

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Second Session — Fifteenth Legislature**  
**28th Day**

**Thursday, March 17, 1966**

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

**WELCOME TO STUDENTS**

**Mr. W. E. Smishek (Regina East):** — Mr. Speaker, I would like to welcome a group of students from St. Paul's Separate School, which is located in the Regina East constituency. There are 27 students today accompanied by their teacher, Mr. Don Drozda. They are seated in the Speaker's gallery. I am sure everyone here would like to join with me in extending to them a warm welcome and in expressing the hope that their stay here today will be both informative and educational.

**Hon. Members:** — Hear, Hear!

**Mr. A. M. Nicholson (Saskatoon City):** — Mr. Speaker, I would like to draw your attention and the attention of the house to the east gallery. The students are from the King Edward School in Saskatoon, and are our guests along with their teachers, Mr. Schultz and Mr. Hilton. It was necessary for them to leave home very early in the morning, and we all hope that this will be an educational and pleasant day for teachers and students alike.

**Hon. Members:** — Hear, Hear!

**ANNOUNCEMENT RE ST. PATRICK'S DAY**

**Mr. E. Whelan (Regina North):** — Mr. Speaker, before Orders of the Day I would like to call the attention of the house to the fact that this is St. Patrick's Day. Officially there are nearly 2,000,000 Canadians of Irish extraction, roughly 10 per cent of the total population. Mr. Speaker, on this day, however, the number claiming affinity with the Emerald Isle will be at least double or treble this figure. In anticipation of March 17th, perhaps we should give you the proper name of the man whose birthday we are celebrating, the Festival of Magonus Succetus Patricius, better known as St. Patrick, the Apostle of Ireland.

According to the entries in the Irish annals, this year will be the 1,505th anniversary of his death, and in commemoration pilgrims from around the world will journey to Mount Patrick near the village of Saul in northern Ireland. Those who can't make it that far will be celebrating, Irish, or not. Now, the Irish are pretty high on themselves, and particularly on this day. There is a story about an Irishman and an Englishman and a Scotchman who were discussing their background. The Englishman said to the Scotchman, "If I couldn't be an Englishman, I would be a Scotchman". The Scotchman said, "If I couldn't be a Scotchman, I would be an Englishman". They looked to the Irishman who hadn't said anything up till then and they asked him, "If you couldn't be an Irishman what would you be"? He said, "Begorra, I'd be ashamed".

You know the Irish are supposed to be good at analyzing

**March 17, 1966**

political results. They tell a story about an Irish mayor in the city of Cork who ran for public office time and time again, and seven times in a row they say he received an acclamation. Finally, the eighth time he ran a man decided to run against him, his name was McTavish. After a very enthusiastic campaign, and all the results were in, the Irishman won again, but there were two votes cast against him. He was very disappointed, and his campaign manager was consoling him and said, "Well, it would be McTavish and one of his relatives", and the Irish mayor who was elected said, "Yes, it has always been said that those Scotch people are clannish".

Now, Mr. Speaker, the early history of Saskatchewan, even before this land area became a province, was surveyed and examined and reported on by an Irishman whose name is a household word in Saskatchewan. This person was John Palliser; his report on the open plains of the west is a remarkably accurate document even to this day. Some of his contentions and some of his criticisms of the land area will have been corrected by the building of the South Saskatchewan River Dam, but John Palliser's Irish insight and intuition have had a great influence on the history of the province of Saskatchewan. He was born in 1817. In 1847-48 he spent nine months buffalo hunting on the American plains and wrote a book about his experiences. In 1857 the British government asked him to lead an expedition to the Canadian prairies. His report, Mr. Speaker, after four years of investigation, was tabled in the British Parliament in 1863, and is considered one of the most significant documents on the Prairie West that was ever printed. Palliser and his party literally scoured the west so that this report became a reference and a guide for those seeking knowledge about the province that we now live in. So to the descendants of Palliser, Mr. Speaker, to Irishmen everywhere on this St. Patrick's Day, I say, "The top of the morning".

**Hon. Members:** — Hear, Hear!

#### **EXPLANATION RE DELAYED DELIVERY OF LETTER**

**Hon. J. W. Gardiner (Minister of Public Works):** — Mr. Speaker, before Orders of the Day, I am Scotch and I am not going to join in making an Irish address this afternoon, but yesterday the member for Saskatoon rose in the house and objected because a letter had apparently been mislaid by the Department of Public Works, and I would like to read an explanation of what took place:

The question has arisen as to what caused the delay in the above referenced letter. The following is what I have been able to determine. The letter was mailed in Saskatoon at 10.30 p.m. on March 13th. This would normally mean that this letter would be received in the 10 a.m. delivery the following morning at the Legislative Building. This being so, it would be sorted with the other mail immediately and placed in the box for pick-up by the appropriate department. This letter apparently was placed in the Department of Education box, the postal clerk assuming that room 263 applied to the Department of Education. This letter was received in the Dept. of Education mail room and it was recognized at that time as not belonging to the department. It was, therefore, placed in the outgoing mail for delivery back to the post office. It was received at the post office on the morning of Tuesday, the 15th, and as is normally the case with letters where the destination is not immediately known, it was placed aside until the morning mail had been sorted. In this

particular instance the post office staff made calls to determine the agency which employed Mrs. Wallace to whom the letter was addressed. It was determined that she was employed by the opposition, and thus this letter was placed in the Leader of the Opposition's mail box on Tuesday at approximately 11 a.m. The Leader of the Opposition's mail was not picked up after the first morning pick-up on Tuesday, March 15th, until the morning mail pick-up of March 16th. Incidentally this letter remained in the Leader of the Opposition's box from 11 a.m. on Tuesday until the morning pick-up on Wednesday at which time it was delivered. I might state that there are mailboxes in the post office that are receptacles for incoming mails for various agencies and those that concern the legislative assembly are as follows: There is a box for the legislative assembly wherein all mail addressed to MLAs or to a minister in care of the legislative assembly is placed. There are boxes for each of the ministers within the building where their mail is placed, and any mail received for ministers not located in the building but addressed to a minister of a department is forwarded to that department.

There is further a mail box for the Leader of the Opposition. I regret the inconvenience but I would like to say to members that I know at times errors can be made and I would appreciate it very much if at any time there is an error made by the staff that it would be brought to the attention of the minister and the staff would not be embarrassed in the way that they have in this particular instance. I think I can speak for all the staff in the department in saying that I am quite certain that no member of the postal staff would purposely try to set aside the hon. member's letter. Of course it was not addressed to him, or any member of the opposition so there was some difficulty in determining just where the letter was to go, and so, Mr. Speaker, I would ask the co-operation of members that if they have any difficulties at any time with regard to the facilities in the building I would certainly appreciate them contacting me, giving me an opportunity to correct any errors that are made and to try to refrain from causing embarrassment to staff which I think is trying to do a good job for all of us.

**Some Hon. Members:** — Hear, Hear!

## **RESOLUTIONS**

### **ADJOURNED DEBATES**

#### **MOTION: UNEMPLOYMENT INSURANCE RE FARM WORKERS**

The assembly resumed the adjourned debate on the proposed motion moved by Mr. Hooker (Notukeu-Willowbunch):

That this assembly urges the Government of Canada to extend Unemployment Insurance Benefits to include farm workers, in order to overcome the difficulties of farmers in obtaining farm labour.

**Mr. H. A. Broten (Watrous):** — Mr. Speaker, I think this is a very important resolution, and that we do wish to include farm help under unemployment insurance. This measure is long overdue. After all farm workers are people too. The resolution says that only because workers are hard to get, should they get unemployment insurance instead of saying the workers are in need and that if other people get unemployment insurance they should also.

Mr. Speaker, this was a Liberal-sponsored resolution so

**March 17, 1966**

what else can we expect. There are other areas of need also, and I would like to say a word about these. I think the farm worker, whether he is an owner, or a worker, should come under the provisions of the Workmens' Compensation Act. This would cover a much neglected field, and I will bring in an amendment to the resolution afterwards, Mr. Speaker, along this line.

There has been much research done on this subject, especially in Ontario, and I will say a bit about this later. We read in the papers everyday about farm accidents. I have here a special edition of the Prince Albert Herald put out on Safety Week of last July. In the headlines in this special edition on Safety Week, we read such headlines, "Falls Leading Type of Mishap". That is falls from buildings and things of this type. "Death Toll in Farm Fires Reaches an All Time High", another one is "Human Problem Biggest Element in Accidents", "Too many Children killed in Accidents on the Farm", "Accidents Kill Farm Residents Every 3.7 Hours", "Show Caution Near Animals", "Over-Spraying Danger of Seeding".

This is just to emphasize the fact that there are many accidents on the farm, and that this is something that should be looked into, because these people do not have the normal protection that is given people in industry. I think that it is about time that they did get special or equal consideration in this area.

Mr. Speaker, wherever you live in Canada and whatever kind of farming we are engaged in, an element of danger is always present. The possibility of accidental death or injury is much too great. From the national averages, the survey shows that 1 out of 25 of farm population was injured in a farm accident. This survey that I am mentioning is the one that the Canadian Chamber of Commerce put out. Even more sobering is the fact that one in every 50 of these accidents was fatal. Of those injured almost 50 per cent were hospitalized; 27 per cent of all farm accidents involve machinery. Certain age groups appear to be more accident-prone than others and the survey showed 33.3 per cent of all accidents reported happened to those in the 13 to 20 age group. These statistics are from a survey taken by the Canadian Chamber of Commerce.

Probably the most complete survey undertaken was by the Ontario Department of Agriculture. The survey was conducted on a county and district basis under the leadership of the agricultural representative. During January and February, 1959, local committees were formed, consisting of the agricultural representative and representatives of one or more farm organizations. In some instances the reporting group did not necessarily represent an existing organization or organizations. Each county and district divided into small accident-reporting areas, according to communities, telephone service, traffic patterns, etc. A local accident reporter was selected and made responsible for reporting all farm accidents in that area. All told slightly more than 5,500 farm people were enrolled as accident reporters, serving on a voluntary basis. In most cases they were given a short period of training before commencing their duties.

The local reporters forwarded there reports to a county office. At the end of each third month period, the reports were forwarded to the Dept. of Agriculture for coding and analysis. Progress reports, summarizing the results, were issued by the department at the end of each quarter. These served to show the reporters the results of their work and to maintain interest in

the survey.

Following the end of the survey in February, 1960, the Department of Agriculture issued a summary of the statistics for the full 12 month period. In addition each county received a summary of its own accident figures to serve as the basis for a safety education program. Since then additional statistics have been compiled providing further detail in specific fields.

Without the enthusiastic support of farm people the survey would have been impossible. Co-operation was given in all phases of this survey, and willingness to provide the desired information on farm accidents and to serve on committees or as accident reporters contributed greatly to the successful completion of the survey.

I mention this report because it shows an enthusiastic and able participation by the various communities. I think this is important to make people aware of their own danger in this area. The survey was frightening and purposeful as it brought facts before the farm people and urban ones as well. Highlights from the summary of the farm accidents for a 12 month period were: fatalities — 293; permanent injuries — 336; temporary injuries — 5,868; total days lost — 112,493; medical bills — \$700,977; property damage — \$5,253,799.

The Saskatchewan Department of Health put out some figures in 1962 on Saskatchewan accidents, and they showed the farm fatalities of that year were 161 as compared with 293 in Ontario. The farm population in Ontario is approximately 500,000 while ours is 300,000 and the rate of farm accidents compared with Ontario shows we are nearly as badly off as Ontario is.

Mr. Speaker, they have done something about it and I think they have gone about it in the proper way, that is by letting the farm population take a look at themselves by a large involvement of the people, then coming up with some answers.

The Ontario legislature came up with a bill in 1963 or 1964 allowing farmers to come under the Compensation Act in a voluntary way or on an optional basis. In March, 1965, the employee was covered on a compulsory basis while owner-operators were on an optional basis. Here is what the Hon. Mr. Rowntree, Minister of Labour, said in the house at that time:

... but the fact is that one of the major steps indicated by this bill is the extension of the act to agricultural workers. Up to now it has been on an optional basis — on an elective basis.

and perhaps this is the way we will have to start in Saskatchewan, I am not too sure about that.

Now it will be on a compulsory basis with an optional arrangement and provision for owner-operators — if I could describe a farmer operating his own farm in that fashion — to provide for his wife and his children, depending on the relationship which exists between them and with respect to the operation of the farm. This is a major step forward. There is no question that accidents do happen, bearing in mind the nature and the type of the machinery with which a modern farm, and indeed most farms in this province, are equipped. I think the time is ripe to take this step, and I tell the house

**March 17, 1966**

that this step is taken with the co-operation . . .

**Mr. J. B. Hooker (Notukeu-Willowbunch):** — Mr. Speaker, on a point of order, I thought we were dealing with the resolution:

That this assembly urges the government of Canada to extend unemployment insurance benefits to include farm workers in order to overcome the difficulties of farmers in obtaining farm labour.

Now, what the hon. gentleman may be saying is quite relevant, but I think he has strayed a long way from the resolution. We have been into the accident involvement for some time.

**Mr. Broten:** — Mr. Speaker, I did mention the possibility . . .

**Mr. Speaker:** — Well, I trust that the member will get himself in order, and possibly relate his remarks . . .

**Mr. Broten:** — I have an amendment to the resolution, Mr. Speaker, which I would like to put forth at this time which would bring me in order. I did mention that I would bring in an amendment after and this would be in order. If it isn't I will bring this amendment in at this time, or can I keep on and do it afterwards?

**Mr. Speaker:** — Well, I would suggest that the member can choose his own time if he wishes to move his amendment. He is speaking to the motion and after he moves his amendment, he will be speaking to the motion and the amendment. These are usually submitted when the member has completed his speech. This is the customary time to do it, but there is no law that says he has to do it; he can do it now.

**Mr. Broten:** — It seems to me that I have seen other people in this house speak on an amendment and then bring the amendment in after they were through.

He goes on to say:

I think the time is ripe to take this step, and I tell the house that this step is taken with the co-operation and as a joint effort — if I could put it that way — between the hon. Minister of Agriculture (Mr. Stewart) and myself.

