we face. An emerging Quebec beginning to take its rightful place amongst its neighboring provinces in Canada, reiterating its ancient demands that were voiced in the days of Confederation, but now making them heard and felt in a very tangible economic and governmental fashion. This is what has happened. I sincerely hope, Mr. Speaker, that men of good will and understanding of the problems surrounding the maintenance of a united Canada will maintain a close check on the developments in Quebec so that continuing demands will not place Quebec in the status of a separate entity within the framework of Canada.

Let me turn now for just a few moments to some of the underlying problems that I feel beset this nation and have led, I believe, to mutual distrusts and a great deal of unwillingness to co-operate in order to preserve our national entity as a great and united nation. I think that we have to get at some of the fundamental weaknesses that surround us before we can even start building a new Constitution, without talking about repatriating one.

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This question of the problem, the so-called Quebec or French problem, is one that is not insurmountable. Scarcely a week goes by that another move is not made which helps to open the rift between Quebec and the balance of Canada. We have merely to read the press, to observe the very rapid movement of Quebec towards the status of a separate state within a state. The emergence of the people of that province, as I have said, into the equality of partnership with other provinces and other peoples in Canada has created an impetus that will be difficult to check and unfortunately, like a pendulum, is apt to swing far beyond what the original intent had been of those responsible for this reawakening. Where does the onus for this problem lie, Mr. Speaker? Squarely on the shoulders of the federal government. There must immediately be a cessation of the type of under-the-counter and separate deals that are being made with various provinces and a firm stand taken by the government of the day on matters of fiscal responsibility as well as on many other responsibilities.

Mr. Speaker, I reject out of hand the theory that Canada can survive either as two separate states or as a state within a state, nor can it survive as mentioned by my hon. friend from Regina West (Mr. Blakeney) unless a strong central government is maintained. I think this is acceptable to all members in this house. A strong government who will place the future of our nation first rather than its own political advantage first. Unfortunately, I believe that this has not been the order of the day over the last several years.

I just want to quote from another small article which appeared in the Winnipeg Tribune, that will perhaps have some bearing on this. It says:

MPs were given a neat demonstration . . .

I'm quoting now from the Winnipeg Tribune, an article that was reprinted in today's issue of the Leader Post.

MPs were given a neat demonstration of the lengths to which officialdom will go to keep a cloak of secrecy over the activities of closed-door federal-provincial conferences.

David Orlikow, member for Winnipeg North, asked the government for a list of the delegates who attended the so-called war on poverty conference called by Tom Kent who was pooh-bah in that field. Mr. Orlikow also asked for copies of the working papers, presented to the conference.

The minister, Jean Marchand, said he had no objection to listing those present at the meeting. But he refused to provide copies of the working papers.

It goes on to say:

It's queer that federal and provincial officials are provided with sets of papers about poverty while MPs are denied copies. But here is another warning to parliament that a new level of policy making and government is creeping in. If the Commons submits to being treated as being inferior to federal-provincial officials, then parliament is on its way to becoming a kind of amateur theatrical.

I believe this very sentiment was expressed in the address of the member who just sat down when he maintains that we cannot, if I

interpret his words correctly, survive if the ten governments of the provinces are stronger and more powerful than the central government in Ottawa.

However, I want to make it absolutely clear that our problems of disagreement, and I am speaking now of the formula that we have under discussion, and the fact, that we have been unable to arrive at a conclusion that is acceptable to all, cannot be charged to one group of people, or one province, all on its own. I believe, Mr. Speaker, it would be wrong to suggest that our present impasse stems from the fact that the province of Quebec has so far rejected the proposal for the repatriation of our constitution. I don't think it would be fair to say, that that in sum total was the cause, or the main reason, why we haven't been able to proceed. I believe that there are, as I mentioned in my opening remarks, underlying currents that have spread across Canada, that perhaps are more basic than those which are most obvious, such as the Quebec problem. I am going to deal with these, Mr. Speaker, because I believe that these are the emotional parts of the issue that can have a broad appeal to Canadians everywhere and which will ultimately stir them to move and act in support of their elected members for the swift, and in the near future, adoption of a new Constitution for Canada.

I have witnessed in this house, as I am sure other members have, the type of erosion of our very system of government, that in my opinion brings disrespect both to the system and to those participating in it. There can never be any great desire on the part of people to preserve those things which are necessary to maintain a nation if they do not first of all have a respect for them. A large part, Mr. Speaker, of the process that we wish to preserve centres on the type of government that we have in Canada. This is a system, as all members know, that we inherited from the British and which we as a young nation adopted and tempered to suit our needs. Now that we have attained maturity and adulthood we wish, like any young man or young lady ready to face the world alone, to have the right to handle our own affairs as we see fit.

This, Mr. Speaker, in the layman's language is precisely what we are attempting to do when we search for ways to gain control of the means to amend our own Constitution. Now, there are those, and I am sure many members have heard them, that say that we have no Canadian identity, no pride in ourselves as a nation, no great sense of achievement and no great sense of history. I have heard all of these charges levelled and I am ashamed to say tremendous numbers of people accept them as fact. But I suggest, Mr. Speaker, that people who say those things touch a very vital nerve in the conscience of Canadians as a whole. If these charges are true, then we had better look to the reason and try to make a correction so that people everywhere in Canada can, as I say, join together in one great resolve and purpose, submerge their differences and stand together so that the things that are dear to us and which we wish to preserve and uphold may have a chance of survival. That, in essence, Mr. Speaker, I believe is what we are attempting to do. I believe, most firmly that unless we are successful in developing a Constitution of our own that will have an emotional appeal, that will have an impact on the people of this nation, then, I believe, we can look to the disintegration of our nation and the ultimate demise of Canada as a member nation of the Commonwealth or for that matter, as a nation that has been standing on its own for 30 or 40 years.

In order to do this, in order to bring this awakening, I believe that the elected representatives must themselves take the

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first step to bring it about. Now, I hold a tremendous respect for those who are charged with the high office entrusted to them by the people, not only of our province but of our nation and I say that without reservation. Our system is built on the premise that there must be a government and there must be an opposition. Those who wish to take the trouble, and I am sure this is also common knowledge to members, to go back in history and study the relative importance of these two areas of government, will find that they are accorded a great degree of equality. This fact, however, Mr. Speaker, seems to have escaped the attention of many members of this house. I have attempted on all occasions, as far as I have been able, to accord to the Premier the courtesy and the respect that is his due for having been successful on two counts, first of all for having been chosen by his party to lead them, and secondly, having accomplished the first, succeeding to the chair of Premiership of Saskatchewan. This doesn't, of course, prevent me from differing with policies and statements that he makes but I am always well aware of the fact that he is the only one out of 950,000 people in Saskatchewan to hold this very high office. I trust that hon. members will always bear this in mind. Along with that, I must say, Mr. Speaker, I hold equal respect should be accorded to his first ministers because they too hold a unique position in the fabric of our parliamentary system, and to them, through their office, I always try to accord the respect and the courtesy that is their due. If I fail it is because of the spur of the moment and I apologize for my lack in that regard.

The same, Mr. Speaker, can be said for the Leader of the Opposition. He is, after all, the number two man in the province, the one that has been chosen by his party and by the people as the leading contender, as the alternative to the Premier. I find it is extremely degrading to listen to some of the remarks that are made in this house regarding both the personality and the character of these very distinguished leaders of our government in our province. It would seem to me, Mr. Speaker, that some of the remarks such as some that were directed by my hon. friend across the way, the member from Athabasca, the other evening, showed total ignorance of the common decency of parliamentary procedure.

Mr. A.R. Guy (Athabasca): — Order. Order.

Mr. Pederson: — I am relating this to this motion that is before us.

His comments most certainly lacked any understanding of the necessity and in fact the desirability that men and women such as he must serve in the capacities in which they now serve if our parliamentary system is to survive. I believe that we have to create this respect in this house as well as in other parliaments in this nation, Mr. Speaker, as an example to the people of this country, so that they will have created in their hearts a desire to uphold this institution and through it this nation by the adoption of a new Constitution for our country. I don't believe, Mr. Speaker, that all of the legal tomes presented, that all of the words that can be spoken from a legal point of view, will do one particle of good until first, we as elected representatives of our people, awaken this desire in the hearts of Canadians and specifically in the hearts of the people of Saskatchewan, to encourage them to rise up and defend and try to hold together this nation that has existed for almost one hundred years. I am of the firm conviction, Mr. Speaker, that this cannot be done, that this nation cannot survive, unless we very shortly devise a new Constitution which spells out in the clearest possible terms the

areas of government, the areas of jurisdiction, both on the federal and provincial level. But as I have said, I am completely of the opinion that this will not come about until we make it our task to set an example to people in this nation that will cause them to believe that we do have a system that is worthwhile preserving. I haven't brought these matters, that I mentioned a few moments ago, Mr. Speaker, to the attention of the house in order to demean any single member but rather to point out one of the basic causes for our trouble in Canada, as I say the lack of respect for the institutions which we are attempting to preserve. I feel that it is exactly the same as in the case of law. If there is no respect for the law then it will not be observed nor will there be any great desire to preserve it. The right to stand as a nation and make our own decisions as an adult qualified nation will not come easy. A heartsearching process, I would like to call it, must first of all be undertaken before we can have the right to expect that our proposals will receive widespread acceptance.

How can this be done when to a large extent these very institutions of which I speak have been discredited in the public eye and have been, in many cases, exposed to the farcical subjugation of political expediency? I need only to mention scandals in Ottawa, the abuse of the Senate, and a general disrespect that seems to be prevalent in our parliaments across this nation. Surely, Mr. Speaker, out of the mere handful of people who are sent to these parliaments by the 20,000,000 people of Canada, there are those who are willing to show a lead in building pride in our country, pride not only in our country but in the institutions of this nation. These representatives, I believe, should be more qualified than any other to set an example so that men and women everywhere can hold their heads high and be proud of the system that we have and proud of the fact that it dares to be different from that of our friendly and powerful nation to the south of us. Surely this difference, Mr. Speaker, is worth preserving, not simply because it is different, but because it is a system that has been tried over the centuries and found, as far as possible, to be excellent. I for one, Mr. Speaker, am proud and I hope all hon. members are as well, to uphold this system. For this reason, Mr. Speaker, I have applied myself with, as I said at the outset, the very limited talents that I have to this very vast and very complex problem that is before us on the order paper this afternoon.

I would hope that all hon. members would apply themselves with diligence to this so that whatever decisions are made in this house they will be based on a knowledge and an understanding of what we are trying to achieve, not merely a Yea or Nay vote based on the general stand of the party.

The resolution before us, Mr. Speaker, in large measure meets with my approval. I do however have some reservations regarding the third section, in that it suggests that there should be a wide public consultation and debate by interested groups. I fear, Mr. Speaker, that this may be carrying idealism a little too far. I believe that on a subject as complex as this that the people of Canada look to their elected representatives both for guidance and understanding and I do not feel that we should in any way shirk our responsibility in this area. I would hope that the hon. member from Regina West (Mr. Blakeney) who has moved this resolution would consider giving some support to the proposal of providing for an amendment in the third section of his resolution. I haven't prepared a specific proposal but I would like to discuss this with him and other hon. members further outside of this house so that perhaps some mutual agreement could be arrived at, so that

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we could go from this house with some degree of unanimous consent and agreement.

I also, like the national counterpart of my party, would like to see a National Confederation Conference called on this subject, somewhat similar to those that have been held in the past but with one major difference, there should be an opportunity for study as well as consultation on the collective suggestions that would be put forth at this National Conference, not only by the participants of the Conference but by members of all legislatures. This conference I would envisage would be composed of legislative committees representing all parties in each legislature who would be responsible to their parent legislature. I believe, Mr. Speaker, that if good will prevailed and a non-political approach was used, it is not beyond the scope of the elected men and women of our Canadian parliaments to prepare and accept an entirely new Constitution for our nation, a Constitution in keeping with present-day developments and in keeping with the spirit of Confederation that exists in 1966.

I believe, Mr. Speaker, as I said, several times throughout my comments on this resolution, we have two tasks before us, not only the task of devising the wording and the flexibility that was mentioned by the member from Regina West, in devising a new Constitution, but we have a much greater burden to carry as elected representatives, in setting an example, so that this nation can see that what we are attempting to do by the provision of this new Constitution is to preserve those things that are very dear to the hearts of all people and most certainly should receive the support of all people.

Some Hon. Members: — Hear, hear!

Debate adjourned.

MOTION: CANADIAN LABOUR (STANDARDS) CODE AND MINIMUM WAGE

Mr. W.E. Smishek (Regina East) moved, seconded by Mr. W.G. Davies (Moose Jaw City):

That this Assembly endorses the Canada Labour (Standards) Code enacted by the Parliament of Canada and urges the Government of Saskatchewan to take appropriate measures to establish conditions in Saskatchewan not less favourable than those provided in the Canada Labour (Standards) Code, and to give first priority to raising the minimum wage to \$1.25 per hour.

He said: Mr. Speaker, the resolution before us calls upon this legislature to give endorsement to the Canada Labour (Standards) Code and to give first priority to raising the minimum wage of the province to \$1.25 per hour. In the event that some members are not aware, the Canada Labour (Standards) Code was enacted by the Parliament of Canada last year and it took effect July 1st of 1965. The Code for the first time in the history of Canada establishes minimum and maximum labor standards:

- (1) It provides for a 40-hour work week with an eight hour day and restricts overtime to not more than eight hours per week except in extraordinary circumstances.
- (2) It ensures every worker two weeks' vacation with pay after one year of service with the same employer.

- (3) It guarantees every worker eight statutory holidays with pay per year; and
- (4) It establishes a minimum wage of \$1.25 per hour.

The Canada Labour (Standards) Code covers only those workers who come under the jurisdiction of the Parliament of Canada. It is worth noting and worth emphasizing that the Parliament of Canada moved from no standards to what may be said a standard that is as good and in most cases better than those provided by most provinces.

As is well known, the CCF government when it took office in 1944 moved swiftly and decisively in taking measures to provide security and establish minimum labor standards in the province. A host of new labor laws were enacted and had to be enacted since under the Old Liberal guard very few labor standards existed and, in most cases, were totally inadequate; the exploitation of the workers was the rule.

The CCF introduced a law ensuring every worker eight statutory holidays with pay, a piece of legislation which even today is ahead of all other provinces in the Dominion. On taking office, the wicked Socialists, introduced the annual vacation with pay and gave every wage earner two weeks' annual vacation with pay after one year of service. What a horrible thing to do to the workers! In 1958 they went one further. The Socialists provided workers with three weeks' annual vacation with pay after five years of service. The Liberals screamed blue ruin. Well, Sir, so far they have not repealed this particular piece of legislation.

The CCF administration introduced the Hours of Work Act. It provided for a 44-hour work week in cities and larger towns and a 48-hour work week in smaller centres. The new law provided one and one-half times overtime in excess of the 44 hours a week in the cities and 48 in the smaller communities. Incidentally, Mr. Speaker, when the Socialists took office, hours of work in Saskatchewan ranged from 48 hours to 60 hours per week and in some cases workers had to work 72 hours a week without payment of overtime. Employers were not required to pay time and one-half for overtime, but merely straight time. The Hours of Work Act was a major departure from the medieval conditions that existed under the former Liberal administration. When hours were shortened and one and one-half times overtime pay was provided, Liberals said that the workers would get lazy. Well, Sir, they did not. They built thousands of miles of roads and highways, power and telephone lines, parks, bridges, mines, factories, buildings. They improved the health services and, in fact, worked harder. They saw a new future with a measure of security for themselves and their families. Except for extending the 44-hour week to more centres as the population grew, the Hours of Work Act has largely remained unchanged. The labor unions, which my friends opposite always refer to labor as "labor bosses", tried to persuade the government to shorten the hours. We were unable to persuade the government to reduce the hours of work to 44. I wish they had. Sir, that is something the Socialists left for the Liberals to do. Even though the Liberals did promise to reduce the hours of work during the last election campaign, they are not showing any signs of being in a hurry to take this measure. They certainly are not in the same rush as they are in giving away mineral and natural resources or crown corporations. The Premier's answer to shorter hours is "We are going to take our time about it" — 20 years. Well, Sir, they will not last that long.

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The Canada Labour (Standards) Code provisions respecting hours of work are much superior to hours of work provisions applicable in this province and in other provinces. It provides for a universal 40-hour work week. I will at a future date discuss in more detail the need for hours of work reduction when the bill on this matter comes up for second reading, the one I have now introduced. Suffice it to say, Mr. Speaker, that in this age of automation we must move quickly with legal reduction in the hours of work. We should take immediate steps to match the hours of work reduction established by the Canada Labour (Standards) Code.

I want to discuss the need now for the endorsement of the minimum wage provisions of the Canada Labour (Standards) Code, which are \$1.25 per hour. I would urge the government to give this matter first priority. It is a matter which requires urgent and immediate attention. I want also to remind the members opposite that when the CCF took office in 1944, the minimum wages in Saskatchewan applied to only one-quarter of the Saskatchewan non-agricultural labour force. Minimum wages established by the former Liberal administration ranged from \$6 to \$14 per week, for which it was required that the person be experienced to receive that higher minimum. In fact it required that the \$14 minimum wage would apply to workers with two years' experience on the same job. It is important to note that three-quarters of the workers had no minimum wage protection whatsoever.

Well, Sir, the Socialist planners did take decisive action in respect of the minimum wage in 1944. They extended it throughout the entire province, made it apply to all workers and increased it sharply. By 1964 the minimum wage had increased to \$36.50 per week in the cities and to \$34.50 in other areas and in some categories of employment the minimums were higher. The Socialist minimum wage applied equally to men and women. The Minimum Wage Act provided that no permanent employee could be laid off due to shortage of work or discharged without a week's notice or a week's pay in lieu of notice.

There were many more labor laws for the protection and the benefit of wage earners enacted and improved upon by the CCF administration, just to cite a few examples: the Fair Employment Practices Act, Wages Recovery Act, the Trade Union Act; and Workmen's Compensation was sharply increased.

Mr. Speaker, last year the present government increased the minimum wage by \$1.50 per week in some categories. I regret, however, that a number of categories got no increase in the minimum wage whatsoever. Whether it is in the field of labor or farm security, or in the field of health or welfare, or in development of our power or natural resources, or in the building of roads, we on this side of the house have endeavoured to improve these conditions sharply and endeavoured during the 20 years of administration to lead the provinces of our Canada.

Since this government took office and revamped the Minimum Wage Board, this Board has met only on one occasion. So far it has held no public hearings. It had been the practice of the previous administration to hold public hearings at least once every two years. The last time the Minimum Wage Board held hearings was in November of 1963. I notice from the question put to the Minister of Labour the other day that at present there exists one vacancy on the minimum Wage Board. I would hope that it will be filled soon. I also express the hope and make a plea to the minister that in filling this vacancy he appoint a person to the

Board from a nomination of the Saskatchewan Federation of Labour, which is the central labour body in the province. I hope that this time he does not ignore the Federation as he did in 1964 on this important body.

Over the last few years minimum wages, Mr. Speaker, in relation to average wages have slipped. Last year's inadequate increase, particularly since it was not universal, created even greater disparity. I know that organized labor support the view that minimum wages should never be set far below the average wages. The most recent available figures for the industrial composite wage, that is the Saskatchewan average wage, as of October, 1965, stood at \$93.58 per week. Minimum wages in the cities on the other hand, with some exceptions, stood at \$38 per week, and \$2 below this in smaller centres.

I would like to point out that in 1949 when the Consumers' Price Index stood at \$100, minimum wages in Saskatchewan were \$21 per week. The average wage in the province then was \$41.50 per week. Members of the legislature will notice that the minimum wage then was 50 1/2 per cent of the average wage. Today using the city minimum rate and comparing it with the average wage rate, you will notice the minimum wage is only 40.6 per cent of the average wage or almost 10 per cent below that of 1949.

If the same ratio were to prevail now as in 1949, the minimum wage of Saskatchewan would be no less than \$47.25 per week. Even if the minimum wage were increased to \$47.25 per week it would not be good enough, Mr. Speaker, because of the constantly rising prices of consumer goods. I am sure that everyone here is aware of the most recent sharp increases in some of the basic commodities. The price of bread has gone up two cents per loaf in the last few days; milk prices are up; the price of beef in the city of Regina within the last two weeks has gone up by eight cents per pound. I notice, Mr. Speaker, that in last night's Leader Post the report on Consumer Price Index increases are reported. The Price Index now is 142.1 as compared to 137.2 a year ago, an increase of almost 5 points.

Undoubtedly, the members noticed the reports in the Leader Post last Tuesday; the headline on the third page said "Highest Food Prices indicated in Regina". In the event that some members did not see this report, I would like to quote a few sections from it.

The Star Phoenix says a survey by a group of Saskatoon housewives indicates food prices are higher in Saskatchewan than in any province west of Quebec, and are generally higher in Regina.

The group conducting this survey obtained prices from identical lists of brand name items in two leading supermarkets in Toronto, Ottawa, London, Winnipeg, Portage La Prairie, Prince Albert, North Battleford, Regina, Saskatoon, Calgary, Edmonton and Vancouver. The lists were completed independently by two persons in each of the cities and one was checked against the other for accuracy. The pricing was done on the same day in every city.

Our of 60 items priced, Regina had the highest price for 40 of them and the lowest in none.

The report then lists the numerous prices that were checked, they give the price comparison. It is interesting to note how far

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apart some of the prices are. For example, the survey shows detergent prices were generally higher in Saskatchewan where the prices on king size packages was as much as \$1.95 compared with \$1.79 elsewhere. They also note that this did not include the four per cent sales tax which the provincial government will apply to soaps and detergents next month. For example, the price of baby foods was 74 cents for six tins compared to Winnipeg and Calgary at 68 cents. The price of eggs in the city of Regina is five cents per dozen for grade A higher than in other centres.

Mr. Speaker, it is interesting to note that comparing the city by city prices, Vancouver, in the survey conducted, was highest on one item and lowest on 17 items; Edmonton highest in one item and lowest in 11 items; Calgary, highest in two items, lowest in 10 items; Toronto, highest on 6 items, lowest in 23 items. I am aware, Mr. Speaker, of some of the wage conditions that exist in the food industry. Significantly in the provinces of Saskatchewan and Manitoba, wages are much less than say for Vancouver and Calgary and Edmonton. Wages in Saskatchewan are approximately 33 per cent below the wages in Vancouver and are 20 cents to 25 cents per hour below Edmonton and Calgary. Yet when it comes down to prices we will find that in a majority of cases the prices in the cities of Edmonton, Calgary and Vancouver are much lower. I would suggest, Mr. Speaker, that probably the time has come for the government to make some examination into the whole question of food price structure in this city and in this province.

Mr. Speaker, one additional thing is that I know the workers will have an increase in the cost of travel as the result of the increase in gasoline. Therefore, I submit, Mr. Speaker, that it is not asking too much of the government to increase the minimum wage to at least \$1.25 per hour. The government has received representations from the Saskatchewan Federation of Labour urging the government to increase the minimum wage to \$1.50 per hour. I agree that this rate would not be out of keeping and would not be exorbitant in helping to provide a more decent standard of living.

Mr. Speaker, these days we hear a good deal about the declaration of war on poverty. This party that I represent and my colleagues on this side of the house stand first and foremost in the fight for the removal of privation wherever it may exist. Many people, however, callously assume that poverty exists only among the social welfare families, those who have to survive on Old Age Pensions, and those who may be unemployed. The fact is that a great number of wage and salary earners are paid wages that do not provide for an adequate standard of living, and many are living either near poverty or in poverty even though they may be regularly employed. I submit that the present minimum wage falls in that category in relation to the present cost of living. Unfortunately, comprehensive data are not available on the need of average families and individuals in Saskatchewan to maintain themselves in an adequate standard of living.

Mr. George Terfloth last fall speaking in Saskatoon at a Public Forum on the topic "How Much is Enough for a Family to Live On" is reported in the Saskatoon Star Phoenix as saying that a family of four requires an income of \$412 per month to live "at the minimum level of decency and security". Professor Elias Tuma, an economist at the University of Saskatchewan and one of the members on the panel of that Forum, is reported in the press as saying that the estimated budget "of a \$412 minimum monthly income was however, not radical at all and in some ways even conservative".

Mr. Speaker, I had brought to my attention an article which reports on a survey conducted in the Metro Toronto. It reads this way:

A survey conducted by the Social Planning Council of Metro Toronto shows that the average family of four in the area required at least \$4,312 a year to maintain a minimum decent standard of living. The standard budget which excludes all luxuries, even a car, compares with actual average income of \$4,531 in this area. To have this minimum, the wage earner would have to make \$4,435 before income tax; and no payments to a pension plan are allowed in this amount.

Mr. Speaker, members will observe that the estimated budget of Mr. Terfloth and that of the Social Planning Council of Metro Toronto are close in comparison. If we are to eliminate poverty the first step, I suggest, in this direction is to ensure a decent wage standard for all wage earners, a wage which will guarantee every worker a decent income. In this respect I think that the first action should be taken in establishing a decent minimum wage which I suggest is \$1.25. It is not an exorbitant rate at this time.

In closing, Mr. Speaker, and asking for the support of this resolution, I want to pay tribute to Mr. Stanley Knowles, Member of Parliament representing Winnipeg North Centre, for his many years of effort in the fight for the rights and protection of wage earners. No man has done more in the House of Commons to bring about the enactment of the Canada Labour (Standards) Code than did Mr. Knowles. Hon. Allan MacEachen, now Minister of Health and Welfare, and who was the Minister of Labour last year, when he introduced this legislation, acknowledged the efforts of Mr. Knowles in this connection.

I urge your unanimous support for this resolution.

Some Hon. Members: — Hear, hear!

Hon. L.P. Coderre (Minister of Labour): — Mr. Speaker, in rising to speak on this motion I would like to say at this point, the former CCF government . . .

Mr. R.A. Walker (Hanley): — Had 20 years . . .

Mr. Coderre: — Yes, that is right, had 20 years to bring up this matter, a plea to raise the minimum wage to \$1.25 an hour. When they were in the government they failed to recognize that prerogative. We found, when we took over, many inadequate provisions. The hon. member from Regina East (Mr. Smishek) said "The CCF when they took power moved swiftly and decidedly to establish a minimum wage" and so on and so forth. In fact the minimum wage provision in this province was established in 1917. Before he starts making such statements in the house I suggest he should at least find out what the situation is.