Mr. Speaker, I think it is time that we did something like this in Saskatchewan. Our farm people and workers need more stable protection than they are getting at the present time. Now the last part of the amendment speaks for itself. Under the conditions which Saskatchewan finds itself in and the farming operations being what they are today, our farm boys and girls and farmers themselves need more practical and technical knowledge and training. And I am sure that the house will agree that we do need more training and we are requesting more training in this area. At this time I would beg leave of the assembly to move the following amendment:

That resolution no. 7 be amended by inserting after the

word “worker” in the second line the following words:

And also urges the government of Saskatchewan to give consideration to extending the operations of the Workmens’ Compensation Accident Fund Act to make its benefits available to farm laborers and also to give consideration to providing in many centres in the province, vocational and technical course in farming operations.

**Mr. Speaker:** — The question before the house is on the proposed amendment to the motion by the member for Notukeu-Willowbunch (Mr. Hooker).

**Mr. G. G. Leith (Elrose):** — Mr. Speaker, on a point of order, on Tuesday, March 15th’s proceedings you gave a ruling on an amendment and you gave a quotation from page 414 of Erskine May’s Parliamentary Practice, 17th edition:

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.

and further on page 416:

The fundamental rule that debate must be relevant to a question necessarily involves the rule that every amendment must be relevant to the question on which the amendment is proposed.

My point, Sir, is that the two alternatives that the preceding speaker mentioned are not alternatives. They are additions to the intent of the original resolution; they deal with two separate jurisdictions; they deal with accident insurance and also education. I would ask you to rule that the amendment is out of order on these grounds, also the member from Pelly (Mr. Larson) who seconded was not in his seat at the time.

**Mr. Speaker:** — To begin with I don’t know whether he is in his seat or not.

**Mr. Broten:** — The member from Wadena (Mr. Dewhurst) will second it.

**Mr. J. H. Brockelbank (Kelsey):** — Mr. Speaker, on the point of order raised by the member from Elrose (Mr. Leith), I would like to point out that nobody suggested that the member in his amendment was putting up alternatives to that contained in the motion. The purpose of the motion, of course, is to overcome difficulties of farmers in obtaining farm labour, and the motion gives one thing that might be done to help overcome those difficulties. All the amendment does is suggest two other things that would make working on the farm more attractive to working people, would give them the benefits of the Workmens’ Compensation Act. That would be one benefit, and undoubtedly some people would probably turn down a job on a farm because this protection wasn’t there. The other thing it suggests is to take steps to ensure that there will be a supply of trained farm labor. Now, as for the point raised by the member for Elrose, (Mr. Leith) about different agencies, I don’t think this cuts any ice at all. These are all things which we can argue

**March 17, 1966**

would help to solve the problem of farmers getting the necessary farm labor. Now I would suggest that the amendment is in order.

**Mr. Speaker:** — The question arises in my mind, and I am not quite sure of it myself, but here in the original motion we are asking the federal jurisdiction to give something, and the amendment asks the provincial jurisdiction to do some other thing. Until such time as I have the opportunity to consult the oracles, perhaps the house would let me do that and defer my ruling until later, until I have had time to settle my own views on that and on some of the other points that were raised by the members. At the moment this is the one point that I have in my own mind. It hasn't been touched on by any of the people speaking to the point of order.

**Mr. M. P. Pederson (Arm River):** — Are you suggesting that this motion stands then, Mr. Speaker, until you are able to obtain a ruling on this?

**Mr. Speaker:** — That is what I am asking the house to let me do.

### **MOTION: OLD AGE SECURITY PENSION**

The assembly resumed the adjourned debate on the proposed motion of Mr. Brockelbank (Kelsey):

That this assembly is of the opinion that the government of Canada should increase the old age security pension to \$100 per month payable at age 65 without a means test.

**Mr. C. P. MacDonald (Milestone):** — Mr. Speaker, I would just like to say a few words on this resolution. First of all I think that all of us in this assembly would agree that the resolution put forth by the member for Kelsey (Mr. Brockelbank) emphasizes and points its finger at a need in our Canadian society that no one will disagree with. I am sure that all of us in this assembly, and in every assembly across this country, and of course, the federal government as well, would agree that our old age pensioners are certainly in the need of help and assistance that is immediate and vital.

I think that the member for Kelsey (Mr. Brockelbank) did a very adequate job and was sincere in his approach in pointing out some of the problems that exist with our old age pensioners and our senior citizens. He gave us a brief resume, if I recall correctly, of the contribution of these old age senior citizens in the building of our province and our nation. I like to go back and think that he was very justified in his commendation of those people. Certainly, today we emphasize the need of higher education for our young people in order to meet the challenges of the 1960's, but when we look back on our senior citizens and recognize that they came west armed not with degrees, diplomas or wealth, but only with courage, desire and initiative, all of us will recognize that this is an area that commands our immediate attention.

All of us are aware that the federal government one year ago, or just over a year ago, passed what is known as the Canada Pension Plan. As this comes in operation, of course, more and more of our elderly people will achieve a comfortable living. However there is one problem with the Canada Pension Plan and that is the fact that it is a self-contributing plan. In other

words it is based on earning power, it is based on contributions over a period of time. Because these contributions over a period of time are based on earning capacity many of these elderly citizens of today will be unable to achieve the benefits that come from the Canada Pension Plan. I think of those senior citizens that are already retired, those that are already at the age that they are now receiving old age security assistance. I think of those that will be retiring in the next year or two and have not had an opportunity to contribute enough in this plan so that it will be worthwhile. I think, too, that all of us will recognize that the immediate problem is that \$75 a month is not enough for a decent living for any old age pensioner, or any of our senior citizens.

However, Mr. Speaker, I think the real question is what is the best and most effective means of looking after these people. For many years now the people of Saskatchewan and the people of Canada have been harnessed or shackled to a problem regarding our senior citizens that has been a political football. On every election we have had a bidding competition between the various political parties in Canada. It seems that the old age pensioner's security and his standard of living is based not on needs and rising cost of living but rather on the competition between political parties to achieve the votes of the general public. I think that, because of this, this resolution has an inherent weakness. Substantially it asks for a \$25 a month increase for our old age pensions, from \$75 to \$100 a month, but it doesn't attack the real basic problem. It doesn't find a solution, that is a real solution or a lasting solution, it doesn't tie the income of our old age pensioners to needs, to rising costs of living, and to future necessities. It doesn't tie the cost of living to our old age pensioners to individual circumstances or individual problems. Therefore, next year, or the year after, we will find another resolution in this house or in other assemblies across the nation, asking for another increase in the old age pension. I think because of that, this is a weakness in this resolution which will only result, in my opinion and judgment, in another political football and another bidding competition in the future.

Therefore, we as legislators in this assembly and assemblies right across Canada, have a very serious and a grave responsibility. I think that, in evaluating all welfare measures, whether they be in the area of old age security, whether they be in the field of health, education, or social welfare, we must take several very important factors into consideration. No. 1, of course, is the need of those that require assistance. No. 2, is the fact that there is a danger that the welfare state today, and always will, have to be spending huge amounts of public funds and revenues that are directed not only to people who need it, but to all classes of people whether they need it or not. Third, I think that this is a great drain on the public treasury. To use a practical illustration when you consider the fact that this increase of \$25 is estimated to cost, or to bring about an increase in the cost of old age security from \$1,000,000,000 to over \$2,000,000,000 by 1970, I believe that the responsibility of legislatures right across the country is to evaluate, first of all, whether or not the expenditures by the federal treasury, or this assembly, are really attacking the problem itself. The second is that of facing priorities. When we consider the huge expenditures that are going to be required in education, in hospital construction, and, of course, in medicare, if this is brought about by the spring of 1967, we can realize that it is

**March 17, 1966**

vitaly important that any welfare measure that we recommend as an assembly, or that we recommend to the federal government should be directed first and foremost to those people that really need it.

Two suggestions have been brought forth and received a wide public discussion in the last few months. The first, is to use the vehicle of the Canada Pension Plan to do this. This has several very real advantages. No. 1, is because it directs itself towards those who require assistance. The second, does not stop at \$100, because I sincerely believe that \$100 is not enough for many old age pensioners in Canada. But I think it is vital that if we are going to give an old age pensioner \$100 or \$125, whatever his needs require, that we should first of all know that he needs it, and that we are not giving to thousands of people who do not need it.

I believe that the Canada Assistance Plan is geared to individual circumstances. It can be focused on the family itself; it can be directed towards rent, drugs and health, and sickness and other unforeseen circumstances and expenditures.

There is a second suggestion that has been discussed in Canada the last few months, and, of course, the whole problem of old age security has received a great deal of attention because of this second suggestion. This interest has been added by the report of the special senate committee on ageing. If you recall that the recommendation of the senate committee was substantially this, that all Canadians 65 and over, be guaranteed a minimum income, I think, Mr. Speaker, that this is the real answer to this problem. It also makes some concrete recommendations for the immediate future. For example, to start, it recommends that a single person would receive a guaranteed income of \$1,260 a years, \$105 a month, a married couple would receive \$2,220 a years. In other words, here would be a plan which would permit people, our senior citizens who would require and need it, to live with the pride and the dignity that all members of this assembly would hope that they could.

There is also another suggestion, that the means test be tied to the income tax procedure, and I think this is rather a pleasant departure. Instead of asking people to assess their own individual needs, property and resources, it would be done on a voluntary return which most Canadians accept as a part of their everyday business. This method of tying it to the income tax return removes much of the unfavorable aspects of the means test.

I think, too, that one of the brightest features is the fact that it would cost, instead of \$700,000,000 or \$800,000,000 or perhaps over \$1,000,000,000 by 1970, it is estimated to be in the neighborhood of \$100,000,000, and I think this in itself is a very vital and important aspect.

Mr. Speaker, I believe that this is a sound and reasonable plan to direct assistance to those Canadians who are most in need of it. Therefore, rather than suggest that we as an assembly ask the federal government to pay old age pensioners \$100 a month, let's not tie it to \$100 a month sum, let's recommend that the federal government give to all old age pensioners and to all our senior citizens, a guaranteed minimum income. These people will then find that their income will not be tied to political campaigns or political parties but will be taken out of the round of politics and instead will be tied to the cost of living and to their own individual circumstances.

Therefore, Mr. Speaker, I beg leave of the assembly to move the following amendment, seconded by my seatmate, the hon. member for Yorkton (Mr. Gallagher):

That all the words after the word “should” in line 2 be deleted and the following words added:

give immediate consideration to implementing the recommendations of the Special Senate Committee on Ageing so that all Canadians over the age of 65 be assured of a guaranteed minimum income.

**Mrs. Marjorie Cooper (Regina West):** — Mr. Speaker, in entering this debate on the motion and the amendment, I would like to remark first on one or two of the things that have been said this afternoon by the member from Milestone (Mr. MacDonald).

First of all, he deplored the fact that he felt old age pensioners had become a political football. Well, I can't agree with that statement. The matter has been raised over and over again simply because the old age pensioners have never had an adequate amount to live on, and so there was pressure from people who felt this way. But I don't think that we can argue this from the basis of whether or not it is a political football.

He stated several things that were priorities, that he felt first of all need had to be considered. I know the hon. member agrees with me that there is a need here to do something about old age pensions. He spoke about the dangers of the welfare state. Well, you know, after all the welfare state is just a state which has the greatest concern for the welfare of its people. That is what governments are for, and that is what true democracy means. He talked about the drain on the funds. Well, I would like to deal with that later in my speech. He talked about placing priorities. I know we have to place priorities, education, medicare, but one of the top priorities in my point of view is to see that our senior citizens are well looked after.

Now, he talked about the fact that in the amendment they are suggesting in the terms of the Senate sub-committee, there wasn't a means test of the embarrassing type; but it was just filling out income tax forms, and that is better. But in the same breath, or just a little bit before, he pointed out that the amount suggested was really not enough in itself, and that the additional amount necessary should be handled by the Canada Assistance Plan. They would require the same type of means test to which we do object.

Now, I think there is general agreement, I can say this on starting out, on both sides of the house, in this day and age, and in the light of the steeply rising cost of living, that no person can live in decency and in dignity on \$75 a month. I think that we should use that as a starting point that we all agree on that. But there is a difference here between the amendment and the motion, quite a significant difference. The motion asks that federal government raise the old age pension to \$100 a month, payable at 65, which is the normal age to retire. Now as an alternative, the member from Milestone (Mr. MacDonald) is suggesting in his amendment that we adopt what is essentially the Senate committee's recommendation of a guaranteed minimum of \$105 a month for all those single people at age of 65, and \$185 for a couple. Apparently they feel this is a better way of handling the situation. Now, I will agree with the hon. member

that there is some merit in this type of plan, but I can also see some very obvious and very serious weaknesses as well. It seems to me that actually the arguments boil down to this, that for the Senate's recommendation of a guaranteed wage, that a guaranteed income would be less burdensome on the taxpayer and would channel aid to those most in need. That was the first. Secondly, I noticed that the Hon. Mr. MacEachen when he was here spoke about this. He said it would remove what he called the anomalies in the old age pension plan of paying higher pensions to many people who may not need such assistance.

I wouldn't be surprised, Mr. Speaker, if this is exactly what the Liberal government in Ottawa has in mind. I think they feel there has been pressure not only by other political parties but within their own party. I know many people said after the last election that the chief reason the Liberals did not get their majority, that they refused to do anything about old age pensions, and we have heard remarks from various Liberal members down in Ottawa to this effect. So I feel that there is a fair possibility that in order to get themselves off the hook that they might accept this instead of the other suggestion which is included in our motion.

The Liberals have been in trouble many times over old age pensions. You remember some years back, when the old age pension was raised only \$6 a month, that during that election the term "Six Bucks Harris" was spoken all across the country; and I think they don't want to again be in such a position.

Now coming back again to the amendment, which the hon. member from Milestone (Mr. MacDonald) moved, much the same arguments were used by the hon. Premier when he sat in the House of Commons with the CCF group there. Much to the horror of his colleagues in the house, at that time he spoke against the universal old age pension, and he wanted to replace it with a pension on a means test. His argument again was that some people were going to get it that didn't need that pension. Of course, Mr. Speaker, in the case of wealthy people, most of the old age pension goes back to the Treasury anyway, in the form of income tax.