One of the inadequate situations that we found when we took over in this province was that many people in the construction industry were prematurely laid off. Time and again they had asked the government to establish provisions where these workers were concerned so that they were not laid off. That is the question

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of paying three per cent in lieu of holidays. This way it would not be an inducement for many of the contractors to lay the people off. The hon. member from Regina also mentioned that there is a vacancy in the Minimum Wage Board, and he suggests that we consult with the Saskatchewan Federation of Labour on this point. Again, it seems to be that he is not too well versed on what the minimum wage laws say. The minimum wage laws say that the Minimum Wage Board shall consist of a chairman and four persons, two of whom will be female. It doesn't say from what sector of segments of societies they come, but to put the hon. member's mind at rest, I have consulted with the Federation, or I am in the process of consulting with them.

Hon. D.G. Stuart (Minister of Health): — Insulting . . .

Mr. Coderre: — That is right, insulting. Now they are in the opposition, it is an altogether different matter. The story goes, you know, what is good for Peter is not good for Paul or something to that effect. When they had these opportunities they didn't do anything about it. Well, we are acting on this and we are progressing in that direction, and we are progressing in this.

Let's review the rates in Saskatchewan as compared to other provinces. For example, in the mining industry, the minimum in Saskatchewan after our last review is \$1.15 per hour. What is it in Newfoundland, 70 cents, 85 cents, \$1.05, I am speaking of Newfoundland. Nova Scotia, New Brunswick, Prince Edward Island, Alberta — Let's review some of the others, pipe line industry, in the provinces of Newfoundland, Nova Scotia, New Brunswick, 70 cents, \$1.05, \$1.00; for Prince Edward Island, 70 cents; Ontario, \$1.25; it used to be \$1.15. I just thought I would mention a few of these, I think you should know about it.

We can see, Mr. Speaker, that we are moving ahead in this direction. I want to put on record the principles embodied in the resolution. The target of a minimum wage of \$1.25 an hour is also the target of this government, the target of the people of Saskatchewan, and probably the people of Canada. This government, Mr. Speaker, has already taken steps in this direction this last year by passing an Order In Council recommending an increase which is now into effect. The question now is not whether or not the objective is desirable. I think everyone agrees that it is fair and desirable and I believe that it is desirable. The question as in other similar cases is when this objective can be reached and how it can be reached. Is it in order and proper, Mr. Speaker, to upset all schedules, all in one step as has been done by the Federal Labour Code. Since issuing the Code, or putting the Code into effect, they have been issuing hundreds upon hundreds of exemptions, or orders, and delaying orders. Now all these questions, Mr. Speaker, are constantly under review by the present government in Saskatchewan. How are we going in this direction?

I indicated a moment ago, Mr. Speaker, that the minimum wages were raised last year; and it was announced in the Throne Speech debate, Mr. Speaker, by the Premier that the government is again ready to move when recommended by the Minimum Wage Board, which will, no doubt, be reasonably soon. Unfortunately, the resolution makes no reference to local circumstances, to some of the problems that could arise, I would remind the mover of the resolution that

the government is fully conscious of the need of increases in minimum wage. While the CCF talk we act. We increased it last year. It is going to be increased this year, and where in your 20 years have you increased it two years in a row.

Some Hon. Members: — Hear, hear!

Mr. Coderre: — We will act again this year. This last year the government realized that many young men and women in the 17 year age group should be qualified to receive the same wage as adults. This is another progressive step, this is progressive thinking. Many of our young people are in the work force but the former government did not realize that these young people should be allowed the same wage as adults. We brought that in last year. This is progress. The government is giving wage priority as was mentioned. This government, Mr. Speaker, believes in progress, the means of providing our working people with the dignity they deserve and have continued and will continue to work in this direction.

I don't think I need to go very much further into the details, Mr. Speaker, except that we are acting where they just talked. With these few words, Mr. Speaker, I beg leave of the assembly to move the following amendment, seconded by the Minister of Public Works (Mr. J.W. Gardiner):

That all the words after "this assembly" be deleted and the following words inserted thereon:

This Assembly commends the government for endorsing the Canada Labour (Standards) Code enacted by the Parliament of Canada, and for the measures it is considering to establish conditions in Saskatchewan comparable to those provided in the Canada Labour (Standards) Code.

Mr. W.G. Davies (Moose Jaw City): — Mr. Speaker, on a point of order, with respect to the amendment being in order, Mr. Speaker, I am just suggesting to Your Honour that there is nothing here to suggest that the government has at any time endorsed the Canada Labour (Standards) Code. I suggest that the amendment is at variance with the intent of the motion, and that the amendment is not in order.

Mr. Speaker: — If I understand the point of order raised by the member from Moose Jaw (Mr. Davies) correctly, he is submitting the argument that the amendment is out of order because, if I heard it correctly, and I might not have done, the government hasn't shown that they have endorsed the Canada Labour (Standards) Code. I don't think the point of order is well taken because that is a matter for debate. That is not for the chair to adjudicate; that is a matter for debate.

Mr. E.I. Wood (Swift Current): — Mr. Speaker, as it is now 5:30 I wonder if you could hold it in abeyance until after the supper hour.

Mr. Speaker: — Well, I thought I already did. I was getting around to ruling as to how the debate would continue on the matter however in order that the members might come back prepared for the debate after supper, but if you want to call it 5:30. I do now leave the chair until 7:30 this day.

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The assembly recessed until 7:30 p.m. o'clock.

Mr. Speaker: — It seems to me that when the house recessed I was looking for a point of order somewhere, but I have forgotten which point it was.

Mr. Davies: — Mr. Speaker, I don't know whether you recall what I had to say at the time. I would be glad to repeat what I said at that time but I did rise to the point of order, and I would be glad to repeat again and supplement, indeed, what I said at that time.

Mr. Speaker: — I recall very well the member from Moose Jaw rising on the point of order, but I thought somebody else was wanting to speak on the point of order too.

Mr. Wood: — On the point of order I raised, I said I thought it was time we should adjourn and have the opportunity to give it a little further consideration.

Mr. Speaker: — Well, you can congratulate yourself. You won the battle.

Some Hon. Members: — Hear, hear!

Mr. Speaker: — On the question of the relevancy of the motion, Citation 203 from Beauchesne states as follows:

It is an imperative rule that every amendment must be relevant to the question for which the amendment is proposed. Every amendment proposed to be made either to a question or to a proposed amendment should be so framed that if agreed to by the house the question or amendment as amended would be intelligible and consistent with itself.

The law on the relevancy of amendments is that if they are on the same subject matter with the original motion they are admissible, but not when foreign thereto.

I find the amendment on the same subject matter as the motion and I find the amendment in order. However, I would draw your attention to page 414 of Erskine May:

The object of an amendment may be either to modify a question in such a way as to increase its acceptability or to present to the house a different proposition as an alternative to the original question.

The latter purpose may be effected by moving to omit all or most of those words of the question after the first word "that" and to substitute in their place other words of different import. In that case the debate that follows is not restricted to the amendment but includes the purpose both of the amendment and of the motion, both matters being under the consideration of the house as alternative propositions.

I think hon. members will agree that these are alternative pro-

positions. The debate will, therefore, proceed on the motion and the amendment concurrently.

Mr. J.E. Brockelbank (Saskatoon City): — Mr. Speaker, I would beg leave to adjourn the debate on this resolution.

Debate adjourned.

MOTION: TELEVISION OUTLET IN SASKATCHEWAN

Mr. W.S. Lloyd (Leader of the Opposition) moved, seconded by Mrs. Marjorie Cooper (Regina West):

That this Assembly:

- (1) Notes with concern that Saskatchewan continues to be the only Canadian province west of New Brunswick which is not served by at least one CBC-owned and operated television station.
- (2) Urges the Government of Canada and the Board of Broadcast Governors to authorize the CBC to proceed immediately with construction of a television outlet in Saskatchewan.

He said: Mr. Speaker, the resolution which I propose to move in the very near future is one which should be a pleasant one to begin the evening with. It is, I would expect and hope, largely non-controversial. I admit that there may be some points in respect to the implementation of the resolution by the government of Canada and the CBC which might cause some little controversy within the province of Saskatchewan. However, we can leave that until later.

The resolution as members will have noted, notes with concern that Saskatchewan continues to be the only Canadian province west of New Brunswick which is not served by at least one CBC-owned and operated television station. It secondly urges the government of Canada and the Board of Broadcast Governors to authorize the CBC to proceed immediately with construction of a television outlet in Saskatchewan. Mr. Speaker, earlier today we listened to some discussion which in a sense dealt with the size and the shape of Canada's future. I refer, of course, to the discussion with respect to Canada's Constitution. All of us will be aware, however, that there are forces in addition to rules of law which help to define what kind of a nation we are and what kind of a nation we will be. A nation after all is more than a geographical area marked out by lines on a map, even when those lines or boundaries happen to be specific physical barriers, as in the case in some nations but not in the case of Canada. There are still forces which limit them and forces which extend the size and the shape of the real nation. What we are and what we will be in Canada is undoubtedly affected to some considerable extent by our geography. We do after all live next to a very large and very powerful nation. Our concerns with respect to this nation which we respect and with which we have lived in mutual benefit are not the concerns which some countries have with respect to attack by that nation. After some all, Mr. Speaker, we cured that a number of years ago. The last time the United States attacked us was in the war of 1812-14. We whipped them so soundly at that time that they haven't tried it since and I doubt if they will in the future.

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But the very presence of that powerful and energetic, wealthy nation next to us has demanded some innovations in Canadian life and Canadian institutions which perhaps would not otherwise have been proceeded with. Some instances of this kind are in our Trans-Canada transportation developments, first in rail, later in air, still later in highway and in pipelines. These in part were Canadian devices, I think, to help shape, and certainly have helped to shape, something of the real size and shape of Canada's future. We have other influences because of our geography. Because of our geography we in fact as yet at least have no national newspaper, no paper which can appear at our breakfast table or at our dinner table, on the tables of everybody in the nation. Contrast this with the homeland of our Clerk, Mr. Speaker, in the United Kingdom where every day one can read the Times, or the Guardian, or the Observer. I am told one can even read the Daily Telegraph if one wants to. I have never been quite sure why one would. Our national magazines have difficulty. Maclean's has struggled and continues to do a good job and so have some others but all of us are aware of the problems there are of serving the whole Canadian people with information about all of Canada. Probably it was such facts as these plus a number of others which provided some of the inspiration which resulted in the setting up of the Canadian Broadcasting Commission (with respect to radio broadcasting at that time) as far back as 1929.

I thought I might just read one or two of the statements arising out of that report and out of the findings of the subsequent Parliamentary Committee in 1932. It was out of these that the Canadian government acting on behalf of the public in Canada took public responsibility in the field of communication. Mr. Bennett, who was then the Prime Minister, in justifying this new role, made this rather important statement. He said:

No other scheme than that of public ownership can assure to the people of this country without regard to class or place equal enjoyment of the benefits and pleasures of radio broadcasting.

All of us know some of the history of the CBC since that time. It is interesting to note that in evaluating its work a few years later, the Royal Commission on National Development of the Arts, Letters and Sciences said this: "It has done much" and then added "much yet remains to be done". Since that time we have had the influence and the opportunity of television and some of the responsibility for this has been assumed by a Public Agency, the Canadian Broadcasting Corporation. We get the use of both radio and television increasing and thankfully so in our school system generally. I want to read from another author who may remain nameless at this time, Mr. Speaker, with respect to television:

Television's power as a means of communicating ideas and influence is so tremendous as to be almost frightening. It seems essential that parliamentary government representative of the people should be vested with the responsibility of guaranteeing reasonable equitable access to the transmission and receipt of such an influence.

Mr. Speaker, I am aware of the fact that we have never reached out and really grasped the full promise that the Aird report gave to Canada, but we have made some substantial steps. The resolution which I put before the house will, I think, make one more such step with respect to our province of Saskatchewan.

Distribution of information and the distribution of informa-

tion rapidly, accurately, responsibly and reflectively, free of obligation except to that function is one of the things that help to build a nation. I refer not just to news of day-to-day happenings but also to conditions throughout the country and to opinions of people in various parts of the country. But our national systems that use the airway have had other functions and have performed them in Canada and continue to perform. The encouragement of the various art forms, literature and drama, music and the graphic arts in a new country such as Canada and in a newer part of it such as Saskatchewan needs the encouragement which can come from these systems of communication. Certainly in a country like Canada the dialogue by means of which we get to know and understand each other in various parts of the country is tremendously important and its welfare is advanced when we have good systems of communication.

The resolution which I have read contains a request which is of course not new. I thought it was one which should commend itself to the support of this legislature. I have some correspondence going back three or four years with respect to it. Recently, members will have noticed, endorsement of the idea was given by a group on the Saskatoon Campus of the University of Saskatchewan. I understand there is a meeting to form a group to discuss perhaps this and probably other matters with regard to national broadcasting sponsored by a group on the Regina Campus sometime this particular week.

We have noticed in the press within the last few days a statement that Saskatchewan has, as I recall it, the largest number of people of any province in Canada without access to television. Now the resolution will not correct all of these things, Mr. Speaker, but I think it does have promise of some impact. It doesn't define location in the province. Obviously, I suppose, it would be at Regina or Saskatoon and this decision I am quite happy to leave to someone else to make. I would hope, and I am sure all the members of the legislature would hope that both of our major cities might be in a position to participate actively in what can happen with the development of a station in Saskatchewan.

It seems to me, Mr. Speaker, that Saskatchewan is of the maturity and of the importance in every way to warrant a television outlet of the CBC to be located here. Our people and our institutions deserve the added service and opportunity which can come from it. I suppose we in this house would go so far as to say the rest of Canada deserves whatever we can give them as a result of the news of happenings and of our talent here in the province of Saskatchewan. For many years the Departments of Education in our province and other provinces together with the CBC and the private stations, have had an extremely effective school radio program, a program which is listened to by a great many adults as well. Television is making its beginning. It is more recent, it's more difficult obviously. I am sure too that all of us will agree that the use of television in the schools not only will grow and ought to grow, but must grow if we are to have the best kind of educational opportunities available to our students.

There is some urgency I think on acting on this. My information is that there are not too many unallocated wave lengths left in the province of Saskatchewan. I think it is important that one of these wave lengths be allocated to the Canadian Broadcasting Corporation.

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Mr. Speaker, with those remarks I am happy to move, seconded by the hon. lady member for Regina (Mrs. Cooper) the resolution as it appears on the order paper.

Some Hon. Members: — Hear, hear!

Hon. J.C. McIsaac (Minister of Municipal Affairs): — Mr. Speaker, at this time I would ask leave of the assembly to adjourn the debate.

Debate adjourned.

MOTION RE INCLUSION OF DRUGS IN MEDICAL CARE PLAN

Mr. G.T. Snyder (Moose Jaw City) moved, seconded by Mrs. Marjorie Cooper (Regina West):

That in the light of the promise of the Government of Canada to implement a National Medical Care Plan by 1967 and to pay one-half of the cost of such a plan, this Assembly urges the Saskatchewan Government to give consideration to the immediate inclusion of drugs prescribed by physicians under the Saskatchewan Medical Care Plan.

He said: Mr. Speaker, the resolution that I propose to move this evening is intended as a measure to remove the most outstanding deficiency that still remains in Saskatchewan's health program. It would, if implemented, have the effect of assuring that good health would be available to all Saskatchewan's citizens without the financial barrier that presently exists in the matter of drug benefits, which, I think many people recognize, are out of the reach of many of the low income families in Saskatchewan.

Saskatchewan people are fortunately unique, I believe, in that hospitalization and diagnostic serves and medical care are readily available to all citizens without regard to their financial station in the community. Having arrived at this point I think it can be logically argued then that the time has come to provide, through a public agency, prescription drugs for all of our people thus eliminating the major barrier which separates large numbers of our people from the benefits of full and complete health care. I am sure that many members are aware as I am of a good number of sick people who find it beyond their means to pay for prescription drugs which have been authorized by the doctor. For others I know drug costs represent a severe hardship for some of these people. I have been told by at least one doctor that he is certain that many of his patients fail to respond to the treatment which he has prescribed for them because he feels sure that they are unable to afford the cost of the drugs which he has prescribed. The high cost of drugs then, I believe must be regarded as a genuine deterrent that prevents the successful treatment of such people.

The suggestion that is embodied in this resolution that prescription drugs be included as an insured service is offered, Mr. Speaker, in recognition of the fact that the cost of the commodity in question has reached rather exorbitant proportions. According to the Royal Commission on Health Services, Canadians collectively spent \$201,000,000 on drugs in the year 1953. The report also showed that this figure had skyrocketed to a figure of \$364,000,000 by 1961, or approximately \$1,000,000 a day. This represents a

per capita increase from \$13.57 per capita in 1953 to a figure of \$19.95 in 1961.

In recognition of the high cost of drugs to individuals I suppose it would be less than fair and less than responsible on my part to ignore the fact that the provisions of drugs will indeed be a costly program. I believe that if the recommendations of the Hall Commission report are to be regarded as a necessary reality it will be incumbent upon the government to take the necessary steps to reduce the price of drugs to a realistic level. I trust, Mr. Speaker, that the house will recognize the relationship between the suggestion that drugs be included under the medical care insurance program and the need of simultaneous action to guarantee that the cost will not be out of reason in the supplying of prescription drugs. I believe it might be worthwhile then to give some consideration to the excessive costs as have been revealed by investigations both in Canada and the United States.

The Commission in the United States headed by Senator Kefauver revealed one of the items which contributed greatly to the high cost of drugs was responsible at least in part to the frantic effort of the pharmaceutical manufacturers to create an artificial demand for their product. The Commission revealed further that the medical profession had been confused by the scores of new drugs on the market. Many of them are no more than a slight modification of an earlier drug and some combined antibiotics with antihistamines, hormones or vitamins. Some of the new products the Commission said appeared almost daily. They are not an improvement over old drugs and in some cases they were less effective. Lack of competition, excessive advertising, administered prices and high pressure sales techniques were regarded as the prime culprits in the conspiracy to charge the public what the traffic will bear at the expense of those who are ill. I suggest, Mr. Speaker, that these people have little choice in the matter of drug purchases. They must either purchase the drugs that they need at excessive prices or do without them at their own peril. Examples have been shown in numerous cases where a similar product manufactured by two competing companies compare in price to the exact and precise penny, adding strength to the belief that a conspiracy exists to administer prices rather than allowing for the free play of so-called free competitive enterprise.

Some months ago, Mr. Speaker, the Restrictive Trade Practices Commission reported to the federal government in Ottawa. It was revealed at that time that Canadians have the distinction of paying the highest price of any country in the world for their drugs. A number of examples were given which I think deserve to be read into the record, Mr. Speaker. One drug by the brand name of Folvite which in Canada cost 10.38 can be purchased in England for 53 cents. Another brand name drug, Belafeline, in Canada cost \$2.00, in France the same prescription, the same quantity and quality could be purchased for 28 cents. Delta Cortril which in Canada costs \$22.70, in England could be purchased for \$4.10. Sparina Tabs, \$5.25 in Canada, \$1.04 in England; Amytal Tabs, in Canada \$2.85, in England, 65 cents; Ginalgon ointment in Canada \$3.40, in Germany 51 cents.

Well, to come a little closer to home, Mr. Speaker, in July of 1961, the government of Saskatchewan submitted a brief to the Restrictive Trade Practices Commission. At that time the brief submitted by the Saskatchewan government made a number of recommendations including first of all (a) expanded inspection

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procedures to insure a high standard of product. (b) The establishment of a National Drug Research Laboratory. (c) Control over drug prices. (d) Methods to deal with high pressure promotion. (e) Adoption of generic name for drugs. (f) The elimination of the 11 per cent federal sale tax on drugs. Well, Mr. Speaker, after almost five years of hearings and investigations the Restrictive Trade Practices Commission reported and at that time they levelled criticism at the drug industry charging the drug industry with hustling their product on to overloaded doctors and then passing the additional costs of this hard-selling procedure on to the consumer. The report shows also that practising pharmacists in a number of cases had a practice of marking a code on prescriptions, a code that was known to the trade but not known to the layman, indicating that the merchandising practices are ranging close to price fixing in the opinion of the Restrictive Trade Practices Commission.

One of the interesting facts I believe emerging from the report involves a proportion of advertising and promotional expenditures with respect to the cost of drugs in relation to the value of sales received. With the examination of 27 Canadian drug companies during the year 1959, the Commission showed an average of 24.92 per cent of net sales was accounted for by advertising and promotion costs. In one case the figure was as high as 51.55 per cent. Mr. Speaker, contrary to the impression which has been left by the drug industry in an attempt to justify high costs, research was low on the list of costs. Of these same 27 firms that were investigated, 13 of them reported no research expenditures whatsoever during the year in question. Another five firms reported less than one per cent. The highest figure was 39 per cent for one firm. Among the recommendations of the Restrictive Trade Practices Commission were a number of those which were included in the brief which was submitted by the government of Saskatchewan in 1961. The Commission suggested that the entire question of selling methods of the drug industry should be examined with a view to placing the matter under the supervision of the Food and Drug Directorate of the federal government. Another recommendation involved the suggestion that the drug company should be required to print the generic or the chemical name on the label in equal size with the trade name. This practice they suggested would have the affect of providing the physician with the necessary information in order that he might quickly and easily select the least expensive of a number of equal products.

Mr. Speaker, I believe then when consideration is being given to including drug benefits under medical care, methods of controlling costs are indeed of cardinal importance especially to those of us in a legislative capacity. To accomplish this objective the Commission also contended that the abolition of patents would be an effective way of reducing the price of drugs in Canada. Other recommendations included (a) more stringent regulations to give reasonable assurance that all prescription drugs are safe to use and of good quality; (b) the staff of the Food and Drug Directorate should be enlarged considerably to ensure fair enforcement of regulations. The Commission also recommended changes to be made in the Food and Drug Regulations as follows: (a) that all premises in which drugs are manufactured should be subject to inspection by the Directorate; (b) new drug submissions should include detailed reports of tests made to establish therapeutic effectiveness as well as a present report of the tests on the safety of the drug; (c) the Food and Drug Directorate should be given the duty of inspecting and assaying samples from a sufficiently large number of batches of every prescription drug manufactured or imported to make certain that it meets the minimum

standard of purity and therapeutic effectiveness; (d) that all advertising and promotional activity relating to drugs, including the distribution of samples, and the content of advertising literature be brought under the Food and Drug Directorate.

Well, Mr. Speaker, the Hall Commission on health services has recommended a complete series of health benefits for all Canadians including drug benefits. The Hall Commission report also concludes that Canadians can well afford the complete health plan. I believe, Mr. Speaker, it can properly be concluded that we can ill afford to be without a complete health program for all our citizens. We, in Saskatchewan, are in a preferred position in that we have travelled a long way toward full and complete health benefits. With the expected financial participation by the federal government in our medical care plan our province will enjoy a contribution of 50 cents on the dollar or \$12,000,000 to \$14,000,000 annually, which I suggest to you could not be used in a more worthwhile way than to provide drug benefits for all our Saskatchewan people.

I think all members in this assembly will also recall the promise made by provincial Liberals prior to the general election of 1964, to the effect that drugs would be included under medical care. I expect, Mr. Speaker, that when this promise was given by our provincial Liberals that the undertaking was given considering that this was in the public interest. I expect also, Mr. Speaker, that it was regarded also as being financially within the grasp of our people. Over the past two decades, Mr. Speaker, Saskatchewan has provided leadership in many ways. The opportunity now presents itself to lead the way for the rest of North America in providing prescription drugs under medical care for all of our Saskatchewan citizens.

Therefore, Mr. Speaker, I am pleased to move this resolution, seconded by the lady member for Regina West (Mrs. Cooper).

Hon. D.G. Stuart (Minister of Health): — Mr. Speaker, I am only going to speak very briefly on this motion. We on this side of the house I am sure, as all people who have taken any interest in the health problems in the province of Saskatchewan or anywhere in the Dominion of Canada, recognize that there are real problems and serious problems posed to many individuals, many families through the high cost of drugs. I don't say I would agree with all the things the hon. member from Moose Jaw (Mr. Snyder) said about the industry and what is happening, but certainly we all recognize that there are many serious problems in connection with this industry and with what is happening to the price of drugs, especially as they become more and more important in the treating of sickness, of all kinds of sickness, in our province. We recognize that there are not only problems in connection with prescribed drugs, drugs that are prescribed to individual families by physicians, but also drugs that are used in hospitals. We have a hospital plan now that does supply some drugs but many people are very surprised when they come out of hospital to find that they do have a drug bill to pay. The list grows longer but it's still far from complete. This is why, Mr. Speaker, we did include in our election platform the promise that we would implement a drug insurance program. I would point out to hon. members on both sides of the house that our program is a four-year program and in less than two years, or in about two years, we have implemented more than half of the promises that we made when we went to the electorate before the last

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provincial election. I can tell members opposite that they can tell the general public that before our four-year term is up we will have fulfilled all our promises, we will have implemented all of our program and indeed much more. One of these promises, of course, was that we would implement a drug insurance plan.

As the matter now stands my department is studying, and has been studying for some time, the cost implications of such a program as well as the best method by which it would be introduced. When these studies are completed we will bring them before the Cabinet and they will be brought before this legislature, and I am sure a form of legislation will be introduced to the public of Saskatchewan. We are very hopeful, at least, that in the federal plan, when it is introduced, and we have been given assurance that this will take place July 1st, 1967, this will give us a great deal of financial help with our first medical care plan. As all members know, the costs of the medical care plan are rising. While we intend to go ahead with a drug insurance program whether we get cost-sharing of our medical care plan or not, still I think all members realize it will make the job and the financial burden a great deal easier. So, Mr. Speaker, I can assure the house that as soon as our studies are complete, as soon as we know where we are going, as soon as we have all the facts that we feel we must have before we can take this very important step, a step that I think will not only bring a great deal of benefit to people in this province, but will also cost a great deal of money — I think we can ignore this at our risk — we will bring it to the legislature and we will implement the plan. We are convinced that we should have cost-sharing in our present medical care plan before we can go ahead with a drug program on a wide scale. That is why, Mr. Speaker, I am going to move an amendment to this resolution.

Mr. R.A. Walker (Hanley): — You'll spoil it.