Now, I would like to point out what I feel are the basic weaknesses in the amendment, or in the Senate committee's recommendation. Here is one weakness of the guaranteed income plan. What about a person whose income is slightly more than \$105 a month, perhaps \$106, \$110, \$125, and so on? These people would be left out, and yet these people certainly need an additional \$25 a month. The Toronto Metropolitan Planning Council some time ago estimated that the very minimum an elderly person could possibly live on was \$127.47 a month. Of course, that was some time ago, and costs of living have risen substantially since that time. I noted also that the sub-committee which recently had a national conference of the ageing stated that the absolute minimum for a single person is \$138.96 and for a married couple \$232.82, which is considerably more than the \$105 and \$185 suggested by the Senate committee and by the amendment.

Of course, to make that up you would have to go to the Canada Assistance Plan and have a humiliating type of means test. The Senate recommendation then denies much needed financial assistance, that extra \$25 to a very large group of people, all those with incomes over \$105 a month. Mr. Speaker, there are thousands of people in this category who would be left out.

Now, coming to the matter of costs, the Prime Minister in the House of Commons suggested that the idea of paying \$100 a month to old age pensioners at 65 on a universal basis without a means test was an irresponsible suggestion, and he estimated that the cost would be somewhat around \$855,000,000 a year. He said that the cost of dropping old age pensions to age 65 would be \$630,000,000 and to raise the pension to \$100 a month would mean a total of \$855,000,000. But, Mr. Speaker, these figures require much closer examination than this and I would like to do that.

Remember this, and this was pointed out in the House of Commons, that the government is already committed to lowering old age pensions progressively to 65 starting this year, in 1966. When this transitional period is over, paying only \$75 a month to this age group, will cost \$475,000,000 in any case; so now we are not talking about \$855,000,000, we are talking about \$380,000,000. Then I would like to point this out too, that in the fiscal year 1955-56, the Old Age Security Fund, there was a surplus there of \$216,500,000. Instead of adding to this surplus if the surplus was used, that reduces the extra amount to \$163,000,000 so it is getting down. Then there are so many more things to consider, the federal and provincial governments are now spending \$100,000,000 under the Old Age Assistance Act, and, of course, this would become absolutely unnecessary if the motion that we are suggesting is adopted. There is a further \$100,000,000 reduction. Millions more will be spent under the Canada Assistance Plan, much of which would be unnecessary if the Old Age Assistance was raised to \$100 at the age of 65. Then there are other things to consider as well. If the amendment was to be adopted and the Senate plan implemented this would add substantially increased expense by the income tax branch in checking the returns of many thousands of people to determine whether or not they are eligible for this extra \$25. This would be a substantial cost, make no mistake about it.

Of course, you must remember to add to this a sizable amount that will be returned to federal treasury by way of extra income tax payments for those in the higher tax brackets. So that when you think of all these things you realize that the additional cost of raising the old age pension to \$100 a month at 65 is nowhere near \$855,000,000, considerably less, probably less than a third of the amount that was suggested by the Prime Minister.

Now then speaking earlier in the debate, the Minister of Social Welfare (Mr. Boldt) asked this question, "Where will we get the money?" Well, of course, we have shown that it isn't going to be so much money; it is going to be considerably less than that \$855,000,000, not even a third of that. As Mr. Knowles pointed out in the House of Commons debate on this subject, when the New Democratic Party suggested \$100 a month and lowering the age to 65, government spokesmen said that this would cause a tax increase at one point or another. However, after the Canada Pension Plan Committee turned down this motion, the government had a change of heart and announced that the eligible age would be gradually brought down to 65 a year and that this step could be taken without an increase of taxation because of our growing productivity. And we must consider our growing productivity when we think about old age pensions and we must consider that our old people have a right to share in this growing productivity. But to answer the hon. Minister of Social Welfare's question, "Where would we get the money?" Well first of all we could abolish the Senate and that would be a substantial saving

in more ways than one. We would save \$2,800,000 a year and that would pay a lot of \$25 to a lot of old age pensioners. Secondly, as you know the old age security pension plan is financed by 3 per cent sales tax, 3 per cent surcharge on Corporations and 4 per cent surcharge on the first \$3,000 of taxable income. Now I can see no good reason why we should stop at that first \$3,000 of taxable income. If we need to raise money for pensions so that they can be on the acceptable level, there is no good reason why a person who earns \$20,000 a year shouldn't pay more into the fund than a person who earns say \$5,000 a year. Another thing you could do to raise some of the money would be to raise the surcharge on corporation taxes to 4 per cent and make it the same as the surcharge on income tax.

**Hon. D. G. Steuart (Minister of Health):** — We should have done that in the first place.

**Mrs. Cooper:** — Yes. Then you could recapture, and this is important, a good part of the increased amount in the form of income tax. Next there would be a greater return to the federal treasury simply through the impetus that the payments of such a pension would give to the general turnover of the commerce in this country. Raising the old age pension as we suggest, and this is very important, would replace many welfare payments already made. Now in the light of this amendment I would like to give it a little further consideration, probably say a little bit more on it, so I would beg you to adjourn the debate.

**Mr. Speaker:** — The hon. lady member has asked me to adjourn the debate.

Debate adjourned.

#### **MOTION: AMENDMENT RE CONSTITUTION OF CANADA**

The assembly resumed the adjourned debate on the proposed motion by Mr. Blakeney. The debate continuing on the motion, in amendment thereto, it was moved by the Hon. Mr. Heald, seconded by the Hon. Mr. Gardiner:

That paragraphs (2) and (3) be deleted and the following words added:

(2) Urges the Government of Canada to convene immediately a federal-provincial Conference on constitutional amendment to determine the precise nature of the objections that the Province of Quebec has to the proposed Act 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";

(3) Instructs the representative of the Government of Saskatchewan attending such a Conference to report to this Assembly the result of this constitutional Conference so as to permit full discussion in this Assembly of the objections put forward by the province of Quebec;

(4) Recommends to the Government of Canada that, in view of the objections of the province of Quebec, the matter of constitutional amendment be referred to a committee of the House of Commons for consideration and that such

committee be directed to hold public hearings and report thereon to Parliament; or, alternatively, that the matter be submitted by the Government of Canada to the Senate of Canada with a request that it be considered by a committee thereof appointed for such purposes and that the committee hold public hearings and report thereon to Parliament.

**Hon. D. V. Heald (Attorney General):** — Mr. Speaker, in my remarks last year in this house to a resolution involving the proposed formula for the amendment of our constitution, or as it has become popularly known the Fulton-Favreau formula, I reviewed in considerable detail the provisions of the formula. Now today, Mr. Speaker, I do not intend to dwell on these provisions again this year, as every member of the house received a copy of the White Paper tabled in the House of Commons on the subject. However, I believe that to appreciate the resolution before us, moved by the hon. member from Regina West (Mr. Blakeney), it is necessary to briefly recall to hon. members the basic provisions of the formula and the environment within which our constitution must operate. You will recall, Mr. Speaker, that I told members of the house last year that in 1964, agreement in principle had been obtained with all the provinces in Canada on the proposed formula, whereby any major change in the distribution of power in the constitution would require the unanimous consent of all provinces and, of course, the federal government. You will also recall that this unanimity included the matter of the French language, education and the amending formula itself. I also stated at that time when I spoke in the house last year, Mr. Speaker, that included in the formula, the Fulton-Favreau formula, were sections allowing the delegation of legislative power to and from the federal government, up and down. This, I suggested, would provide a degree of flexibility to the constitution because, as I intimated last year, I think it is generally recognized that the requirement of unanimous consent commits the constitution to a degree of rigidity that might prejudice certain provinces, certain members of confederation, due to the local nature of the particular matter involved.

At that time, Mr. Speaker, I also mentioned that the practical position of our constitution at this point in time is that no important amendment to the constitution would be sought by the federal government without the consent of all the provinces. This fact, I think, is very well brought out by the White Paper which the hon. members have read, I am sure. You may recall, Mr. Speaker, that I advised the members of the house last year that attempts had been made over the past many years to arrive at an acceptable formula. Now the Fulton-Favreau formula, of course, in my view, has come closest to obtaining the necessary consent of all the provinces. The resolution passed by the house last year approved the formula but recommended to the government of Canada that the proposed act be submitted to a committee of the House of Commons for consideration and this committee be directed to hold public hearings and report to parliament. And alternatively in the resolution last year, it was suggested that the proposed act be submitted to the Senate with the request that it be considered by a committee empowered to hold public hearings with a subsequent report to parliament. Mr. Speaker, I think it is fair to say that the resolution contemplated such hearings either before or after the formula domiciled the constitution in Canada. In January of this year the province of Quebec advised the government of Canada and here I am quoting from the Canadian Press release:

Quebec was shelving indefinitely the Fulton-Favreau formula to amend the Constitution in Canada.

It may be difficult to appreciate why the sudden change in heart of the province of Quebec, although I would suggest that there is a hint of the reason for it in the statement made by Premier Lesage which was referred to by the hon. member from Regina West (Mr. Blakeney) when he moved his resolution the other day. At this moment I don't know what action the Prime Minister and the government of Canada intend to take in view of Quebec's refusal to approve the formula. I think I can say that one of the considerations is probably a parliamentary committee of some sort to consider various methods of providing for the Constitution's amendment. I think also that the Prime Minister feels, as most of us who are involved in federal-provincial relations and in dealing with interprovincial problems, that some answer, and a fairly immediate answer is required to our constitutional problem in this country. For a moment however, Mr. Speaker, I would like to leave this question of what, in the view of Quebec's refusal, comes now, and turn to a consideration of the resolution before this house.

As I said last year, there is no real issue or difference between us in this house as to the desirability of domiciling our Constitution in Canada. I am certain that all Canadians would agree generally that the proper place for the amendment of our Constitution is in the federal government. What may be an issue, and is probably an issue, is the degree of urgency in the matter of bringing the Constitution to Canada. Mr. Speaker, if I interpreted properly the remarks made by the hon. member from Regina West (Mr. Blakeney) the other day in moving his resolution, he felt that there was no real urgency about this matter and that rather than institute the Fulton-Favreau formula we could go along as we have been doing in the past, gaining an amendment here and there with the consent of the provinces. Now, Mr. Speaker, I do not agree with this view because I think there is more urgency than the hon. member from Regina West is willing to concede. Aside completely from the international image which we project in world affairs in the international community, I think there is a domestic urgency for the repatriation of our Constitution. Mr. Speaker, there are national issues facing us today that demand an immediate solution, and until we find the solutions Canada cannot operate as effectively as she might do in both national and international matters. I spoke of many of these issues last year, Mr. Speaker, and, if anything, in my view, the urgency at arriving at solutions to these has become more apparent in the past 12 months. I don't think I am alone in my concern and alarm for immediate action on the Constitution. As long ago as January of 1962, over four years ago, the former Attorney General, the member for Hanley (Mr. Walker), through his department, the Department of the Attorney General, published what was then the province's position with respect to the amendment of the Constitution. This resume, I believe, Mr. Speaker, was tabled in the house. I would like to quote from it, particular portions of it. The heading of the document was called "Practical Considerations" and I quote: (The former Attorney General was reporting on this conference he had attended or that representatives had attended.)

The following matters were cited by Saskatchewan at the January, 1961 conference in Ottawa, as examples of the sort of problems the ultimate solution of which must lie in Constitutional amendment. Some of the necessary Constitutional changes are even now overdue,

This is Mr. Walker talking three or four years ago:

and if (as provided in the draft act) the agreement of every province must be obtained then this nation can expect to see few if any such changes or any other necessary changes which may become apparent from time to time.

And then he detailed some of the problems which I would suggest have become even more acute in the period since that time. He listed four or five areas of concern.

(1) In the field of legislation for the prevention of fraudulent transactions in securities, the need for federal intervention is very apparent. There are many possible constitutional pitfalls in present legislation centering on such knotty problems as the overlapping of criminal law and provincial regulatory legislation, provincial regulations or interprovincial trading and so on. Of more importance there is a great need for uniformity of securities legislation and administration across the country.

Of course if it was true then, I think it is true with even more force today. The second point mentioned in this document which was tabled at that time and I quote again:

(2) For 30 years it has been apparent that the marketing of natural products is a matter best suited for federal control, particularly with respect to those commodities entering into interprovincial and export trade. After years of inconclusive constitutional litigation on this subject some reform is called for.

And I would certainly agree with that. And the third point that he made at that time:

(3) The conciliation of industrial disputes and the regulation of collective bargaining in nation-wide industries with national-wide union organizations, such as steel and packing houses should be carried out at the national level. At the moment the federal authorities have jurisdiction only where the industry involved happens to be one which for some reason comes under federal control. In the meantime individual provinces and individual provincial tribunals are trying to cope, on a provincial basis, with problems which are really national in scope. Similarly the federal government should have concurrent powers over certain labor standards.

The next point which was mentioned in this document:

(4) We still have in this country the anomalous situation that the federal government, which is always capable of making treaties and multilateral convention, is frequently incapable of implementing them. Surely this is the sharpest reminder of our international immaturity.

And the fifth area of concern which was quoted in this document:

(5) Concern has been expressed in some quarters about the significant role of foreign corporations in the

**March 17, 1966**

developing of Canadian resources and industries. In this matter the federal government can exercise certain powers of control through taxation and tariffs and so on. On the other hand the provinces can exercise other controls particularly with respect to foreign development of our natural resources. Some people may feel that a certain realignment of powers, perhaps those of both the federal and provincial government, could aid in the solution of this problem.

That's the end of quotations from that document which my predecessor tabled in this house a few years ago. I think it is fair to say, Mr. Speaker, that I share with the hon. member from Hanley (Mr. Walker), my predecessor, a concern for the immediate amendment of the Constitution. I do not, however, hold the same pessimistic view of the Fulton-Favreau formula as the then Attorney General (Mr. Walker) indicated in this publication.