Mr. Steuart: — No, I think it will just make it practical. One of the problems of your resolution is that it is not very practical. For many years you promised a drug program before you came into office in 1944.

An Hon. Member: — Twenty years, Dave.

Mr. Steuart: — I didn't say you had 20 years but you did have.

So, Mr. Speaker, I will move, seconded by the hon. member from Rosthern (Mr. Boldt) that resolution number 17 be amended as follows:

That the words from "That" in line one to the word "this" in line three be deleted, and that all the words after the word "assembly" in line three be deleted and the following words added:

"congratulates the Government of Canada on its proposal to introduce a National Medical Care Plan by July 1, 1967, and to pay half the cost of such plan, and that in the light of this proposal this assembly recommends that the Government of Saskatchewan give consideration to the introduction of a drug insurance program to commence as soon after the National Medical Care Plan is introduced as feasible."

Mr. Walker: — Mr. Speaker, I would like to have a chance to see the resolution as amended before addressing any remarks to it. I would therefore ask leave to adjourn the debate.

Debate adjourned.

MOTION RE ABOLITION OF THE SENATE

Mr. A.M. Nicholson (Saskatoon City) moved, seconded by Mr. E. Whelan (Regina North):

That this assembly believes that, in order to implement the fundamental principle of democracy, the laws of Canada should be made by the elected representative of the people, and to this end the assembly urges the Government of Canada to take immediate steps to bring about the abolition of the Senate so that for the second century of our history the Parliament of Canada will consist of the Queen and the House of Commons.

He said: Mr. Speaker, I am appealing to the Premier and the house leader in the hope that we will have a free vote on this important resolution. In the House of Commons on the 6th day of April, 1964, the Conservative party tried to prevent Mr. Knowles from introducing Bill C-88. The broadminded Liberals believe that a bill should be given first reading regardless of its merit but there was a division forced and we must give the Liberals in Ottawa credit for voting to give this bill first reading, the Knowles Bill. Of course, it never was given the second reading. And so I hope that since the Premier of Saskatchewan was an ally of mine some years ago in advocating the abolition of the Senate that he will be speaking in support of this resolution and that there will be a free vote.

Mr. Speaker, one hundred years ago the wealthy in Canada and the privileged of Great Britain were able to provide in the BNA Act that parliament in Canada should consist of an elected House of Commons, an appointed Senate and the Queen. They did not consider the people in the colony capable of operating a democratic government. In the Norman Ward edition of the Government of Canada by Dawson, on page 38 there is an interesting note that when the bill was introduced in the House of Lords by the Colonial Secretary, it passed both Houses without arousing any great interest or enthusiasm. Sir John A. MacDonald, caustically observed that the bill was treated with no more concern that if it were a private bill uniting two or three English parishes. A spectator sitting in the gallery of the Commons noted that when the house passed on to the next bill, which dealt with the imposition of dog taxes, there was a perceptible brightening of the interest of the members in the business before them. The BNA Act received royal assent on March 29, was proclaimed on May 22nd, and came into effect on July 1st, 1867.

The achievements of Canadians during the ensuing ten decades should establish our right for the future to have the Parliament of Canada consist of the Queen and the House of Commons as suggested by this resolution. The descendants of those who were here in 1867 and those who have come from the four corners of the world have demonstrated that they . . .

Hon. J.M. Cuelenaere (Minister of Natural Resources): — Point of order, Mr. Speaker,

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I would like to raise a point of order at this time. I think that the person who intends to propose this motion has spoken long enough to indicate the nature of the motion and it is on the Order Paper, and I submit, Mr. Speaker, that the motion as proposed is out of order.

Mr. Speaker: — A member can raise a point of order . . .

Mr. Cuelenaere: — Mr. Speaker, the point of order that I raise is that the proposed motion which is now being debated by the hon. member from Saskatoon (Mr. Nicholson) is out of order on the ground that the motion is a matter already appointed for consideration by the house. I have in mind particularly the motion that was debated earlier this day involving the amendment of the Constitution. I submit that the two resolutions cover very much the same ground and if I may be permitted I would like to point out why I raise this point of order.

I wish to refer you at this time to May on Parliamentary Practice at page 403. It clearly says:

That a motion must not anticipate a matter already appointed for consideration by the house, whether it be a bill or an adjourned debate upon a motion.

I submit that there is at the moment before the house an adjourned debate upon a motion that covers very much the same ground as the motion that is proposed, and Mr. Speaker, to back up what I say I would like to refer to the motion in question. As the hon. member pointed out it is a motion and the effect, or the purpose of the motion is to urge the government of Canada to take immediate steps, I wish you to note this, to take immediate steps to bring about the abolition of the Senate, so that for the second century of our history the parliament of Canada will consist of the Queen and the House of Commons. Well, we have already heard enough from the hon. member to know that in order to effect this it would require an amendment to the Constitution. Mr. Speaker, going back to the motion before the house, that was debated this afternoon by the hon. member from Regina West (Mr. Blakeney) and I wish to direct your attention particularly to part two. It says:

Expresses its opinion that the provisions in that respect contained in the White Paper issued by the federal government entitled "An Act to provide for the amendment in Canada of the Constitution of Canada" are unacceptable.

Now, it refers to the White Paper and what does the White Paper say? The White Paper contains a number of provisions relating to the amendment to the Constitution and particularly at page 37 it says, and I direct your attention to page 37, Mr. Speaker, of the White Paper to which the resolution debated this afternoon has reference, it says:

notwithstanding anything in the Constitution of Canada, the parliament of Canada may exclusively make laws for, from time to time, amending the Constitution of Canada in relation to the Executive Government of Canada, and the Senate and the House of Commons, except as regards

and then it mentions (a), (b) and (c) which has no application, but (d) says:

- (d) The number of members by which the province is entitled to be represented in the Senate;
- (e) The resident qualification of Senators and the requirements of the Constitution of Canada for the summoning of persons to the Senate by the Governor General in the Queen's name;
- (f) The right of a province to a number of members in the House of Commons not less than the number of Senators representing such province.

In other words, the very subject of amendment of the Constitution insofar as it relates to the Senate is covered by the White Paper which was before the house, and is before the house on the previous motion. So, I suggest, Mr. Speaker, in view of the fact the other motion definitely expresses these items that are not acceptable, and this is what the motion that we had before us this afternoon says, it is unacceptable. So, these provisions relating to the Constitution as provided for in the White Paper are unacceptable and, of course, right now we are dealing with a matter relating to members of the Senate. It would involve the abolition of the Senate. I submit that it covers precisely the same ground except that the one this afternoon is simply on a broader basis than the one that is being debated or that is being proposed now.

But I think there is even a greater objection under part three of the motion that was debated this afternoon. It says:

Expresses the opinion that provision to amend the Constitution of Canada should not be finally determined without the widest possible public consultation and debate so as to permit the opinions of all interested groups and individuals to be solicited and obtained.

This is what we debated this afternoon. We heard the hon. member from Regina West (Mr. Blakeney) express all the benefits of this wide public consultation, we mustn't amend the Constitution without acquainting the people with the nature of the amendments, the purpose of the amendments and so on. Yet, on the same day, while these words are still reverberating in the assembly, we now get a motion which I submit is almost in direct contradiction, certainly an inconsistent one. In this one, because the opposition feels that it should be done now, they don't talk about public consultation or anything like that, it has to be to "take immediate steps" to bring about the abolition of the Senate.

Mr. Speaker, I just want to conclude by pointing out that May does say at page 403:

That stated generally the rule against anticipation is that a matter must not be anticipated if it contains a more effective form of proceeding than the proceedings by which it is thought to be anticipated, but it may be anticipated if it is contained in an equally or less effective form.

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Now, Mr. Speaker, as long as this was a straight motion as against a motion, this was in order. But it seems to be quite clear from the earlier quotation I read that once the matter becomes an adjourned debate upon a motion, it then falls into a different category and that it falls within the provision of a motion that must not anticipate a matter already appointed for consideration by the house, whether it be a bill or an adjourned debate upon a motion.

Earlier it points out at page 401:

The rule may be fully stated as follows: No question or bill shall be offered in either house that is substantially the same as one on which judgment has already been expressed in the current session.

Well, Mr. Speaker, if we proceed with this motion and if the adjourned motion is adopted we will then be debating or adopting a motion on a subject upon which the assembly shall have passed judgment. In other words, when the assembly shall have passed judgment on the first motion that was debated today it will at the same time have passed judgment upon the motion that is now before the house and I submit it is out of order.

Hon. D.G. Steuart (Minister of Health): — We didn't rule him out of the house, just out of order.

Mr. J.H. Brockelbank (Kelsey): — Mr. Speaker, the hon. member has just gone for some more heavy artillery but, Mr. Speaker, if I ever get caught stealing chickens I want the hon. member for Shellbrook (Mr. Cuelenaere) to defend me . . .

Some Hon. Members: — Hear, hear!

Mr. Brockelbank (Kelsey): — . . . because I am sure if I were guilty he could make me look good. Now the fact of the matter is, Mr. Speaker, that the motion moved by the hon. member for Regina West (Mr. Blakeney) this afternoon, is a motion in regard to the mechanical method of doing two things: one, the repatriation of our Constitution; and two, how it will be amended, not what amendments will be put into it. That is all, this is not the question at all, whereas the motion moved by the hon. member for Saskatoon (Mr. Nicholson) is a specific proposal in regard to our Constitution as it stands at the present time that certain action be taken now. His argument that it was about section three of the motion, by the member for Regina, should not be finally determined without the widest possible consultation and debate. Debate was exactly what we were going to have this afternoon on the question of the Senate except that the hon. member for Shellbrook (Mr. Cuelenaere) interrupted. We were going to have, I suppose, fairly wide debate on this question, so that this is going absolutely contrary to that. So I can't see, Mr. Speaker, that there is any foundation in his argument at all. They are two different subjects, entirely, and certainly the motion that is before the house now, in my opinion, is in order.

Mr. Nicholson: — Mr. Speaker, on the point of order, it might be of interest to members to know that a similar point was raised in the

House of Commons when the Minister of Natural Resources was campaigning on April 4, 1964. Mr. Knowles speaking to the point of order said:

The fact is that under section 91 (a) of the BNA Act, we have the right to amend our Constitution with respect to the matters which are exclusively federal. We have already done so with respect to the representation in the House of Commons. There are other bills on the Order Paper with respect to matters of representation and the qualifications required of a Senator, both the present government and the previous one have made such proposals. I suggest that with regard to the right of this Committee to introduce and deal with such a bill and send it to the other place there is no question whatever. And I feel advice I received from our parliamentary counsel is superior to the advice which has been given to Your Honour by the member for Edmonton-West.

And since that day, Mr. Speaker, Chapter IV of last year's Federal Statutes deals with the retirement of members of the Senate. The BNA Act was amended and this is how simple it was. Amendments to the BNA Act, this is the Statute of Canada, 1965, part 1:

(1) Section 29 of the BNA Act, 1867, is repealed and the following substituted therefore:

29 (1) Subject to subsection (2) a Senator shall, subject to the provisions of this act, hold his place in the Senate for life.

(2) A Senator who is summoned to the Senate after the coming into force of this subsection shall subject to this act, hold his place in the Senate until he obtains the age of 75 years.

This was given the Royal Assent on the 2nd of June, 1965. It was established that the Parliament of Canada has the right to change the BNA Act. It is quite clear by the BNA Act it shall be lawful for the Queen, by and with the advice and consent of the Senate and the House of Commons to make laws for the peace, order and good government of Canada in relation to all matters not coming within the classes of subjects by this act assigned explicitly to the legislature of the province and for greater certainty but not so as to restrict the generality of the foregoing terms of this section hereby declare that notwithstanding anything in this act this exclusive legislative authority of the parliament of Canada extends to all matters coming within the classes of subjects hereunder enumerated.

So, Mr. Speaker, I submit that we have established again and again that the House of Commons and the Senate can make the changes and I submit that it is quite in order for us to proceed with the resolution which is before the house.

Mr. Speaker: — I think the hon. members will agree that this has raised somewhat of a complicated, knotty and extensive problem. I thank all hon. members that have given me their views and opinions. It appears that this breaks down into the question of priority and anticipation; it also appears that if one wants to make a reasonable adjudication of the matter, it is necessary to read at least that part of the White Paper referring to the Senate and also the British North America Act. I must plead guilty to not having read

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the British North America Act for some considerable time.

I know that I am not alone and I appreciate the hon. member's sentiments. Therefore, I would crave the indulgence of the house to read the BNA Act. If my memory serves me correctly it is not such an extensive document, not as extensive as the White Paper. I presume I will perhaps have to read that though I thought I might be able to avoid it.

Mr. Nicholson: — It is quite a small volume, just forty-five pages really.

Mr. Speaker: — Forty-five pages. Well, thank you. If members will bear with me I will do my very best to bring in a ruling on this matter by Tuesday night, the next Private Members' day. Better than that I don't think I can very well do.

I should say that the question arises, if this is to be done, as to the position the motion will have between now and then. I would say that the motion would stand, that it would retain its present position on the paper; that is, it wouldn't go to the bottom of the list.

Mr. W.S. Lloyd (Leader of the Opposition): — Mr. Speaker, I can assure you that will be acceptable if Your Honour can assure us there won't be any more Senators appointed between now and then.

Some Hon. Members: — Hear, hear!

Mr. Speaker: — Well, I am afraid I can't make commitments for that authority over which I have no control.

An Hon. Member: — Maybe the Premier would make a statement on that.

Mr. Speaker: — He might if he was here.

An Hon. Member: — Obviously he has, Mr. Speaker.

ADJOURNED DEBATES

MOTION RE PORT OF CHURCHILL

The assembly resumed the adjourned debate on the proposed resolution of Mr. F.K. Radloff (Nipawin):

That this Assembly urges the Government of Canada to undertake technological investigation at the Port of Churchill, with a view to extending the season during which traffic may move in the Port, enlarging docking and warehouse facilities, and providing more adequate customs and rail service, and further that this Assembly urge the Canadian Wheat Board and the Government of Canada to make more use of the Port of Churchill for the export of prairie grain.

Mr. A.M. Nicholson (Saskatoon City): — Mr. Speaker, the mover and the seconder made exception-

ally good speeches when this resolution was before the house and I had an opportunity to make some comments at the time. I had planned on mentioning that the building of this railway did make it possible to open up a very important area in northern Manitoba and northern Saskatchewan. I think that since there is agreement regarding the content in this resolution I am concluding my remarks in the hope that we might get this resolution to the proper authorities in Ottawa at as early a date as possible.

Motion agreed to.

MOTION RE SHORTAGE OF BOXCARS, ETC. AND GUARANTEE OF PRICES FOR FARM PRODUCTS

The Assembly resumed the adjourned debate on the proposed resolution of Mr. L.M. Larson (Pelly):

That this Assembly, believing the precarious economic condition of agriculture demands immediate action, urges the Federal Government to take immediate steps to: (1) ensure Canadian railways make available immediately enough boxcars, locomotives and other equipment to transport Saskatchewan grain to terminal elevators to meet Canada's export commitments; and (2) guarantee adequate minimum prices for all major farm products now.

Mr. B.D. Gallagher (Yorkton): — Mr. Speaker, I am not in complete agreement with the first line when it suggests that farm conditions are precarious. I know that there are many of us that know there are some farmers in Canada today that are probably in a precarious state, but I don't think this is the general condition of farmers across this country. I do believe, Mr. Speaker, that all rural members, in fact, all members representing rural people certainly believe that the federal government has a responsibility to the farmers of this country to help in the sale of grain. We believe that the federal government's responsibility is to see to it that the Canadian railroads do everything in their power to move grain so that we will not lose any profitable grain sales. I think that the first part of the resolution I must agree with. All members representing farm people will agree with this. However, Mr. Speaker, I think that most of us will hesitate when we read the whole resolution; the second part of the resolution suggests guaranteeing adequate minimum prices for all major farm products now. I think most of us realize that most of the wealth in western Canada, particularly this province of Saskatchewan, is derived from the sale of wheat. Wheat, of course, is a product that we produce here to sell outside of Canada. It is very easy for the people who sit to your left and who have never had the responsibility, Mr. Speaker, of running the business of this country, to suggest the second part of this resolution. I suppose they realize it will be a good many decades before they might have this particular responsibility of guaranteeing adequate minimum prices for all major farm products now.

I recall not too long ago where a government friendly to the member for Arm River (Mr. Pederson) came up with a sort of a farm policy that was supposed to guarantee minimum prices for major farm products and, of course, this included many farm products. They passed what was known as The Agricultural Prices Stabilization Act or something to that effect. I must say, Mr. Speaker, that it wasn't too effective. I think that we all realize that farm prices in the main are determined by the buoyancy of the economy of our country. When jobs are provided by the economic climate that governments provide in the country, labor has money

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to buy more of the necessities of life; they can buy more milk and meat and cheese and butter and everything else that is produced on the farm. Particularly, Mr. Speaker, when the economy is buoyant; working people, when their wages are higher, can buy more of the goods than when our economy is in a slump and they are not able to buy. We notice that meat prices, for example, improved when there is full employment in the country. Another thing that I might mention here, Mr. Speaker, is the fact that over the past 25 or 30 years, maybe 25 or 30 years ago we might have needed to look at the second part of this resolution more than we do today, but in the past 25 or 30 years we have had social legislation passed almost entirely by Liberal federal governments that sort of cushioned the shock of an economic recession so that the buying power of the people of Canada was better. Of course, when we talk of the social legislation that we have had in this country over the past 25 years, we have had some small guarantee, more than we had before, to give to the farmers a better return for most of their farm products that are sold in this country.

Old Age Pensioners, who 30 years ago didn't qualify for an old age pension with a means test, found it pretty hard to buy anything other than the bare necessities of life to keep body and soul together. The same was the case with working people before we had unemployment insurance in this country; people didn't have the buying power to buy the goods that are produced by farmers.

Our greatest source of income, as I said before, Mr. Speaker, particularly in this province, was derived from wheat. Wheat is something that is not sold to any degree in this country. When we consider the total amount of wheat that is produced and the total amount that is sold, there is a very small percentage of it sold in this country, so the economy of this country doesn't necessarily set the price of wheat. Of course, farmers in Saskatchewan depend to a great extent on the amount of wheat we sell and the price we sell it at. While there is a market in the importing countries of the world and a good market and lots of demand, naturally farmers in western Canada who are producing wheat are going to do better because of the policies, Mr. Speaker, that have been instituted by the government of Canada in the past couple of years and very aggressive sales policies that have produced much over average sales in the last two years. I think on a resolution last year I dealt with the figures comparing the wheat sales of '63 and '64 up until the time of the 1965 session as compared with the previous five or six years. I don't intend to repeat these figures today, Mr. Speaker, but they are even better today after the 1965-66 crop-year started last fall, because of our increased sales to Russia and China.

But, Mr. Speaker, because of these dynamic sales policies that were started by our friend who is now the Minister of Finance, the hon. Mitchell Sharp, and because we are able to sell more wheat — and I noticed just recently that we are able to sell it at a little bit better price — I am going to move an amendment to the motion. I move, seconded by the member for Elrose (Mr. Leith):

That all the words after (2) in line 6 be deleted and the following words added:

"and continues an aggressive sales policy thereby assuring farmers a ready market and adequate returns for export wheat".

Mr. I.C. Nollet (Cutknife): — Mr. Speaker, I would like to make some comment, impromptu, on this most backward and ridiculous amendment made by the hon. member for Yorkton (Mr. Gallagher). He is going backwards. A year ago he, at least, came a little farther. He favored \$2 a bushel for wheat. Now he has reversed himself completely. Whereas the resolution part (2) says guaranteed minimum prices for all major farm products, now he is telling the house that if we have continued good sales of wheat abroad this will not only support the price of wheat but it will also support the price of other farm products.

Mr. Speaker, the record conclusively proves, particularly over the past years when we had these huge sales, that this has not been the case. We experienced a year ago as high as a 17 cents a bushel decrease in the price of wheat and it hasn't been made up yet. As a result of that the final payment on last year's pool just closed out indicates that on the average the farmers were 10 cents a bushel short. In spite of what the hon. member for Yorkton (Mr. Gallagher) says that these huge sales are going to raise the price of wheat, it hasn't even done that, Mr. Speaker. May I suggest to you, Sir, and to the hon. member that farm costs have been increasingly going up each year. Those costs are not fixed, they go up. Farmers costs are not fixed, they go up. He isn't aware of the fact that Saskatchewan, because of inadequate income to the dairy industry, is now importing dairy products into the province. This, I think, is a disgrace, and it is a reflection on the lack of policies at Ottawa that should properly stabilize farm prices at a level commensurate with production costs.

Now, Mr. Speaker, he suggests too, that because of different social legislation that the farm economy will be buoyed up. We have been getting increasing amounts of social legislation which is all good and fine but it hasn't done anything for the prices of farm commodities. The records bear me out despite the hon. member's pitiful effort at trying to find a means of dodging out of a simple straightforward request of guaranteed adequate minimum prices for all major farm products now. Mr. Speaker, I say now with great emphasis and I hope, Mr. Speaker, that you will not suggest to me that I shouldn't talk quite so loud because I can make my point just as well, but may I suggest that this applies equally to the Premier who can shout a lot louder than I can over less.

Mr. Speaker, the facts are the agricultural industry is in a precarious position. This is borne out by Canada's War on Poverty. A great deal of this poverty is found in rural areas as demonstrated by the fact that it was necessary to have ARDA assistance for small farmers, which I, by the way, say is not the answer to the problem of the small farmer. I said over and over again in this house and elsewhere that in order to improve farm income farm prices must be maintained in fixed relationship to farm costs. I say again, and repeat, that this can only be accomplished by the national government fixing farm prices. It is their responsibility. We have seen an exodus of some 50,000 farmers out of Saskatchewan. That is why our population is, or has decreased, Mr. Premier, and for no other reason. It began during the war years and continued increasingly in the post-war period, and the process, Mr. Speaker, has not ended yet.

Then the hon. member for Yorkton (Mr. Gallagher) stands up and says the situation is not serious, it is not precarious.

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Everything is going to be honey because of social legislation. By the way, Mr. Speaker, if this is correct, the hon. members opposite should certainly support the resolution on the Order Paper for a \$100 a month pension to Old Age Pensioners. This will help farm prices too. The hon. member for Yorkton should particularly support that resolution.

The facts are the agricultural industry is in more than a serious situation. It has more than reached a crisis stage. I think that it has gone now beyond the point of no return unless something very drastic is done. And this resolution very mildly suggests, Mr. Speaker, that the farmer have some guarantee of minimum prices for all major farm products now. This resolution, part (2), doesn't even satisfy my demands. I don't talk about minimum farm prices. I talk about fixed farm prices in relationship to farm costs. Mr. Speaker, I have been so stunned and amazed by the hon. member's position that I must of necessity adjourn this debate and like yourself, Mr. Speaker, read the White Paper and a few other papers and come back perhaps with more substantial arguments and see if I can't convince these people on the other side of the house that there is really an agricultural crisis and that they should, in fact, support this resolution. Mr. Speaker, I beg leave of the assembly to adjourn the debate.

Debate adjourned.

MOTION RE AMENDING THE SCHOOL ACT RE MENTALLY HANDICAPPED CHILDREN

The assembly resumed the adjourned debate on the proposed resolution of Mr. A.M. Nicholson (Saskatoon):

That this Assembly believes that every child has the right to develop his potentials to the maximum, and recommends that the Government of Saskatchewan give consideration to amending the School Act and other legislation if necessary, to make mandatory the education of all educable and trainable mentally handicapped children, and to recognize in its grant structure the additional costs of such education.

Hon. G.J. Trapp (Minister of Education): — Mr. Speaker, I believe that school systems should provide educational opportunities for all educable and trainable students. By this I mean that school boards should provide schooling for all children capable of benefiting from programs offered presently and those which may be developed in the future. I also believe that school systems can be expected to expand and expend as much money on behalf of retarded children as upon other children. However, all of us are aware that it does cost more to educate a retarded child than it does to educate a normal individual. We know also that for the past few years school systems have been expanding their services for these children. The Department of Education has sought to foster the development of special education programs and facilities by working closely with school boards and administrators and by providing grant incentives. How successful these policies have proven to be can be demonstrated from the figures taken from the Department of Education annual report as follows: for example, in the year 1959-60, 12 school boards were involved in operating classes for educable retarded while by 1964-65 the number of boards so involved increased to 20. The number of teachers engaged in classrooms for the educable increased during this period from 39 to 68; for the trainable in 1959-60 eight

school boards were operating classes, while by 1964-65, 21 school boards were involved. For the same years respectively the number of teachers working with the trainable increased from 23 to 51. The number of children being served has increased during the 1962-1963 year to 850 educable and 330 trainable children in classrooms in the province. By 1964-65 the figures were 998 educable and 450 trainable.

Mr. I.C. Nollet (Cutknife): — No honourable member in the house should pass between the Speaker and the member speaking while he is speaking.

Mr. Trapp: — Thank you, Sir. These figures represent an approximate 17 per cent increase in the number of educable children served in special classes over a two year period. Likewise for the trainable in the same period of time there was approximately a 40 per cent increase. Some of the factors governing the number of classrooms operating and the rate at which such services are extended relate to teacher supply and the training available. These in turn are reflections of the more global problem of obtaining teachers and teacher-trainees in sufficient number to fill all classrooms in the province. This shortage causes school boards to give primary emphasis to obtaining regular teachers and boards to give primary emphasis to obtaining regular teachers and minimizes the availability of teachers trained in specialities, such as mentally retarded. Canadian universities have not yet found it possible to offer complete sequences of courses in the various specialities and in the various areas of special education. Consequently the supply of qualified teachers of retarded children is very limited.

In the Department of Education we are giving consideration to a policy in which the excess cost of special education would be shared with school boards. This will be communicated to boards as soon as policies are finalized. It should be understood that school boards are faced with increasing pressure to provide more and more services: guidance services, vocational technical programs, kindergarten classrooms, special classes for the mentally and physically handicapped and the like. Boards have to determine priorities and must have some flexibility in decision-making. Concerning the resolution, I fully support the philosophical view that every child has the right to develop his potential to the maximum. At the same time, in view of the fact that school boards are faced with the needs to provide specialized services of various kinds and that the supply of trained teachers for the mentally handicapped is very limited at the present time, I cannot support the suggestion of mandatory legislation at this time. May I point out also that the resolution is restrictive in that it gives no consideration to other kinds of handicaps: the physically handicapped, the hard-of-hearing, the partially sighted, those with speech impediments, crippled, emotionally disturbed and those who are hospitalized.