Mr. Speaker, in view of this urgency I am most concerned that our attention in Canada will be turned not to strengthening the position of the government in Ottawa to increase its legislative powers to effectively control these problem areas, but rather that we will be immobilized, rendered immobile, by a sort of fascination or preoccupation as to how the Constitution of Canada should be amended. I fear, Mr. Speaker, that we will be so busy negotiating and discussing an amending formula that we will ignore the present problems facing Canada today. I know in the meetings that I have attended in Ottawa, Constitutional meetings, every time the question of particular amendments to the Constitution was raised it was pushed to the side, sort of swept under the rug and covered up with a statement that this could be the subject of discussion and negotiation later on after an amending formula was agreed upon. Well now there have been numerous Constitutional meetings since 1935 and it appears now that we are once again at an impasse that will take another series of Constitutional discussions and negotiations over what shape the amending formula should take, rather than facing the real issues that confront Canada as a nation today. Mr. Speaker, for this reason I was most disappointed at the stand which Quebec took in this matter, since I think I have some appreciation of how difficult it will be to go back to the conference table to try to arrange a formula acceptable to the province of Quebec and at the same time acceptable to the rest of Canada. And it will be more difficult, I suggest, because of certain statements to which I will refer later on, made in the past few months by various ministers of the Quebec provincial government. I fear that we may now find other parts of confederation, other provinces, will be more difficult to persuade and they will be viewing suggestions made by the various parts of confederation perhaps with a degree of hostility and suspicion. With all honesty, Mr. Speaker, I must say at this time that I sympathize with the attitude these provinces will undoubtedly take in view of Quebec's present position. What I am really saying, Mr. Speaker, is that, quite contrary to what previous speakers have said, there is an immediate need to bring our Constitution home and to get about the task of molding it into an effective instrument that embraces 100 years of progress and transition in this country. We have seen yet another year go by without anything being accomplished to resolve our problems. Perhaps what faces us now is a return to the conference table before or after some sort of committee meetings have been held throughout the nation. I don't wish in anyway, Mr. Speaker, to minimize the value of public discussion and the value of a parliamentary inquiry on the Constitution. I would agree that this is desirable. The criticism I do have in holding these meetings

before an attempt is made to resolve our constitutional difficulties is that these must necessarily involve an immense amount of time before the information can be gathered, studied, and recommendations made.

We need only look at the committee on biculturalism to understand the magnitude of the Constitutional Committee's inquiries, if a committee was set up. Without doubt such a committee would have to consider the desirability of rewriting the Constitution and if so the proper form of the new Constitution. This would probably mean an investigation of financial considerations as well as many, many legal problems and we don't need much imagination to agree that the length of time such an inquiry would involve would be quite considerable. So, Mr. Speaker, I would have hoped that we could have brought the Constitution back to Canada on the basis of the Fulton-Favreau formula and that these public hearings could have gone on at the same time that the particular amendments to the present Constitution were being discussed between the federal government and the provinces. These amendments would have been made either under the amending sections to the Constitution itself or under the delegation sections so that we could have strengthened our federal government. We would then see instituted the programs, which, I think we all agree, are necessary to be carried on at a national level. Now this would, I suggest, have freed any parliamentary committee from any crash program, they wouldn't have been up against any deadline. It would have freed them from any crash program for investigation and recommendation and then could have taken as long as was necessary to deal with such a complex matter.

Now, Mr. Speaker, the second part of this resolution that we are debating today calls on this assembly to express its disapproval of the Fulton-Favreau formula. As I stated previously, Mr. Speaker, this assembly last year approved the formula. I stated last year in the debate that, if this province had been the only one required to approve the formula, we would have been prepared to seek a formula that committed less of the provincial and federal powers to the unanimity rule. I also told the house last year that I advised the conference in 1964 of Saskatchewan's position but it appeared that on this issue we stood alone. We thought at that time that there was perhaps a better formula for amendment, so I asked in the resolution that I introduced last year that a committee of the commons or of the Senate alternatively be established to investigate the entire matter and this was part of the resolution which was passed last year. I should mention again, Mr. Speaker, that the proposed act was as far as all the other jurisdictions were prepared to go and because, firstly, we felt that Constitutional amendment would result from the acceptance of the formula and secondly, we viewed the formula with considerably more optimism than the former administration, we acceded to the wishes of the majority. If we had not, the impasse would have been reached once again, as it has now with Quebec's recent refusal. I still believe, Mr. Speaker, that this was the wisest course even though I was then, and I still am of the opinion that less entrenchment is desirable. Most of this, of course, Mr. Speaker, is past history now in view of Quebec's position.

We must now face the question of what must be done to obtain an acceptable formula. I think that before this can be answered we have to examine the present state of confederation. I regret to say that in my opinion I think I can detect certain disturbing trends in a movement toward more complete provincial

**March 17, 1966**

autonomy. I am certain all members of this house have seen this trend manifested in a number of different statements made by various representatives of various provincial governments. Now it is difficult to pin-point the reason for the attitude of many provinces within confederation, but I think it undoubtedly springs partly from the prosperity enjoyed by most of the provinces. I think as well, Mr. Speaker, that some blame at least must be assessed against the federal government in failing to meet national issues as quickly and effectively as might have been desired. The December, 1965 edition of the Monetary Times in commenting in respect to the role of the federal government in the middle 1950's had this to say in an article entitled "More Power for Provinces". In referring to the extent to which the provinces have extended their jurisdictions into areas where formerly the federal government was unchallenged, it stated: (This is from the article in the Monetary Times).

It is now virtually impossible for the federal government to move in the general area of fiscal policy including expenditures for welfare without trespassing on provincial grounds. It is worth noting that Ontario's resentment against the substitution of a funded pension plan on Quebec's terms for the original federal plan was directed against the federal, not the Quebec government. To understand how this has come about one must look back to the election of the Conservative government in 1957.

And the member for Arm River (Mr. Pederson) is not going to like some of this, and I continue quoting:

That government, as the Bennett government before it, had no grasp of the nature of the economic issues confronting it. The recessions that followed through the late 50s and early 60s were as puzzling to the one as the great depression of the 30s was to the other. In the absence of purposeful direction the initiative was lost by default to the provinces. Many of the specific economic correctives which have since contributed to the business expansion — the development and investment agencies, planning, tax incentives and so on — originated with them and are playing an increasingly active role in their respective areas.

**Mr. Pederson (Arm River):** — May I ask what you are quoting from, Mr. Minister?

**Mr. Heald:** — Yes, I am quoting from the Monetary Times, issue of December, 1965. I will be glad to send it over to you. I recommend it for reading to all members of the Progressive Conservative party.

**Mr. Pederson:** — Yes, I thought you would.

**Mr. Heald:** —

By the time the Liberals returned to office with an army of measures originating in the federal ministry, the provinces were too actively committed in their own programs to readily accommodate themselves to the federal programs.

Mr. Speaker, the concept of too much provincial autonomy in my

opinion destroys the opportunity for a vigorous and dynamic Canada. This province has always supported the principle of a strong central government in Ottawa. This was so, of course, under the previous administration, although after hearing the hon. member from Regina West the other day, it appears to me that the NDP may be abandoning this principle for one reason or another. That we supported a strong central government has been made abundantly clear to everyone. In Ottawa in 1964 I put this position to the conference, which is still our position. It is simply this that we will not agree to any formula that presents any opportunity of an undue erosion of federal powers and this province will resist any attempt by any province to place our Constitution in a form that may for one reason or another jeopardize the power of the federal government or place it in a subordinate or even an equal position with any other province. The member from Regina West (Mr. Blakeney) stated that the reason this principle of a strong central government was supported by Saskatchewan was, if I interpreted what he said correctly, that it best served our financial interest. The hon. member stated that for decades or perhaps centuries it was likely that this province would be economic losers resulting from a tariff structure favoring eastern Canadian manufacturers. He said that this was probably a price that we would have to pay and should pay for our Canadianism. I think there is some merit in what he said, Mr. Speaker, but whatever the financial considerations are of having a strong central government, I would hate to think that this principle is predicated solely on this factor. In the past we have had to look to Ottawa for financial assistance or perhaps you could state it more properly, our fair share of the nation's productivity. This but emphasized that Canada was and is one economic unit in which the parts are interdependent on each other for their strength. Now, Mr. Speaker, it is probably true that in the past this province fell into the category of the "have not" provinces so that we may have gone to Ottawa fairly often with our hands out.

I can assure you, Mr. Speaker, that this province today is no longer regarded by the other members of confederation as a "have-not" province. I think it is fair to say that we are regarded by most other jurisdictions as being one of the more fortunate provinces in confederation and one which already shows signs of utilizing its great potential resources. I would suggest, Mr. Speaker, that this is reflected in the standard of living enjoyed by our people and in the purchasing power that the people of this province represent. Diversification of our industries and the development of mineral resources have led us, I believe, into an enviable position within confederation. So I would suggest, Mr. Speaker, and I am firmly of the opinion that it is not solely economic considerations that prompt this province to advance the principle of a strong government in Ottawa.

I believe that there is a genuine feeling of nationalism, of Canadianism and not of regionalism, operating at the base of this principle within our province. We are proud of being Canadians, not of being a new Canadian, second generation Canadian, or French-Canadian, but a true Canadian. I believe in this province we have learned that all nationalities can live together, work together, enjoy each other's culture and that we gain immeasurable strength from this process. We complement one another in the various ethnic groups. We cannot in Saskatchewan, I am sure, see a Canada that is limited in any way to provincial boundaries. And I say again, Mr. Speaker, we feel that this is not because of economic factors alone, but in the profound belief

that this is the only way in which all of the people of Canada can benefit.

Mr. Speaker, I think generally that this feeling of nationalism is shared by most of the people in our country. Premier Robarts of Ontario made a statement that he doubted very much whether Ontario can accept a federal system which is not based upon the principle of a single national economy and furthermore, a single national government, which has control over the economy. He felt that, if the process of regional economic development is carried too far, it will in the end prove as much a force for disunity as anything else. With this concept of a strong central government in mind, Mr. Speaker, what changes, if any, can be made in the formula to provide the flexibility which I think we all feel is necessary, and yet at the same time preserve the power of the federal government? I think we have to anticipate the demands of the province of Quebec when this matter comes up again for discussion. It appears to me at this time, Mr. Speaker, that these demands may be difficult to anticipate and to catalogue. We have seen in the past few months Premier Lesage asking for a special status in confederation, or perhaps propounding the concept of an associate state for that province. It is difficult to contemplate how this status or this state could be effective without destroying utterly the concept of Confederation. We have seen ministers of the Quebec government asserting themselves in areas which I think are recognized as being exclusively within federal jurisdiction. The fact that a provincial cabinet minister would take it upon himself to write to Washington protesting the action of the U. S. government certainly to my mind indicates the length to which Quebec would like the Constitution to go. Furthermore, there have been negotiations with foreign powers. With examples of this nature in mind it is difficult to see that Quebec is after anything but a complete and separate state.

The other day in his remarks, Mr. Speaker, the member for Regina West, suggested that Quebec does have a special status in confederation. I think what he was saying was that this is a defacto status which should now be recognized legally. He seemed to feel that Quebec is not just like any other province because it is the homeland and heartland of the French Canadian majority and therefore that it would be appropriate to prove special provisions and protection for Quebec, which need not be given to other provinces. He stated that he would have no objection to seeing a provision — and I think I am quoting him correctly — that would prevent an amendment to the Constitution from affecting Quebec unless ratified by the legislature of Quebec. The member in this seems to be echoing the pre-federal election statements of his national leader, Mr. Douglas, who seems now bent on convincing the French Canadians in Quebec that his is the enlightened policy for them. It is impossible for me to appreciate how the honorable member could suggest such a formula, if his is a party that stands for strong central government. I say this, Mr. Speaker, because I have not seen one plan of a special status, or associated state concept that would not destroy confederation. Whether the province of Quebec likes it or not, she is an integral part of confederation, as much dependent on the rest of Canada as we are on her. All this talk about special status that one hears has been in vague generalities, because no one dares put any meat on the dry bones of these words, because no one has figured out how to grant this special status, even if it falls short of an associate state idea, without completely disrupting confederation. So one must always talk in vague generalities when referring to a special status.

It represents a selling point, I suggest, but the product is really never identified in this sort of an argument. That does not mean, Mr. Speaker, that I am entirely in disagreement with arguments put forward that Quebec enjoys a special place within confederation. Undoubtedly it does. But aside from protecting its language and culture, I cannot really see that it does occupy any other special place. As I said, Mr. Speaker, it is as much dependent on the rest of Canada for its economic growth as we are on Quebec. Therefore, surely the province should be subjected to whatever national policies the federal government feels are necessary.

I want to assure the honorable members of the house that I have an open mind in this area, but no one I know of has come forward yet with a special status plan which does not seem to sacrifice federal autonomy for provincial autonomy, not even the spokesmen for the Province of Quebec have been able to really get across to the rest of Canada what sort of special status they require. Again it seems that it is their program or design to never make their demands too specific because this might alert the rest of Canada.

If we suppose that Quebec does gain an associate state status, or even a special status, then are we to have tariffs between parts of confederation and how do we enforce matters of a national nature if one of the larger provinces is not a participant? Again would there be members of the Canadian parliament from Quebec? If so, would they be able to vote on issues not affecting the province of Quebec? Could there also be ministerial responsibility where there was a cabinet minister from Quebec administering a program that had no affect on Quebec? What happens also in the field of corporations where head offices are in Quebec but trade and carry on business throughout the rest of the nation?

Mr. Speaker, I would have to be a great deal more convinced than I am now that Quebec has a valid argument for special status. Mr. Speaker, the reason that I believe the Fulton-Favreau formula is unacceptable to Quebec is that they very well know that there would never be even the remotest possibility that they would gain this special status in confederation. I think this is apparent in the letter that was written by Premier Lesage to the Prime Minister which the member opposite read into record. You recall that Mr. Lesage stated that he was as early as the spring of 1965 under the impression that any increase in provincial powers, which of course could only be done at the expense of federal powers, would require that two-thirds of the provinces assent representing one-half of the population. You will recall that the unanimity provision applied to any law affecting any provision of the Constitution relating to the power of the legislature of the province to make laws. Mr. Speaker, if the interpretation of that phrase was not apparent, it seems to me, I can't understand this because it was always represented and I think the member for Hanley (Mr. Walker) who attended some of these earlier conferences would agree that it was always represented to the conference as providing for unanimous consent.