Mr. G.G. Leith (Elrose): — Mr. Speaker, I share with the hon. Minister of Education's sentiment as far as the desirability of making such a program universal throughout Saskatchewan, but I too have reservations about the way that the resolution is worded. I do know that in the two school units with which I am familiar, one of them the Rosetown School Unit, operates a school room for the training of exceptional children. These happen to be children that are a little slower than the other children. They are not exceptional in the fact that they are brighter but in the fact that they are

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physically or mentally handicapped so that they don't fit into the ordinary school system.

On the other hand, the Estin-Elrose School Unit does not operate a schoolroom for this purpose. They would like very much to do so but they find that it is wildly impractical for them to gather all the children from the far corners of the constituency into one schoolroom. This school unit is about the size of a provincial constituency and to actually transport these children to one place for training, to transport them to a place where they might have to be boarded over the week is impractical. Some of them indeed do make arrangements to board them in Saskatoon and in Rosetown where they can get this exceptional training.

I have checked the word mandatory in the resolution. I believe that our school units are doing as good a job as they can to move in the direction of giving training for mentally retarded, physically retarded, and educable children and I am going to move the following amendment to the resolution, Mr. Speaker.

I move, seconded by the member for Kelvington (Mr. B.H. Bjarnason) that the resolution be amended as follows:

That all the words after "Saskatchewan" in line 3 be deleted and the following words added:

"encourage school boards, through grant structure, to accept the responsibility of providing an appropriate education for exceptional children".

Mr. D.W. Michayluk (Redberry): — Mr. Speaker, since the mover and the seconder have made an amendment to the original motion, I would like to see the amendment as it is presented to this house and I would like some time to study it. I see that this amendment changes the concept of the amended resolution as it appeared on the Order Paper so I would like to adjourn the debate.

Debate adjourned.

MOTION: CORRESPONDENCE RE DEVELOPMENT PROGRAMS FOR INDIANS

The assembly resumed the adjourned debate on the proposed motion of Mr. W.J. Berezowsky (Cumberland):

That an humble Address (No. 2) be presented to His Honour, the Lieutenant Governor praying that His Honour will cause to be laid before the Assembly:

All correspondence exchanged between the government of Saskatchewan and the minister of Citizenship and Immigration for Canada concerning a memorandum of agreement respecting community development programs for Indians.

Hon. J.M. Cuelenaere (Minister of Natural Resources): — Mr. Speaker, this was a motion I adjourned because before consenting to it I felt that because it involved the Minister of Citizenship and Immigration for Canada that I would like to find out whether they would object. Now, I have spoken to the hon. members and I believe they have agreed to withdraw the motion. Is that correct?

Mr. W.J. Berezowsky (Cumberland): — With the permission of the house, I would like to withdraw the motion.

Motion withdrawn.

MOTION RE FREIGHT RATES

The Assembly resumed the adjourned debate on the proposed resolution moved by Mr. G.G. Leith (Elrose):

That this Assembly urges the government of Canada to take whatever action is required, to adjust the discriminatory freight rates, which presently exist against many industries in the Prairie region.

Hon. J.M. Cuelenaere (Minister of Natural Resources): — Mr. Speaker, when I rise I like to be on firm ground. As was the case early this evening I feel on pretty firm ground in rising to support the motion now before the assembly.

When I adjourned the debate a few days ago I stated that I expected to deal with the resolution with particular regard to the discriminatory freight rates which presently exist as they affect the shipment of pulp from the prairie region. The mover and the seconder and the others who have spoken have already deplored in a general way the discrimination and the inequities which exist in the freight rate structure against many industries in the prairie region.

Mr. Speaker, some ten years ago I had occasion to represent lumber producers at a hearing which lasted a week before the Board of Transport Commissioners at Ottawa. The purpose of the hearing was to examine freight rates in the movement of wood products throughout Canada. It was a most interesting and eye-opening experience to say the least. I was struck by the conglomeration of rates and the variety of special arrangements that prevailed, depending in each case on the point of origin and the point of destination. The hearing by common consent showed that there was neither rhyme, reason nor logic in the rates that were being charged. They depended on several factors: competition, alternative routes, special arrangements, regional rates, special concessions, etc. Mileage or distance of haul in some cases appeared to be one of the least important among the various factors taken into consideration as far as the movement of lumber and wood products is concerned. I am sure that that condition exists in the transportation of many other commodities. In all cases relating to the shipment of wood products it works to the disadvantage of the prairie regions and particularly to Saskatchewan.

Of late, Mr. Speaker, and I mean within the last six months, I have had occasion to look into the rate structure insofar as it affects the transportation of pulp. Last November, the Minister of Public Health (Mr. Steuart), representatives of Parsons and Whittemore and I had occasion on behalf of the province and on behalf of the Prince Albert Pulp Mill Company to make representations to the President of the CNR, the federal Minister of Transport, and the Chairman of the Board of Transport Commissioners. The rate structure relating to the shipment of pulp from Saskatchewan is an example of the discrimination and the unsatisfactory condition which presently exist against certain industries in the prairie region.

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Now, Mr. Speaker, what is the situation? The new mill at full production, and I am referring to the Prince Albert Pulp Mill, will produce 250,000 tons of pulp and will generate transportation charges at existing rate levels of about \$5,000,000 from outbound pulp alone and about \$1,000,000 to \$3,000,000 on inbound cargo. The inbound cargo would depend largely on how much is trucked in and to what extent the railroad is used. Rail will be used exclusively on outbound cargo. In this instance we are therefore discussing a matter of importance to both the economy of Saskatchewan and the economy of the railroad. It should be pointed out here that one of the decided advantages which Saskatchewan offers in the production of pulp is that the distance to major market areas in Midwestern United States is about 400 to 1,000 miles less than the distance from mills in Alberta and British Columbia. In other words, we are that much closer to this important market but present freight rate structures practically completely destroy that advantage. Our main market on the North American continent for pulp is located in five main areas, namely, the Minnesota area, the Wisconsin and Illinois areas, and the Michigan and Ohio areas.

Now, Mr. Speaker, Prince Albert is at least 400 miles closer to all these markets than the Hinton mill in Alberta and Prince Albert is about 500 miles closer to all these market areas than the Castlegar mill in British Columbia yet the pulp rates from Prince Albert were fixed by the railways under the existing freight rate structure at exactly the same rate from Hinton and Castlegar namely, \$15.80 per ton. Here is another situation. Prince Albert is over 1,100 miles closer to these same markets than Port Alberni, British Columbia. In practically all cases, Port Alberni is about twice the distance. Yet the differential in shipping cost in some cases is as low as 80 cents.

You can ship, Mr. Speaker, pulp from Port Alberni to the Minnesota market, a distance of 2,074 miles for \$16.60. The rate for shipping the same product from Prince Albert to the same market, a distance of only 834 miles was \$15.80 per ton or only 80 cents differential.

A concession was given by the railroads by reducing the rate to \$15 but that still leaves a differential of only \$1.60 per ton. Now, Mr. Speaker, how does Saskatchewan come out when it comes to competing with western Ontario mills? The situation is a little better but not much. Although Prince Albert is only 300 rail miles further from the Minnesota market than the Dryden-Fort William area, the freight rate for the shipment of pulp from Prince Albert to the Minnesota area was \$5.50 more, \$10.30 from there and \$15.80 from Prince Albert, and still \$4.70 more after the concession. Although Prince Albert is only 220 miles further to the Wisconsin area the freight rate differential is \$3.00 more from Prince Albert than it is from the Dryden-Fort William area.

So, Mr. Speaker, as you can see they appear to have us coming and going. We are placed at a disadvantage competition-wise from the B.C. mills and we are placed at a disadvantage competition-wise from the western Ontario mills. We find ourselves squeezed in the middle. Now, why does this exist? The reason is that the rates proposed by the railroad, under the present rate structure for the new mill at Prince Albert, is based on what is known as the western grouping. For freight purposes on pulp shipment, Prince Albert, Saskatchewan, is treated as though it were located in British Columbia; so is Hinton, Alberta, but Hinton suffers less because it is situated on the B.C.-Alberta boundary.

As a result of being in that western group we bear exactly the same freight rate as Hinton, Alberta and Castlegar, B.C.

Mr. Speaker, if mileage and mileage alone was taken into consideration, plus the terminal cost of \$1.00 per ton which is always fixed no matter what the distance is, freight rates from Prince Albert to the Minnesota area should be 33.6 per cent less than the Hinton-Castlegar rate and our rates would be about 27 to 32 per cent less to the more eastern market areas. Rates based on mileage would of course be the most desirable situation insofar as the Prince Albert mill is concerned. Pulp rates in the southern United States generally reflect mileage differences. Pulp rates in eastern Canada are greatly influenced by water competition. In contrast pulp rates from western Canada, including western Ontario and the western U.S.A. are based on broad, geographic grouping, the stated purpose of which is to permit equality of opportunity for mills in different areas to compete in the common U.S. market.

The railroads tell us that the system has been firmly established and that it would be difficult to change now. Well, Mr. Speaker, I submit that, if the system is bad, if it discriminates unduly against a particular section of the country, it should be changed now before it becomes firmer and more crystallized than it is. But if we can't change the system, if we must live with the establishment, then I submit, let's change the grouping. Why should we be grouped with British Columbia? Why not create a new group or why not group Saskatchewan with western Ontario? Why should we be grouped with an area where wood conditions are competition-wise entirely different and 500 to 1,000 miles away? Why not group us with western Ontario where the wood conditions are more similar and only 300 to 400 miles away?

If we were grouped with Ontario it would result in freight reduction in some instances of 20 per cent and this would make a tremendous difference to the pulp industry in Saskatchewan. In the Prince Albert area the first pulp mill in Saskatchewan is sufficiently economically sound that it could proceed on the expectation that further freight rate concessions could be negotiated. But, Mr. Speaker, firstly, the discrimination, the inequity and the injustice still stand and this government has given its undertaking to the Prince Albert Mill to do everything in its power to remedy or at least alleviate the situation. Secondly, the continuation of the present rate structure could very well make the difference between having a second pulp mill in Saskatchewan where the economics of a mill may be less favourable. Therefore, Mr. Speaker, the government proposed to leave no stone unturned in pointing out the discrimination, the unfairness, the inequities, the injustice of the existing freight rate structure which presently exists against many industries in the prairie region and particularly insofar as it effects the production from pulp mills, now of such importance to this province. The passage of this motion will greatly strengthen the hands of the government.

Now, Mr. Speaker, while fully supporting the motion, I would like with the leave of the assembly to move an amendment only by way of an addition. I have moved the adjournment but with leave of the assembly I would simply like to amend the motion by making an addition to the effect and without limiting the generality of the foregoing. May I have leave of the assembly?

Mr. Speaker: — Is leave granted? Agreed.

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Mr. Cuelenaere: — The motion is moved by myself and seconded by Mr. McIsaac (Minister of Municipal Affairs), that the proposed resolution be amended by adding to the resolution the following words:

and without limiting the generality of the foregoing, with particular attention to adjusting the freight rates on the movement of pulp from Saskatchewan.

Amendment agreed to.

Mr. J.H. Brockelbank (Kelsey): — Mr. Speaker, I would like to say a few words on this. I didn't want to speak just on the amendment so I waited until the amendment was dealt with so I can speak on the whole motion.

It is many years since we found out the story about freight rates which the Minister of Natural Resources (Mr. Cuelenaere) has been on the wrong end of the deal in regard to freight rates in this respect ever since Saskatchewan began. I would like to point out to the house that while we were in the government of Saskatchewan we maintained a branch and made representations almost to no end to the federal government and the Board of Transport Commissioners trying to get some justice for the province of Saskatchewan and to prevent things from getting worse. You will find in the library certain volumes that were prepared by that Committee on Transportation of which Dean Cronkite was the head. These little volumes contain some extremely interesting railroad history.

Now that the resolution is before the house, recognizing the situation in the province of Saskatchewan we cannot do other than hope that the government will be successful in getting some of these injustices remedied. It is with that in view that we support this resolution as it now stands. I don't think I need to say any more on this question. Certainly Saskatchewan deserves at long last to get some justice in the matter of freight rates.

Some Hon. Members: — Hear, hear!

Mr. I.C. Nollet (Cutknife): — Mr. Speaker, this is certainly a resolution that everyone in the house can support because everyone in this house and the people before them have experienced the discrimination of freight rates against this province, not only in regard to agricultural products but many other products, particularly in such cultural products but many other products, particularly in such products as would lend themselves to the development of our natural resources and the establishment of industry in this province. As the hon. member for Kelsey (Mr. Brockelbank) has pointed out, for years the government has been making representations to the federal government to make some adjustments in this regard. None have been forthcoming but I was especially therefore interested in the amendment moved by the hon. member for Prince Albert (Mr. Cuelenaere) because at last he put his finger on the one reason why we were unable to get a pulp mill in Saskatchewan and the reason too, Mr. Speaker, why a mill in Saskatchewan had to receive such heavy subsidization. In the same breath, may I say, that we in Saskatchewan and western Canada have been for too many years subsidizing the establishment of industries in the east. May I say to the Premier who tells us now that the establishment of industries in this province, even though we have to subsidize them heavily, is going to bring increased revenues to the province as it ought to, may we look at the province of Ontario where they

have had all these benefits and decreased taxes has not occurred. We are doubly handicapped because we have to subsidize these industries and guarantee them out of our own financial resources in this province.