This, however, does in my opinion indicate that Quebec is concerned that the present formula cannot and will not deliver the kind of Quebec Mr. Lesage and the other members of his government contemplate. Mr. Speaker, what then is the position this province should take in this matter? I suggest that it is only this. Because we do not know what the official position of Quebec is, although we know they have some reservations on the

**March 17, 1966**

Fulton-Favreau formula, we must find out what they are and if an adjustment can be made in this formula that would satisfy them and the rest of the provinces as well. Without knowing Quebec's official objection entirely we cannot know whether the Fulton-Favreau formula is unworkable and is as dead as a dodo as some of the speakers have said, and as Mr. Lesage said.

It may be that the provinces could agree to less severe entrenchment provisions. I think that all of us would agree that the formula then would be more desirable and would meet some of the criticism presently levelled at it. If this were the case, Mr. Speaker, we may very well have an acceptable formula without too much further delay and this I think is a highly desirable objective to be shooting for. I'm not too optimistic that this will happen as I think Quebec's demands might very well go beyond a slight modification in the formula. But until we hear from them officially I suggest that it is difficult to condemn or in any other way act on a constitutional amendment.

Mr. Speaker, I have one further comment to make and that is with respect to the suggestions made by the members opposite that the proposed formula would create ten little Canadas. Under any system of constitutional amendments the ultimate responsibility for an amendment must rest with the federal parliament and the concept of a federal state places upon that body a duty to see that any amendment is in the best interests of the country as a whole. Mr. Speaker, I can't see any government in Ottawa, irrespective of its political beliefs, abdicating and giving up its powers to the provinces to such an extent that ten separate countries would in fact be created. After all, Mr. Speaker, this goes to the very root of the obligations owed to the electorate by any elected body. I can't see under our system of government, democratic government, any political party subjecting themselves to criticism that they have acted unwisely in such abdication of powers. I think, therefore, we would really see only those powers transferred to the province that are absolutely necessary to be transferred for the good government of Canada.

Now if the hon. members opposite who have spoken meant that the delegation sections would create ten little Canadas I think that in that event they are ignoring the fact that the proposed act allows for rescission of any consent given to the exercising of the delegated powers. It can be cancelled, rescinded. Suppose, Mr. Speaker, that some federal government does unduly delegate its powers in any one field, then surely it would be held responsible for its actions by the electorate and a succeeding government could simply rescind the consent and return the power to Ottawa. Furthermore, Mr. Speaker, the requirement that in national matters at least four of the provinces concur in the delegation seems to me to further prevent the balkanization of the country mentioned in the speeches on this debate previously.

I think, Mr. Speaker, that the principal control of the Constitution from any undue abdication of powers till rests in the fact that no federal government would commit political suicide, and I think it would be committing political suicide by transferring necessary federal powers to any of the provinces. I think that such a transfer is so impossible that it hardly warrants our discussion.

Mr. Speaker, I must state for the reasons that I have given that I can only vote against the resolution in its present form. I am going to vote for the amendment as moved by myself and seconded by the hon. Minister of Public Works, Mr. Gardiner.

You will note, Mr. Speaker, that the amendment asks that the federal government bring the provinces together once again to determine Quebec's position. It is implied in the resolution that before any action is taken to approve or disapprove the amended formula a report is to be made to this legislature so as to extend to the members of this house the opportunity to express their views. I believe that is only fair, Mr. Speaker, and I invite all members of the house to accept this amendment. I regret however, that this procedure — if these recommendations are followed by the federal government — may delay constitutional amendment but I will now urge upon the government of Canada that, while we are discussing the amending formula consideration will be given to particular amendments to the present Constitution to combat the problems which I have been speaking about for the last some little time.

Mr. Speaker, I would, therefore, beg leave of the assembly to move this amendment, seconded by the Hon. Mr. Gardiner.

**Mr. Speaker:** — He bounced across there with the most graceful alacrity, didn't he?

**Some Hon. Members:** — Hear, Hear!

The amendment was agreed to on the following recorded division.

**YEAS—(31)**

**Messieurs**

Thatcher	Howes	McFarlane
Boldt	Steuart	Heald
Gardiner (Melville)	Guy	Merchant (Mrs.)
Loken	MacDougall	Grant
Coderre	Bjarnason	Trapp
Cuelenaere	McIsaac	MacDonald
Gallagher	Breker	Leith
Radloff	Romuld	Weatherald
MacLennan	Larochelle	Hooker
Coupland	Gardner (Moosomin)	Mitchell
Pederson		

**NAYS—(23)**

**Messieurs**

Lloyd	Cooper (Mrs.)	Wood
Nollet	Brockelbank (Kelsey)	Blakeney
Davies	Thibault	Willis
Whelan	Nicholson	Kramer
Dewhurst	Berezowsky	Michayluk
Smishek	Link	Baker
Snyder	Broten	Robbins
Pepper	Brockelbank (Saskatoon City)	

**Mr. A. E. Blakeney (Regina West):** — Mr. Speaker, I moved the original motion and it may be in order to warn the house I am about to . . .

**March 17, 1966**

**Mr. Speaker:** — To close the debate. Yes, I think despite the fact that the motion has been amended that the mover of the original motion has the right to close the debate on the motion as amended. I think I am correct in this. I must warn the house that the mover of the motion is about to close the debate, if anybody wishes to speak he must do so now.

**Mr. Blakeney:** — Mr. Speaker, I don't propose to detain the house long. I want to say that while I did not support the amendment I will support the motion as amended since I believe that the motion as amended is a preferable statement of the position of this house to the position which we took last year. I agree in large measure with the comments of the Attorney General (Mr. Heald). I agree on the need for urgency in finding solutions to problems which are facing Canada. He itemized five or six and I don't need to trouble the house in itemizing them although, if I may say so, Mr. Speaker, it is a very different-looking house than when he was itemizing it. I see some new faces.

Where the Attorney General and I part company is on the issue of whether or not the Fulton-Favreau formula is better or worse for Canada than the existing set of arrangements, whatever you want to call them. He feels that the adoption of the formula would forward the progress of substantive changes in the Constitution. I am not so sanguine. I feel that the adoption of the formula would, on balance, be an impediment rather than a contribution to substantive changes to the Constitution being made.

I appreciated the comments of the Attorney General (Mr. Heald) with respect to the origin of the problems which Canada is facing, and I must respectfully agree with him that a number of the problems stem from a lack of action on the part of governments in Canada during the mid and late 1950s. There was at that time, what seemed to me a distressing lack of co-operation between the elected Ministers of the Crown and the Public Service of Canada, for whatever reason, and I don't propose to ascribe praise or blame at this time. But the result was a government which was, it seemed to me, unable to come to grips with complicated problems which faced Canada.

I want to say that in my initial remarks I indicated why I felt the Fulton-Favreau formula was unacceptable to Saskatchewan and at that point I emphasized the narrow interests of Saskatchewan. I went on in a later section of my remarks to indicate why I felt the Fulton-Favreau formula was unacceptable to Canada and at that point I made the points which ought to be made by any person having a patriotic feeling for Canada as a whole. I would not want anyone to assume from the separation in my remarks that people living in Saskatchewan don't think as Canadians. I was simply dividing my remarks into two classes.

I want to say only one more thing. With respect to the special status for Quebec, I agree with the remarks of the Attorney General that we in Canada cannot permit the province of Quebec to have a highly special economic status in Canada. It is not possible to have an economic state within a state. The special status for Quebec is going to have to be reserved for things which are essentially of a cultural nature. I think there will be general agreement with the idea that the French language should be given a special status in the province of Quebec, with the idea if the federal government moves into the field of education it would not be necessary for all of the policies of the federal

government with respect to education to have equal application in the province of Quebec. If I may refer to a field of federal jurisdiction, that of divorce, if the federal government decided that there should be extended grounds for divorce in Canada I could contemplate a situation whereby the province of Quebec would be especially dealt with. I don't know whether I would necessarily agree with it but I can easily contemplate that this would be an effective way of meeting that problem if it arose. The Quebec Civil Code has a number of provisions which are, we are advised, at Federal-Provincial conferences at least, very dear to the people of Quebec protecting certain family rights and interests. These might be able to be protected where they might be invaded by a particular federal program, whereas similar protection might not be given in respect of laws of other provinces.

One can think of the administration of welfare programs such as the Canada Assistance Plan or the Saskatchewan Assistance Plan. I would like to see a nationwide plan. We in this house have spoken of joining the Canada Assistance Plan and we call our joining the Saskatchewan Assistance Plan. It is possible, I think, that Canada could live with a plan which was somewhat different in the province of Quebec, somewhat different provided the area of difference was defined as it is now in the Federal Hospital Plan. These are the sorts of things which I have in mind when I think of special status for Quebec. They are untidy for someone who thinks in national terms or Canada-wide terms; they will make for administrative inconvenience, and for inconvenience to citizens when they move from one provide to another. However, they are things which we could live with in one Canada, and in some they would confer a special status on Quebec. I agree wholeheartedly, however, with the Attorney General that such special status could not run to the imposition of tariffs by the province of Quebec, the carrying on of international relations by the province of Quebec notwithstanding their evident views to the contrary, nor could it contemplate Quebec assuming the role of federal government in such important fields as national defence, or banking, or a number of others that I could mention.

I think, therefore, that there will not be that wide measure of disagreement between the Attorney General and me that the phrasing of my earlier remarks might have suggested. As I indicated, Mr. Speaker, I find the resolution in its present form not unobjectionable. I will be supporting it and I invite all members of the house to support it.

**Some Hon. Members:** — Hear, Hear!

Motion agreed to as amended.

#### **MOTION: RE—APPOINTMENT OF OMBUDSMAN**

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

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

**March 17, 1966**

He said: Mr. Speaker, as a reading of the resolution will indicate the purpose of the resolution is to recommend for the consideration of the legislature the appointment of a committee of members of the legislature to conduct an inquiry during the inter-sessional period into matters relating to the appointment of a Legislative Commissioner or Ombudsman.

Mr. Speaker, we discussed at the last session of the legislature a similar resolution and I think that the debate at that time was useful in allowing us to give some thought to this matter. Mr. Speaker, I am personally satisfied as to the usefulness of a Legislative Commissioner in Saskatchewan so that I would welcome an amendment by the government to the effect that the inquiry by the committee should be directed not to the question of whether or not a Legislative Commissioner should be appointed but rather to the terms of reference under which he should operate and the legislation under which he should be appointed. However, I am aware that some hon. members may not have had an opportunity to make up their mind on this problem and may feel that the more prudent course of action would be to have a committee of the legislature examine the merits of introducing an Ombudsman into Saskatchewan.

There has been a good deal of interest in recent years in the appointment of a Legislative Commissioner or Ombudsman to act on behalf of citizens who may be trying to pursue complaints with respect to their dealings with various agencies of government, and this interest has not been confined to Canada. It has been evidenced widely throughout most of the western world; or at least that part of the western world which doesn't rely upon Roman law; the French and the Italians have a different way, rather a better way, really, of coping with these administrative problems. But those of us who have based our law on German law and English common law have been looking at this idea of an Ombudsman. The idea has been particularly popular in the Scandinavian countries; Germany has a military Ombudsman, and interest has been shown in Britain, in the United States and in various countries of the Commonwealth.

There is no real mystery about why people are turning their attention to the appointment of an Ombudsman. In the last few decades and particularly since the Second World War there has been an enormous increase in the activities of government, and with this activity there has been a great increase in the role which government plays in the lives of ordinary citizens.

Legislatures have enacted many laws which involve activities by government agencies and complex administrative organizations have been established. We have had corporations and boards and commissions and departments, large and small, which deal with problems which citizens have asked their governments to deal with. Our executive and administrative arms of government have been given wide powers and wide authority to make decisions. And these decisions in many cases have a major effect on the lives of ordinary citizens. The authority is exercised by people in administrative capacities from the level of cabinet minister right down to the level of file clerk, and by a host of tribunals and quasi-tribunals which decide your rights and mine.

I think that, in general terms, the administrators and tribunals have carried on their work well; they have carried it on in a way which has satisfied citizens. Certainly these citizens keep calling for more governmental intervention in the general

lives of the people. But because these programs are widespread the number of decisions is numerous, and decisions are frequently of a discretionary nature. When you have a large number of decisions which must necessarily be discretionary, it is not surprising, indeed it is inevitable, that many of these decisions will be the subject of complaints by ordinary citizens. Whether these complaints are justified or not, is really not the point now; ordinary citizens will feel themselves aggrieved.

But such is the complexity of modern government that a citizen who feels aggrieved, even when he has a legitimate complaint, often find himself in a position of not knowing to whom to complain and sometimes even in the position of not having anyone to complain to. This general situation is not confined to Saskatchewan or to Canada; it is one which has exercised the minds of students of parliamentary government. Many of them have suggested that one of the possible ameliorating moves would be the appointment of a Legislative Commissioner or Ombudsman. I don't mean to suggest that an Ombudsman will solve all of the problems, or even most of the problems, which confront citizens in dealing with complex government. We will have to be vigilant on a whole series of fronts. We have made some progress in Saskatchewan in protecting the rights of citizens. I don't want to bore the house with a long list, but I mention the Saskatchewan Bill of Rights; The Fair Accommodation Practices Act, The Fair Employment Practices Act; the Regulations Act; The Proceedings against the Crown Act, whereby people can sue the Crown without any special fiat; a relatively well developed system of Magistrate's Courts with trained personnel, where magistrates are given some status, and some tenures. But Mr. Speaker, in my view these safeguards are by no means enough. There are very good reasons for believing that a country which has a type of government which is based on the British Parliamentary system, has a special need for someone like an Ombudsman. In this connection I would like to refer hon. members to a book entitled "The Ombudsman — Citizen's Defender". It is edited by Professor Donald C. Rowat of Carleton University at Ottawa, published in 1965, and it contains 29 contributions on the general subject of Ombudsmen.

One of the articles deals with the Canadian position and points out the special reasons why an Ombudsman might be a good idea for Canada. We in Canada have a parliamentary system and therefore have executive and legislative powers closely linked in a dominant cabinet. Because we have single member ridings, we frequently have very large majorities in parliament, not too frequently of late, I concede, but I would ask you to turn your eyes westward rather than eastward and view the majorities enjoyed by the Premier of Alberta for 10 or 15 years, and you will see how this type of a majority will reinforce a cabinet even when the cabinet may fall into error. We have a tradition of secrecy which permeates our whole administrative structure and makes it very difficult to get at the person who actually made the decision. In addition we have very severely limited opportunities for appeal or for judicial review of administrative decisions.

These above comments apply to almost any parliamentary system, but there are a couple of reasons which apply especially to Canada. In Canada we don't have a Bill of Rights enshrined in the Constitution, we have an act which parades as a Bill of Rights but it can, of course, be changed by any sitting of the parliament of Canada. We have rather fewer administrative tribunals than most countries where people can appeal against the

**March 17, 1966**

decision of an administrator. We have no general rules about how administrative tribunals ought to work, we don't have any general council supervising administrative tribunals, we don't have any act governing procedures before administrative tribunals. We have in some parts of Canada very antiquated rules about crown privilege and crown liability. We have, and I think this is really an area where we have fallen down badly, very poor arrangements for legal aid to needy persons. It is not easy for such a person to pursue a remedy against a bad administrative decision either in the courts or before a tribunal. To top it all off we have a federal system which sometimes makes it confusing in one's efforts to find out who makes the decision.

Mr. Speaker, I could spend a lot of time outlining why there are problems which a citizen may encounter in dealing with one of his governments, but I think that this will be generally conceded; citizens do have problems in dealing with their governments. The difficulties exist. And I think it will also be conceded that the citizen unaided has very considerable problems in overcoming the difficulties. But this doesn't quite dispose of the question. You can get general agreement on the proposition that citizens have difficulties in dealing with big governments, are frequently met with two types of arguments; firstly, that there are already remedies open to the citizen, and secondly, that even if there aren't adequate remedies open to the citizen, the Ombudsman won't help much.

Dealing first with the argument which says that there are existing remedies, it is usually put in the form of saying that the citizen has his member of parliament, or member of the legislature, and, therefore, in Saskatchewan there are already 59 Ombudsmen. I have never been impressed with that sort of argument. As I see it, members of the legislature have neither the time, the knowledge, nor the facilities to follow-up in any detailed way a complaint which a citizen might lodge with one of them. Certainly I think we all try to be diligent in following up the complaints which are lodged with us. But it is simply not possible for the MLAs who are essentially part-time persons, and most of whom do not live in the capital city, and most of whom have few facilities, to do a satisfactory job of follow-up on behalf of their constituents.

Really the chief reason for this is that when the MLA inquires he must accept the statement of the administrator, or of the minister in charge. There is no way that he can have access to the documents and frequently there is no way that he can have access to the person that actually made the decision. I have seen this process work on the government side and on the opposition side, and I have never felt that I did a very effective job in following up on complaints except where the complaint was with respect to a problem which came under the department where I happened to be the minister. If it came under the department where I happened to be minister I could call of the file, look at the rationale of the decision. When the complaint arose in some other department when I was a Minister of the Crown, I found myself having to accept the position put to me by the minister. I might complain to him, ask him to talk with his officials, but I couldn't as of right, because of the nature of relationships with one's cabinet colleagues say, "Send me over that file, I don't think your officials have made the right decision, I think they booted the ball". I didn't find myself in that position. And I don't find myself in that position when I am in opposition.

I think, therefore, that . . .

**Hon. D. G. Steuart (Minister of Health):** — You have but to ask.

**Mr. Blakeney:** — I have but to ask? Well, I am delighted at the offer of the House Leader to allow us to have access to the files. I think we ought to make no mistake in having that recorded, Mr. Speaker, because there are several that I would like to call for post-haste.

**Mr. Steuart:** — You bring back the old files . . .

**Mr. Blakeney:** — I think the Minister of Public Health (Mr. Steuart) will find that every file that was ever created in the Department of Public Health is still over there; he has perused most of them and indeed he has been filing great bundles of documents from most of them, all the while professing the desire to retain the anonymity of citizens. But be that as it may, I am delighted at the offer he made that I may have access to the files. But it hasn't always been thus, Mr. Speaker, and I am not sure that it will always continue to be thus. I am not sure that the goodwill which has been expressed today, and that generally pervades the house today — I think partly by reason of the excellent example of Mr. Speaker — will always prevail and I expect that on some occasions I will not find it quite so easy to get access to the files.

My point, I think, doesn't need laboring. An MLA is not, in my view, a sufficient protector of the citizen's rights in respect of administrative abuses. I am not really impressed with the idea that an MLA's prerogatives would be interfered with. Most of the MLAs I know would only be too glad to have an official to whom a complaint would be referred in the full knowledge that the official could and would investigate the complaint impartially. We all know that many of the complaints we get are not justified, but we don't know which ones are justified until we have investigated them. Many of us would feel greatly relieved if we could know that a complaint which we have been unable to dispose of, and which perhaps we feel is not entirely justified, could be referred to an official who could confirm the matter by having an examination of the files in question.

If anybody thinks that the appointment of an Ombudsman would mean that MLAs would have no complaints to deal with, I think that he can disabuse his mind of that notion forthwith. An Ombudsman only deals with cases of administrative abuse; he is not empowered to question the policy of the government. That puts it rather more strongly in fact than it exists. But if the government says, "This is our policy", the Ombudsman must accept it; it is not his job to urge a change of policy unless the policy is essentially one of administrative trivia. But MLAs do, in fact, have the job of trying to convince the governments that they ought to change a policy which bears harshly on a particular citizen or on a particular class of citizens. I don't think that the MLAs need worry that the appointment of an Ombudsman will relegate them to the ranks of the unemployed.

I now turn to the other point which is sometimes disputed. This question is whether or not, even if there are problems, and even if it is conceded that an MLA cannot effectively deal with

all of them, an Ombudsman will be very effective.

Before going into this narrow problem it might be helpful to review very briefly the history of this office of Ombudsman or Legislative Commissioner, and by and large, Mr. Speaker, when I am referring to this matter I am relying heavily on the New Zealand experience. Broadly speaking, an Ombudsman keeps watch over the way in which the government officials apply the laws and the regulations in dealing with the public, and he investigates complaints by private citizens with respect to the actions of such officials. He does not have power to overrule an official. His sole power is to report the matter to the legislature but he is in a strong position to suggest that injustice be corrected. Ordinarily he will report annually to the legislature and it is the threat of an adverse report that may cause an administrator to reconsider a position brought to his attention by the Ombudsman. He will be given powers to investigate similar to those of a commissioner under the Public Inquiries Act, or so is the custom in New Zealand.

Last year in the house I reviewed the very interesting history of this office, pointing out that in some way the old Lord Chancellor of England as he existed somewhere around 1600 performed some of these functions. An office somewhat similar to this grew up in Sweden in the 18th century; the first formalized office along these lines appears in the Swedish Construction of 1809. Then this has been followed by the appointment of an Ombudsman in Finland in 1919, Denmark in 1955, Norway, 1962 and New Zealand in 1962.

The New Zealand Ombudsman has been carrying on his functions since 1962, and I think that it has been the appointment of the New Zealand Ombudsman which has stimulated, or re-stimulated the interest in the office in Canada. Certainly there has been a good deal of interest in Canada. The New Zealand Ombudsman, Sir Guy Powles, visited Canada in 1964 when he appeared before a committee of the House of Commons; he addressed the annual meeting of the Canadian Bar Association. He has again appeared in Canada in 1966 and as we all recall we had the honor of greeting him in this legislature a few weeks ago and he spoke to two meetings in Regina on the subject of Ombudsman.

Many people in many parts of the world have called for the introduction of this office. Organized groups of lawyers in Canada — in Alberta, to be precise — have recommended the appointment. Legislatures in Saskatchewan and Nova Scotia have discussed it and I think in some other provinces. In Britain there has been considerable discussion of it, particularly surrounding the Wyatt report, and there has been consideration given to the idea in Ireland, Holland, India and other places.

But I think we can get the most help in considering whether or not this would be a useful innovation for Saskatchewan by considering the New Zealand experience. Now I admit readily that there are differences between New Zealand and Saskatchewan. New Zealand isn't a federal state; it is a unitary state, and accordingly, the Ombudsman in New Zealand will be dealing with some matter which would be under federal jurisdiction if he were in Canada, and some matters which would be under provincial jurisdiction. But I feel that, judging by the number of complaints which Sir Guy Powles deals with, and the nature of the complaints, there would be sufficient work for one qualified Ombudsman in Saskatchewan. New Zealand isn't a populous country, two or three million people, and indeed there is some reason to believe that

the idea of Ombudsman will work better in an area which is not heavily populated. There is some reason to suggest that part of the real essence of the office of the Ombudsman is the unofficial influence which he brings to bear by reason of the senior administrators and the members of the cabinet. He can, as an Ombudsman working in a small jurisdiction, come to know the persons personally and come to gain their confidence. And certainly I gained the impression from discussing the office with Sir Guy that the senior officials in New Zealand have not resented his appointment. In fact it has been the other way. For the most part he will have vindicated their judgments because officials even when they are complained against are usually right, although by no means always right. And secondly, he has brought to the attention of officials weaknesses in their administration which they were only too happy to hear about and wanted to hear about at the earliest possible moment before the weaknesses got out of hand. For these reasons and because of the fact that he has recognized the difficulties with which officials have to cope, he has gained their confidence and he has in fact endeared — if that's not putting it too strongly — the office of Ombudsman, to the senior officials of New Zealand. The coolness that some predicted would arise between the senior officials and the Ombudsman, and between members of the cabinet and the Ombudsman has simply not come to pass.

In reading Sir Guy's reports I am struck by the similarity of some of the situations which he describes with the conditions which arise in Saskatchewan, and I am sure arise in other provinces of Canada. I want to refer hon. members to the reports of the New Zealand Ombudsman. They have recently arrived in the Library, there was only one in the Library last year, but all three of them are here now. The one last year was an appendix to a report of a committee of the House of Commons but this year we have the three reports in original form: the one for the six months ending March, 1963, the one for the year ending March, 1964, and the one for the year ending March, 1965. And I really do commend these reports to hon. members. They have a very short general statement of the work of the Ombudsman. This one which I am holding runs to 17 pages and it has headings so you don't have to read all the 17 pages. You could read seven or eight pages and get the gist of what he is saying. It also contains appendices of case studies of the cases which he has actually dealt with. They are short, two or three on a page; they give you a good idea of the problems which he has had to cope with and how he has dealt with them. In fifteen minutes or half an hour one can pick up these reports and get a better idea of how the Ombudsman works than one can in listening to speeches on the subject however learned, Mr. Speaker. And so I do commend these to hon. members.

He makes some very interesting comments. He points out that it is in the nature of administrative organizations to develop a somewhat defensive attitude. Accordingly it is not enough to provide for a review of the decisions of minor officials, it is necessary to provide for a review of the decisions of senior officials. I think that cabinet ministers fall into this trap of backing up their officials. That's the position you have to take in the beginning of a problem. Thereafter you have to be, in the privacy of your own office, somewhat less uncritical of your official's point of view. But nonetheless it is fairly easy to fall into the trap of backing up the man below you because this is the only way that administration will work in the first instance. In the experience of Sir Guy, on several occasions, decisions have been reviewed three or four times by

**March 17, 1966**

departmental officials but when he brought a fresh point of view to bear, the department people changed their position and remedied the complaint. From this the New Zealand Ombudsman concluded that some form of responsible and independent representation in proper cases is not only desirable but necessary if the private citizen is to receive proper consideration at the highest levels within departments.

If you want a general statement of his philosophy in capsule form I suggest you look at the report of March of 1965 under his heading "General Comment", which is just half a page and gives the essence of what he is driving at. He says that in the past year the general pattern of cases and the nature of the complaints made have been consistent with the previous years. He says that there are three broad avenues leading to administrative injustice; (a) the proper exercise of administrative discretion, (b) the granting of a fair hearing to the potentially aggrieved person and (c) the explanation of departmental policies and procedures to the public. In all these respects there has been progress in the year under review and the office of Ombudsman has had some influence in this, although the major share is due to the administrator's concern for these problems. So he says that the office of Ombudsman has been influential in causing departments to be more careful in the proper exercise of administrative discretion, to be more careful in granting of a fair hearing to a potentially aggrieved person, and to be more careful in explaining departmental policies and procedures to the public. Mr. Speaker, for any who may be more interested in this topic there is a fairly good library on the subject in the legislative library. The Library staff prepared a comprehensive bibliography and one can, in a fairly short time, review some of the relevant literature on the idea of an Ombudsman. I know I have had the opportunity in the last year or so not only to talk to Sir Guy Powles but also to Professor Stanley Anderson from the University of California, San Diego, who has written a goodly number of articles on this topic. And members might be interested in knowing that there are a good number of states in the United States which have been introduced to the idea of appointing a Grievance Commissioner or an Ombudsman or whatever you wish to call him. I merely say this to indicate that the literature is growing and the interest generally in the Anglo-saxon and Scandinavian world is growing. Members will know that there has been a good deal of discussion in the House of Commons about this. The Glassco Commission suggested this idea. A bill was introduced in 1963. Another one was introduced in 1964 by Robert Thompson, the Social Credit leader. This latter one was exhaustively debated on second reading and was considered in detail in committee. I refer members to the records of the House of Commons, Bill C7 in the second session of the 26th parliament and the committee reports are those of the Committee on Privileges and Elections. I have in my hand the dates of the committee reports if anyone is interested in them and I won't bore the house with reading them.

Mr. Speaker, I think there has been general agreement that there is a real problem. I think that there is also general agreement among legislators that they themselves can't do an effective job on following up complaints. I feel, too, that anyone who has looked at the problem will agree that a number of changes could be considered in our administration to deal with these complaints. I don't want to go into this general area of rationalizing our administrative tribunals, or the proposal of enacting a statute which might outline the procedures which a person might use before administrative tribunals. But having said all that and having admitted that there are many other avenues

open to us to provide remedies for citizens I think that impartial observers will reach the conclusion that an Ombudsman — a Parliamentary Commissioner — can do an effective job to remedy in part, and in part only, the problem which exists because of big government.