Now, the other point that I wish to make, Mr. Speaker, is this. I think one of the principal reasons that we haven't equitable freight rates in Canada, fair to all parts of Canada, is because we failed to nationalize our major transportation system, our railroads. Had this been done it would not have been difficult at all to have freight rates right across this country that would not discriminate. I feel keenly on this, Mr. Speaker, and I am in good company, many people who are members of the party opposite, members of the Conservative party too, who now realize that we ought to nationalize our rail transportation system. This is not a wild Socialist idea at all. It is a principle, I believe, that if put into practice will contribute more to the unification of Canada than anything else. As a matter of fact, I am of the opinion, Mr. Speaker, that it's not biculturalism, bilingualism, or racism or anything else that's tearing this country apart. I think it is the economic discrimination that has taken place in Canada: discrimination against the Maritimes; discrimination against the prairie areas, particularly, that has prevented them from developing along with the rest of Canada. May I say, Mr. Speaker, that it is not only the responsibility, not only with urgency but as a necessity, that the national government take steps that will unite Canada and keep it together as a viable confederation of provinces. I feel very keenly on this particular point. This resolution merely indicates that if these discriminations are continued we too in this province will have great resentment and cause for asking the national government for more and more help in other fields of activity, more help to carry on our administration in this province.

Now, for these reasons, Mr. Speaker, I certainly wholeheartedly support the resolution as I know everyone else will in the house. I hope that our hon. friends opposite will at least be generous enough to go along perhaps not immediately, but I would hope a little more rapidly than the Liberal party moves on the principle that our entire rail transportation system ought to be nationalized, not only in the public interest, not only to the benefit of all of Canada but in the interest of national unity, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Motion agreed to.

MOTION RE PRIVATE PENSION PLANS

The assembly resumed the adjourned debate on the proposed resolution moved by Mr. W.G. Davies (Moose Jaw City):

That this assembly urges the government of Saskatchewan to consider, as soon as possible the introduction of legislation and the adoption of any other necessary ways and means by which the interests and the welfare of employees affected by private pension plans can be fairly and reasonably protected; and that consideration be given specifically to changes that would provide that in the event of the termination of the employment of an employee, the amount of money to his credit in a private pension plan or like benefit, be vested in him through a deferred pension, or transferred to his credit in another plan,

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including one operating in a concern in which he subsequently accepted new employment, to the end that reward for service rendered and the principle of pension portability may be recognized and secured.

Mr. W.A. Robbins (Saskatoon City): — Mr. Speaker, when I adjourned this debate the other night I was discussing the Canada Pension Plan and the impact that this might have on portability related to private pensions operating in Canada.

I feel that one major reason for supporting the Canada Pension Plan is the fact that it should, to a considerable degree, speed up portability related to private pension plans. In my opinion, Mr. Speaker, there is a lot of misunderstanding in the private pension field and I would like to deal with this in relation to portability and vesting because I feel we need a great deal of education across this country to enable us to get a clear understanding of what pensions could achieve with improved portability and increased vesting.

All too often we hear when discussing the Canada Pension Plan in relation to private pension plans that we should be discussing whether the contributions be decked or integrated. Quite frankly we hear very little about a third course which is much more important, in my opinion. If you talk about decking, for example, if a contribution of five per cent were made by an employee and his employer of his behalf and you simply decked in relation to the Canada Pension Plan, in addition to that five per cent contribution you would make the contribution required under the Canada Pension Plan. Integration is what I would term the government is doing in relation to a goodly number of the superannuation plans under its supervision. In instances such as this the contribution rates were five per cent, they simply take that five per cent and take out of it the required contributions to the Canada Pension Plan with the remainder left in the private pension plan. I would oppose this approach from the standpoint that this is not realistic for more than one reason. If we look at social security in the United States in its early stages after 1937, we will discover that their social security plan did not increase benefits in the initial years but did increase contributions. If you find yourself in this position in relation to private pension plans you will simply have the contributions going to the private plans reduced without any over-all end-result change in terms of pensions realized to the people when they reach pensionable age.

I would suggest a third method, which is preferable, is to take cognisance of the fact that contributions must be made to the Canada Pension Plan and on this basis make some reduction in terms of contributions from employees and employers to private pension plans. Mr. Speaker, my regular occupation is associated with the administration of pensions and I have taken the time and trouble to make a survey of 1,140 trusted pension plans in Canada in the last year. I find that most of these pension plans are using an integration approach. Quite frankly I think most of the employees concerned and most of the employers concerned do not really realize what they are doing. I think they will find in time that they will have to make adjustment in this regard.

I would like to give you one or two examples, Mr. Speaker, to illustrate to this house the point I am trying to get across. Let's assume we take an individual who is on a \$5,000 per year annual salary. As I said the other night, I think this is a two-

sided coin. If that individual has four per cent deducted from his \$5,000 per year salary and matched with a like sum from his employer, he is actually contributing \$200 a year and his employer is contributing \$200 a year to his pension. On this basis, I contend that that individual should agree with his employer that his income is not \$5,000 a year but \$5,200 a year, \$5,000 of which is paid to him now less the deduction which he sets aside as his own responsibility in relation to pension, and the other \$200 in the form of a deferred wage. Canadian income tax law supports this view. It contends that the employer can withhold the contributions that he makes in terms of an income tax approved pension fund and deduct this amount before he arrives at his income tax liability for any given year.

Now, if the employee accepts this and the employer accepts it, it is only reasonable to conclude that this has reasonable validity provided that \$200 does in fact become the property of that employee. What is happening in pension plans generally is that this does not occur. I will give you an illustration. I was called in for some consultation work in relation to a pension plan of the city of Saskatoon last fall. I don't know whether members realize it or not but I imagine perhaps it's the same in the city of Regina. In many of these cities there are numerous pension plans related to various different departments of city employees, such as fire department, police department, etc. I think without divulging any confidences I can say, without naming this particular group, that there were about 120 employees involved. I want you to take particular note of the situation in this particular situation. This occurred in the last four to five months. Mind you the plan had been in effect for a considerable length of time but I am completely convinced the employees concerned did not understand it. I am also convinced that the employer in this case, the city of Saskatoon, did not have a reasonable grasp of the situation as it existed. In this instance, let's take again the example of an employee on a \$5,000 annual income. His contributions would be \$200 to his income tax approved pension plan. His employer would contribute a like sum of \$200. Let's assume that this individual when he began employment with the employer, and became eligible to make contributions was, for example, 25 years of age. Let's assume now that he makes these payments for 25 years and we're leaving them standard simply to make the example more clearly available to all of us. So in that 25 year period this individual would make contributions of \$5,000. His employer would make like contributions of \$5,000. If that individual died or if he moved away from that occupation, his estate could withdraw or he could withdraw \$5,000 from that plan. In other words, the \$200 per year that he put in for 25 years. He would not withdraw one single cent of earnings on his own money, not even bank rate interest. In addition his employer's contributions would not be exigible to him but would be utilized in future months by the employer to reduce future remittances to the plan. Now, quite frankly the federal income tax law says that it's illegal for any employer to take back out of any income tax approved pension plan funds contributed on behalf of an employee by an employer. Really this is what happens. I know they can argue that they stay within the law. They can say we did not take the money back but in effect they accomplish exactly the same thing by simply reducing future remittances by the amount which was not exigible to the to the departing employee.

There's a real problem here which we cannot ignore. It is true that the contributions made by an employer on behalf of an employee in an income tax approved pension fund should be used

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for pensions. If you increased portability and make the vesting occur earlier, which I think should occur, you must make reasonable provision to ensure that the money is used for the purposes intended; that is, purchase of pensions. How can this be accomplished? Quite frankly it can't be accomplished solely by individual private pension plans. You can make some progress in this regard but you have very grave difficulty related to the pension industry in total simply because you can lead the field to some degree but you can not lead it too far. This is another reason why I contend that the Ontario Pension Benefits Act makes a good deal of sense. Mr. Speaker, I don't know whether anyone on the government side will support this statement but I think it is true to say, — I'm not positive about this, perhaps the Minister of Labour could advise us in this respect, — that there was representation from Saskatchewan to a pension conference in eastern Canada, and I don't know the exact date, but some time six or seven or eight months ago, where I believe there was reasonable agreement that there should be a uniform approach in relation to private pensions.

What does the Ontario Pension Benefits Act do in relation to portability? It simply does this. It says that once an individual has been in a pension plan until he has attained age 45 years and assuming that he has at least ten years of participation, 75 per cent of the contributions made and the earnings accrued thereto after January 1, 1965, must be used for the purchase of pensions, if this individual terminates his employment prior to normal retirement. In other words, he is not a retirement, he is not going on pension at that particular time. This is particularly important because of the great mobility of labor, and we see in our particular pension society a tremendous amount of movement every year. It ranges generally from 15 to 20 per cent of the total participants in the fund. This is general throughout Canada.

What I am saying here is simply this and perhaps I can illustrate it with an additional example. Let us assume we had an individual who had accumulated say \$8,000 in employee-employer contributions and accrued earnings up to December 31, 1964. Let's assume that this individual in a period of time after January 1, 1965, — and it might be into the future another three or four or five or six years, — let's assume that individual accumulated \$20,000. He is now perhaps 51, 52, 53 years of age. He is not able to be pensioned because he is simply not in the pensionable age bracket but for some reason or other he moves from this particular job. He may have moved voluntarily. He may even be forced to move involuntarily. He may lose his job. What would his situation be? He could legally withdraw the \$8,000 accumulated up to December 31, 1964 in cash. He could legally withdraw one-quarter of the \$20,000 accumulated in contributions and accrued earnings after January 1, 1965 but the remaining \$15,000 in this particular instance, would have to go to purchase a pension for him at pensionable age, normal pension age considered to be age 65.

It is most important, I think, Mr. Speaker, that we make this kind of approach, that we get some kind of uniformity in this type of legislation, first of all to ensure that we increase the portability and the vesting provision. This is in line with the Income Tax Act. This makes a good deal of sense in terms of the fact that the employer's contribution should in fact be treated for what it is, a deferred wage. However, as I said before, it cannot possibly be a deferred wage if the employer keeps it should the employee terminate his employment. I am not arguing that the

employer hasn't got a logical argument with respect to the fact that he wants to ensure that the money he puts up is, in fact, used for the purpose intended, that is pensions. But I would contend that first of all we must accept the fact that that contribution is a deferred wage. We must therefore increase portability and vesting of the employer's contributions and accrued earnings on behalf of that employee. Once this is accomplished we must take some steps to ensure that the money is used for the purposes intended, otherwise you defeat the intent of pensions entirely.

If I may illustrate again, I'll give another example to press home my point. If, for example, we stick with this person at \$5,000 per year income, and I'll use an example out of our own pension society. This individual would under current regulations be contributing four per cent of his salary, \$200 a year. His employer would match it, \$200 a year and this money would become vested in that employee on a graduated scale, much more rapidly than it does in terms of the pension industry generally. It would then be available to this individual if he should terminate employment and he would take it with him. We would recommend, of course, that he take it in terms of transfer, presumably to another income tax approved pension plan with his new employer. If that cannot be arranged then it would be transferred, if he so desired, to a registered retirement savings plan in his own name. In both cases no tax would apply. It is very annoying, quite frankly, Mr. Speaker, to run into situations where we have persons who leave the employ of an employer member of our society. I can think of an instance right now of a man who had over \$10,000 available to him last year, all the employer and the employee's contributions, and wished to transfer it to his new employer who had an income tax approved pension plan. Unfortunately, his new employer's administrator of pensions would not accept the money out of our plan. This is a real tragedy, not only for the employee but it is utterly ridiculous in terms of pension administration. Nevertheless these situations do arise. If this individual had been able to take his pension money in terms of transfer to another income tax approved fund, he would have been relieved on income tax liability and he would improve his final pension appreciably because the accumulative effect of the earnings on those \$10,000 from his present age which is in the range of 48 until he reached normal retirement would be appreciable.

Mr. Speaker, the point I am attempting to get across here is that you only accomplish this if you get portability. But as I said before it's a two-sided coin. We must take reasonable steps to ensure that the money is used for the purpose intended. I contend that the Ontario Pension Benefits Act does this. Mind you, it does it on an evolutionary basis, on a rather gradual and slow process. If it could have been made retroactive it might have been preferable but this isn't generally acceptable in the pension industry because rules and regulations applying up to any particular time generally must be protected in relation to pensions because they are classified as contracts. Then it is reasonable to say that we should, and I urge upon the government to take this approach that we should use uniform legislation comparable to the Ontario Pension Benefits Act. I would appreciate comments from some of the government members to the effect that someone did attend this pension conference because I feel reasonably certain, although I haven't got the article with me, that I did read about this. As I recall it British Columbia, Alberta, Manitoba, Ontario and Nova Scotia had in general agreed with this approach. I am also of the opinion that if we get uniformity in

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this regard we will get final results in terms of pensions which will meet the needs of Canadians. Mr. Speaker, could I call it 10 o'clock p.m. and adjourn the debate.

Debate adjourned

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