I do not suggest that all of the questions with respect to having an Ombudsman in Saskatchewan are answered. That's why, Mr. Speaker, I am suggesting an inter-sessional committee to look into the idea. I think that such a committee could review the available literature, could talk to some people who are more familiar with this device and reach a sound conclusion as to whether or not this would be a useful device in Saskatchewan. I have further reason for suggesting that this ought to be something considered by a Legislative Committee. I think that if the office of Legislative Commissioner is established, it will have a far greater chance of success if it is established with full consent of all parts of the house. An Ombudsman is obviously not something which a opposition can foist on a government but I am suggesting that it is also not something which a government can usefully foist on an opposition. I think that it is a measure which will work best if it commands support from all parts of the house. This isn't a matter for partisan division but rather for careful consideration by all persons who wish to make our parliamentary system work better and own legislature here in Saskatchewan work better. When this sort of problem arises I think that a valuable contribution can be made by an inter-sessional committee of the legislature. I would anticipate that the committee, after reviewing the material and obtaining such assistance as they can, would make a recommendation at a future session. At that time if there are valid objections to the idea they can be considered.

I think, Mr. Speaker, that on the basis of the experience in other jurisdictions there is a clear case for Saskatchewan to give the idea careful study. The study may result in a recommendation either for or against a Commissioner, either way I cannot help but think that the study will enhance our appreciation of how the legislative process works and our ability as legislators to work successfully in the service of our constituents.

All of us, Mr. Speaker, have an obligation to keep our system working well. There is no doubt that governments in Canada and in Saskatchewan have been placed under strain as they are asked to assume more and more complex duties. We certainly can't be smug or complacent about this parliamentary system of ours. It was never designed to do the job which it is now being asked to do. Adaptations have been made but I am not sure they have always been happy adaptations. Certainly the system has been remarkably adaptable but I don't think that we can say that it is working perfectly. It's simply not true that the public has universal confidence in the parliamentary system. There is a good deal of scepticism and even cynicism about the whole process. And I suggest that there is some urgency in our giving our attention to seeing that our system works, and not only to seeing that it works but to attempting to persuade the public that it works.

The final point that I was going to make I think is the obvious point. When any country is reaching the point where the public is losing confidence in its parliament, this is a dangerous point. And it behoves us as legislators to turn our mind to seeing whether or not we can remove some of the grounds for public scepticism and public cynicism.

**March 17, 1966**

Mr. Speaker, I have made my point, I hope that I have not made it in a controversial way. This was not my intention. I simply want to urge on all members of the house that as one step to enhancing the public image of our parliamentary system we could consider the appointment of an Ombudsman who would, as I suggest, make our system a more efficient and a more effective way to deal with the problems of the citizens of this province.

Mr. Speaker, I therefore, beg leave of the assembly to move this resolution, seconded by the hon. member for Biggar (Mr. Lloyd).

The assembly recessed at 5:30 until 7:30 p.m.

**Hon. D. V. Heald (Attorney General):** — Mr. Speaker, in rising to take part in this debate, I would like to make a few observations as a result of the observations made by the hon. member from Regina West (Mr. Blakeney) when he moved the resolution.

We, as you know, Mr. Speaker, had a lengthy and I think quite rewarding debate on this topic last year in this house and the hon. member from Regina West spoke at some length as did I. It is not my purpose tonight to repeat or rehash what I said at that time. I would like to say though, Mr. Speaker, that in my opinion it is difficult or would be difficult to vest in an Ombudsman the kind of power that he would need which would have to be superimposed generally over the field of government. And I have a concern as to what effect an Ombudsman would have in the province of Saskatchewan on the fundamental concepts of our parliamentary system. What I am trying to say is that it is one thing to advocate the establishment of the office, but is quite another thing to integrate the office satisfactorily with existing institutions. Mr. Speaker, I have the feeling in studying this matter, and in my department we have conducted studies and are still continuing to conduct studies, that the office of an Ombudsman in the province of Saskatchewan would be superimposed over existing institutions unless it were severely limited in its application. I am, therefore, reluctant at this time without some more experience, being able to study the experience in New Zealand, to advocate the creation of the office at this time. Now the member from Regina West (Mr. Blakeney) said the New Zealand Ombudsman has been in operation since 1962. We have two or three years, probably two years, the benefit of experience of probably two years there. But I don't think this is long enough, Mr. Speaker, to adequately study this situation. There is, of course, as the member for Regina West pointed out, quite a difference between the situation in a province in Canada and in a state like New Zealand, which is not a federal state. In New Zealand the Ombudsman, of course, has the opportunity to review many programs. In Canada with our federal system and its division of legislative jurisdictions of course the powers of a provincial Ombudsman would have to be restricted to those matters coming within the jurisdiction of the provincial legislature. The report, the last report that I have seen of the work of the Ombudsman in New Zealand for the year ending March 31st, 1964, would seem to indicate that a great number of the cases that came before Sir Guy Powles and his officials and in which he intervened, if the situation was in Canada, in Saskatchewan, these would be matters which would fall within the jurisdiction of the federal government here in Canada. I am not convinced that there would be, in view of his necessarily limited powers and in view of the population of this province, sufficient complaints of a legitimate character to go into it at this time.

Now I don't reject it out of hand, we're doing a great

deal of work and a great deal of study in my office on this point. I don't think that I can go along. I agree with quite a few of the things that the member from Regina West (Mr. Blakeney) said before dinner, but I can't go along with him. He and I part company in this debate too when he says that the members of the legislature and the Ministers of the Crown cannot do an adequate job of tending to, adjusting or looking into, or investigating the complaints of our citizens at large. He was a Minister of the Crown for a number of years, many of the hon. gentlemen opposite were, most of you have been members of the legislature for many years, and you know that a very great part of your work consists of bringing complaints to the attention perhaps of various departments of government, to the attention of various ministers. I know that many of you and many of the nom. members on this side of the house have brought to my attention, have asked for information with respect to things happening in my department. Matters have been raised which have been looked into and I think, in most cases, adjusted to the satisfaction of not only the hon. member who referred the complaint to me but to the satisfaction of his constituent. I think that this is a very great part of the work of an MLA and a cabinet minister, and I don't worry at all about the lack of contact between the people in the province and the duly elected representative of this province. I think there is a very good liaison.

An example of it is today and this week in the province of Saskatchewan, in the city of Regina. We have a very large convention, the Saskatchewan Association of Rural Municipalities. I am sure you have all had gentlemen, representatives of local government, to see you in the legislative buildings. Many of you have been down to the hotel, I know that practically all the ministers, my colleagues and I, have met delegations dealing with various problems from people all over the province. I think this is the function of the members of the legislature and the Ministers of the Crown and I do not agree that MLAs and Ministers of the Crown are not doing a good job. I am not convinced that a need has been demonstrated; I am not convinced that a legislative committee would accomplish too much. We have the reports from New Zealand, we have had the opportunity of hearing Sir Guy Powles speak on a number of occasions. I had the opportunity to have lunch with him when he was here a couple of weeks ago and I took advantage of the occasion to find out as much as I could about his office and to get his views as to how he felt it would apply to a situation in a province of Canada. For these reasons, Mr. Speaker, mainly because I think the New Zealand experience is still too new that it should have been studied for at least a little longer, and because I am not convinced at all that the present process is not working satisfactorily, I will therefore have to vote against the motion.

**Some Hon. Members:** — Hear, Hear!

**Mr. W. S. Lloyd (Biggar):** — Mr. Speaker, I will say just a very few words to indicate what I am certain is the universal disappointment on this side of the house that the government is adopting the point of view which I presume the Attorney General (Mr. Heald) has just expressed.

This is the second time in two days that a minister of the government has got up and said in effect, "oh, a pretty good idea, but the time isn't right." It seems to me that this is too frequently the kind of refuge which is taken. I want to ask the Attorney General what it was that was being suggested

here. The resolution quite plainly does not suggest that we ask the government to proceed with the establishment of a Legislative Commissioner or an Ombudsman in the province of Saskatchewan. What the resolution does suggest is that a Committee composed of members of this legislature have an opportunity to inquire into matters relating to the appointment of a Legislative Commissioner in order to provide further means of redress to the grievances of citizens against administrative injustices. With all due deference to the Attorney General and the members of his department when he says, "We're studying it", there seems to me there is at least some possibility that a committee of members of the legislature might do a more thorough, comprehensive, intensive job of studying the situation than the minister and the members of his department. I think, Mr. Speaker, that we miss out on not making use of members of the legislature for this kind of function. Here, I believe, was an excellent opportunity for the government to make it possible for members of its own group who are not Cabinet ministers, for the members of the two parties on this side of the house to study a means, as the member from Regina West (Mr. Blakeney) put it so well, of making our democratic institutions work even better than they are. I think we need not always wait for the results of experience in countries like New Zealand and other places. Surely we are capable and competent of taking initiative ourselves. Surely this province has on more than one occasion proven its capability and its competence to experiment, to explore and to do some worthwhile things without having waited years and years until something or other is provided in other parts of the country.

That, of course, is the step which we are asking the government to take. This, of course, is not the first time this particular matter has been discussed in this legislature. In the 1964 session it was discussed during, as I recall it, both the Budget Debate and the Throne Speech to some extent. In the budget of 1964 there was a sum of money which was to be used and there was a statement in the Appropriation Act which provided for the establishment of such a committee. It was discussed again last year. The government in 1964 having made a decision not to proceed to implement the decision of the legislature at that time. It was discussed last year again, and I understand the answer was that, "It was not yet time". It is discussed again this year and the Attorney General (Mr. Heald) says again, "It is not yet time". I am afraid that if it is discussed again next year and if the same Attorney General and the same government happens to sit over there that the answer will again be, "It is not yet time". I submit that we should not have to take refuge in this kind of excuse for this kind of program and it is with regret that I listened to the Attorney General express his point of view.

Mr. Speaker, all of us hold this whole procedure of democratic practice and the institutions which make it work very dearly. But all of us should realize too that each generation should be expected to add something to the workings, to the effectiveness of the system. As the member from Regina West (Mr. Blakeney) pointed out so very aptly this afternoon one of the characteristics of the times in which we live is that the activities of governments of all kinds, local, provincial and federal, do continually touch the lives of more and more people at more and more places. Certainly this has been the history of recent years. There is no reason to believe that this particular trend in history is going to be reversed. There are many of us who think, of course, that this can be a good thing, but there

are many of us who also realize that along with this must go some added assurances, some added guarantees that people may always feel that they have the opportunity to have redress from decisions which are made. And that, of course, is what the office of the legislative commissioner would provide. What we are interested in, Sir, is the reputation of government itself, not this government or any other government as a particular political group but the reputation of government itself, the extent to which people accept that government is a fair institution and one with which they have every possible chance of getting a square deal, one which people realize that governments are sensitive in every possible way to every possible human individual right. This is one of those kinds of institutions which would help to develop that kind of confidence, that kind of security of feeling in the minds of people generally. It would be good for them in terms of encouraging them to participate more.

The member from Regina West (Mr. Blakeney) did not, of course, suggest as the Attorney General (Mr. Heald) seems to think, that the members of the legislature or members of the cabinet as the case might be were not doing a good job in respect to representing their constituents. What he did suggest and what he suggested very properly, I think, was that in many cases the members of the legislature and even members of the cabinet were handicapped in providing for their constituents the certainty which they ought to have that decisions which concern them were the best decisions, not only the best decisions but also decisions that appears and appealed to them as being the best decisions. I agree with what the Attorney General has said. Very frequently cases are taken up with ministers and cases are adequately solved and explained. I have had that experience myself with the Attorney General (Mr. Heald) and with at least some other ministers of the government. I wouldn't say that I have had it universally. I am quite sure that when many of us sat over there that many people came to us and had a satisfactory experience but again I wouldn't say universally satisfactory experience. This is not through any fault of the members of the legislature or of the ministers. It is frequently simply that the machinery is not there to make available the kind of information, not only the right kind of information but also to convince people that the kind of information has been looked at and studied by persons who are separate and apart from those who have made the initial decisions. I submit that so long as the only referee in the case is the person who has already made the decision then there are a great many people who are going to be worried and concerned as to whether that decision is a right one. Not until there is access to some person who has not been involved in making the first decision will it be possible to give the kind of confidence in government institutions that we could have. Mr. Speaker, I would hope again that the government may not find it too long before it is soon enough to make this kind of study. I am sure that when it is done members of the legislature generally will appreciate the opportunity of looking further into this means of making our parliamentary institution work more effectively and reflect more sensitively the real needs of the people of Saskatchewan.

**Some Hon. Members:** — Hear, Hear!

The motion was negatived on the following recorded division:

March 17, 1966

**YEAS—(23)**

**Messieurs**

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

**NAYS—(23)**

**Messieurs**

Thatcher	MacDougall	Radloff
Howes	Grant	Romuld
McFarlane	Coderre	Weatherald
Boldt	Bjarnason	MacLennan
Steuart	Trapp	Larochelle
Heald	Cuelenaere	Coupland
Guy	Gallagher	Gardner (Moosomin)
Merchant (Mrs.)	Breker	Mitchell
Loken	Leith	

**ADJOURNED DEBATES**

**MOTION: CANADIAN LABOUR (STANDARDS) CODE AND MINIMUM WAGE**

The assembly resumed the adjourned debate on the proposed motion by Mr. Smishek (Regina East):

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.

**Mr. W. G. Davies (Moose Jaw):** — Mr. Speaker, in rising to talk on this resolution, I first of all want to commend the member from Regina East (Mr. Smishek) for his excellent and painstaking presentation in justifying the contentions he advanced when he was presenting the case for the resolution. Mr. Speaker, I think he very carefully documented his case and he also pointed to the beneficial social and economic consequences that would arise from a favorable consideration of the resolution.

Mr. Speaker, tonight I would like to refer for a moment or two to the remarks of the Minister of Labour (Mr. Coderre) who followed the member from Regina East in the debate a short time ago. We saw the spectacle in this house of the minister not speaking specifically to the issue concerned but attempting to obscure the essence of the matter under discussion by an offensive in an entirely different direction.

I suggest, Mr. Speaker, this is an old dodge that almost

every member of the general public let alone most politicians recognize as a nice device for escaping the uncomfortable realities of the moment. You know, the minister talked about the CCF "not acting in 20 years". This is so often echoed from the other side of the house, Mr. Speaker. The CCF had 20 years to do certain things. I seem to hear this same comment coming from the Premier this evening as on another occasion. The reason why the CCF did have 20 years as a government was because of its continual activity. At the same time it seems to me that it is very unlikely that the premier will see that period of office precisely because of the period of less than two years during which he and his party have occupied that right part of the house.

In any case, the Minister of Labour (Mr. Coderre) the other night again raised this question of the CCF "not having acted on labor matters in 20 years". I think that was almost his precise language. This comment must have reached the height of absurdity. On one hand we have listened, Mr. Speaker, to the Liberals over the years including the hon. Premier when he was in opposition talking about labor legislation that was too extreme, had gone too far, was "too fancy", had done too much. Yet we are now told by the Minister of Labour that the CCF has not done anything for labor in its 20 year period in office.

This kind of assertion does not really need to be taken very seriously or really needs much of an answer. In every province of Canada authoritative bodies of labor and indeed the national body of labor, the Canadian Labour Congress, have consistently recognized that labor legislation in the province of Saskatchewan in the period from 1944 to 1964 was the most advanced, the most humane, and the most progressive of any province. It's a fact, Mr. Speaker, and every one in this house must know it's a fact, that the steps taken by the CCF government in labor legislation were followed in other provinces because of the pressures that were engendered for like measures in each of these provinces. This is a straight matter of record. I won't transgress either on the time or on the rules of the house, Mr. Speaker, in referring to all the cases, I think they are too well known for very much discussion.

Now, the Minister of Labour (Mr. Coderre) told us the other night that the first minimum wage was instituted in 1917 in this province. I didn't check his figure. I took it at face value. Who on earth is disputing the fact that there was a minimum wage type of law in Saskatchewan in 1917. There was a law of sorts granting the most bare protection, very sparse, very threadbare, indeed in that time and in the years that followed. I want to remind the house, Mr. Speaker, that in 1944 when the CCF assumed power, minimum wages in this province were as low as \$6 a week. In some instances people had to work for six months before they got the full minimum wage on the job. Minimum wage protection at the end of some 38 years of Liberal power in this province was of the most skeleton kind. That description would certainly be concurred by many of the unfortunate workers who had to endure the benefits of the legislation at that time.

Generally speaking I think the minimum wage law of Saskatchewan has been considerably in advance of that of other provinces. It hasn't always been the highest rate for any one job but the minimum wage has been during the period of office of the previous government the highest single rate existing across the country. The probationary period which exists in many provinces were done away with in this province many years ago; I think

**March 17, 1966**

quite properly so. A minimum wage should be just that. It should not be a kind of incentive range for the employer to work within. The minimum wage should rather be the bottom of an incentive wage for the employer.

As well, over the years the minimum wage law in this province has under the previous government provided benefits such as public holidays, overtime payments on holidays, just to name one or two of the benefits in this connection that exceeded the benefits in all other provinces in Canada. However, the major argument over the years by many members of the legislature has been that it would be too difficult, too hard to see more advanced minimum wage protection until such protection existed on a more national basis throughout Canada. Of course at that time the Canada Labour (Standards) Code was not in existence. But the coming into force of the Canada Labour Code clearly confronts every province now, especially, it seems to me, provinces under Liberal administration, with the responsibility of implementing like protection in their own jurisdictions. There is no longer the excuse that could be sheltered behind in earlier years namely that it was unwise to go too far, too soon.

The Minister of Labour (Mr. Coderre) has referred rather disparagingly to the Canada Labour Code by saying that since it came into force there have been hundreds of orders of exemptions, if I am quoting him accurately; and I think I am. Well, there certainly must be a transition period for the Canada Labour (Standards) Code but I don't think that anyone can challenge the fact that these exemptions or variations, if you like, because I suppose they follow these two pattern, are to be made only temporarily. They are made to accommodate some special situations and only that. Undoubtedly, and I think the former Minister of Labour may be taken as an authority for this statement, the Federal Department of Labour hopes to eliminate as far as possible all orders of exemption and all variations that don't provide the fullest possible benefits, just as soon as this is reasonably possible.

Of course, argument by itself doesn't mean anything in any case simply because you have to have some exemptions or variations, and I think a fair case could be made at least for some, does not mean that the basic protection should not be guaranteed and provided for as many people as possible. I believe too that the Minister of Labour (Mr. Coderre) spoke about the Labour Code having "upset all schedules". I cannot feel that he in the use of this language is a very active supporter of the principles of the Canada Code.

Really the crux of the argument for the adoption of \$1.25 per hour rate, the rate that is now stated in the Canada Labour Code, is that average wages and indeed the earnings of many people in society have marched forward much more rapidly than have minimum wages in general in this province, or apart from that, across the country. The fact is—and this has been pointed out already by the member from Regina East (Mr. Smishek) — that relatively minimum wage protection has declined in relation to average wage and salary conditions, and average income conditions in Saskatchewan. On this bare argument alone, there exists the need to update the minimum wage protection just as soon as possible.

I am sure that members of the house are aware of the phenomenon that has been referred to more than once in every legislature in Canada, certainly in the House of Commons, that conditions

of abject poverty exist among 20 to 30 per cent of the families in this country. Conditions are not getting better. The situation is actually resulting in the income spread growing larger. This is not healthy. I am convinced that one of the reasons for this is that minimum income protection — and I don't care whether it is in minimum wages or through some other income, although we are talking tonight about minimum wage protection — has just not been keeping pace with the general income movement in society. What I am saying is that an inequitable situation has developed so far as minimum wage are concerned. Action, remedial action, to correct this whole matter, should be taken just as soon as it is possible to do so.

Now, Mr. Speaker, who can get up in this house and argue that the rate of \$1.25 per hour is high in this day and age, and that it should not be implemented without delay throughout this province? And who can dispute the crying need for a greater measure of buying power among the low wage earners and the classes of people that I made brief reference to. (In the midst, so far as the urban areas of this province are concerned, of one of the highest food price areas in Canada as was revealed in a survey by one of the newspapers just a week or so ago). There is in this a paradox. While this exists we find the farmer's share of the food dollar is at this time declining. Good evidence can be found for this in recent figures of the Dominion Bureau of Statistics.

Now, Mr. Speaker, if it can be shown as some people would like to argue that training periods are necessary in some occupations before full minimum wages are paid because of the type of job that is concerned, I would argue that this is not a matter of subsidy for the workman. This should be a matter of public subsidy for the workman. This should be a matter of public subsidy if it is necessary. I know of few, if any, cases where indeed it is necessary. In any case I doubt that in reality anything of this kind needs to be done except in the most extreme cases.

The fact is that one has only to look at many of the burgeoning restaurant, hotel, motel complexes across this province to realize that this is a generally booming industry which at the same time has extremely low rates of pay for its employees. As an industry it pays to a large proportion of its staff rates of remuneration which are something less than princely. In many instances, in my opinion, they could generally be termed substandard. I remind members at the same time that a good part of the same industry is by no means charging low rates for the services sold to the public.

The United States Secretary of Labour, Mr. Willard Wirtz, recently made a statement that I think is worthwhile to refer to tonight. He said in a recent article:

... a heightened national purpose to ensure against anyone in this country remaining poor except by his own default has reawakened recognition of the place of minimum wage law in the arsenal of weapons for the war against poverty.

And Mr. Wirtz has gone on to comment about the effect of the 1961 amendment to the federal minimum wage laws in the USA. He said that between three and a half and four million workers were benefited by the action that was taken in 1961 to raise total remuneration and, generally speaking, improve conditions across the USA. He commented that there was about \$1,200,000 in additional

**March 17, 1966**

remuneration provided each year to these very low wage earning sections. He also said there were other favorable side-effects of these increase and I'm quoting him directly again:

During the period in which these amendments had become effective, employment has risen dramatically. So have profits and there has been remarkable price stability. The record negates any suggestion that these statutory changes have retarded economic expansion, adversely affected employment, reduced profits, or contributed to inflation.

In the same speech Secretary Wirtz came down hard on what he called the half-truths which have had a large influence in the history of the Fair Labour Standards Act, namely that an increase in the minimum wages increases unemployment. Mr. Wirtz told his audience that after increases in minimum wages in the United States were provided, employment always went up. He said that:

... it usually went up more in the lower paid occupations most directly affected by the statutory requirements than in other occupations.

Mr. Wirtz said also that employment increased after 1961 when minimum wage changes went into effect in USA and that in 1965 after the last change in minimum wages had been effected in that country there was an 8,000,000 increase in employment. Unemployment dropped from 7 per cent in 1961 to 4.1 per cent in 1965.

Mr. Speaker, Mr. Wirtz has also stated that minimum wages have not had an upward effect on prices. In fact he said that the period after the 1961 minimum wage changes in federal law in the USA had been one of "extraordinary price stability". He said that the wholesale price level in April, 1964, and this was seven months after the final stage of \$1.25 per hour minimum wage went into effect, was almost the same as it had been in April, 1961.

Mr. Speaker, I want again to remind the house that we are dealing with a resolution that primarily assists, not the organized employee of this province, but unorganized people. Most of the people who are organized into unions already receive rates much in excess of \$1.25 per hour. We should be more concerned for tonight that those who don't have union protection should get some protection, some real protection granted by law, and through minimum wage rises at this time. Again I say that in a period when Saskatchewan has record revenues, at a time when industry and economy are burgeoning, as never before, any increase that is contemplated in the minimum wage and as suggested by the Minister of Labour (Mr. Coderre), should be at least very near to the \$1.25 figure.

I come now to the amendment that has been proposed by the Minister of Labour to the resolution that was moved by the member from Regina East (Mr. Smishek). In passing may I say again that while I defer to the decision that was made by Your Honour in accepting this amendment, I must respectfully hold to the opinion that the amendment is inconsistent and incompatible with the original resolution. However, since it has been deemed to be in order I would like to discuss it just for a moment.

Mr. Speaker, I say that the amendment begins by commending the Saskatchewan government for endorsing the Canada Labour

(Standards) enactment by the parliament of Canada. I would like to be apprised of any public statement or of any correspondence from the Minister of Labour or from the Premier that has forthrightly endorsed the Canada Labour (Standards) Code. I would also like to ask what are the measures that have been quoted in the amendment to the resolution by the Minister of Labour (Mr. Coderre), "to establish conditions in Saskatchewan comparable to those provided in the Canada Labour (Standards) Code." If a statement of support has been made by this government for the Canada Labour (Standards) Code, it has certainly been made very, very quietly, because I can assure you that most employed people, and unemployed people, know nothing about it. Apart from that there is nothing before this assembly and nothing before the Saskatchewan people to establish that conditions comparable to those provided in the Canada Labour (Standards) Code are, in fact, being contemplated or considered by this government.

I take it, Mr. Speaker, that if consideration has been given to this comparability that we would shortly be hearing a most exciting announcement from my friend the Minister of Labour (Mr. Coderre). We should legitimately expect then, Mr. Speaker, to see an announcement that will establish a rate of minimum wages in Saskatchewan of at least \$1.25 per hour with the 40 hour week conditions that are part of the Canada Labour (Standards) Code; that is, if the amendment is on all fours with genuineness and sincerity.

Although I have said that I believe the amendment is far, far removed from the concise nature of the motion, I have also come to the conclusion that this may be at least one way of putting the government on record, even if in a rather left-handed fashion, so rather unwillingly, to support something more than I believe it had previously intended to do.

I therefore believe that it might be well to strengthen the amendment so that the rather weak intentions of the government can be bolstered and shored up. I would, therefore, Mr. Speaker, beg leave of the assembly to move, seconded by the hon. member for Melfort-Tisdale (Mr. Willis) that an amendment be made to the amendment as follows:

That the following words be added at the end:

and recommends that the government proceed expeditiously in these changes with the least possible delay.

Sub-amendment agreed to.

Amendment, as amended, agreed to.

Motion as amended, agreed to.

### **MOTION: INCLUSION OF DRUGS IN MEDICAL CARE PLAN**

The assembly resumed the adjourned debate on the proposed motion by Mr. Snyder (Moose Jaw City):

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;

and the proposed amendment moved thereto by the Hon. Mr. Stewart:

That the words from "That" in line 1 to the word "this" in line 4 be deleted and that all the words after word "assembly" in line 4 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. W. G. Davies (Moose Jaw City):** — Mr. Speaker, I rise tonight to speak very briefly on the resolution and the resolution as amended. I recall not so long ago doing a little research with regard to some of the figures on sickness in Canada and in this province. I have been considering the beneficial effect that the provision of drugs in a medical care plan and a fuller health plan would have for the residents of our province.

It has been estimated that we lose annually about 30,000,000 man days due to sickness. An extrapolation of figures on the basis of a rather small daily wage will give you the annual figure of about \$1,500,000,000 lost in terms of production and lost wages. If we think only of the province of Saskatchewan, and use the same kind of estimates you will come to a figure somewhat in excess of \$100,000,000 a year, as a figure for lost wages and lost production because of sickness.

Everyone, I am sure, knows that in this day and age one of the prime means of fighting illness is the use of all kinds of drugs, especially the new drugs that have come to the fore in the last twenty years. It is fair to say that the physician today who is not equipped with modern, life-saving and other types of drugs would be in a very unhappy position indeed in the way of providing service. A great many people would be sick longer and in many cases would die, and would have died as a result of failure to get these modern life-saving drugs. But I suggest, Mr. Speaker, that many people today are being ill longer and that many people are, in fact, dying because of the fact that they cannot pay for drugs which in many cases are extremely highly priced, so highly priced as to be beyond their reach.

I know it will be said where people are in need, where they exhibit that need, that persons who sell drugs, people in government welfare departments and other appropriate agencies will see to it that they do not suffer a lack of these drug needs. The fact is, however, that the very many people having an honest pride, not wishing to accept welfare, not wanting, indeed, to go to a doctor because of fear that they will have to pay for highly priced drugs, neglect themselves, neglect their health and thus contribute to the kind of situation that at the outset of my talk this evening I suggested had resulted in some incredible losses in human treasures, in production, and in wages in Canada today.

I believe, Mr. Speaker, that the amendment that has been proposed to the motion is somewhat deficient in that it does not

do what the mover and the seconder of the motion wished to be done. This evening before I sit down I would beg leave of the assembly to move an amendment to this resolution by deleting therefrom the words in the last line:

After the National Medical Care Plan is introduced.

It is moved by myself and seconded by the hon. Leader of the Opposition (Mr. Lloyd).

**Mr. B. D. Gallagher (Yorkton):** — Mr. Speaker, I haven't a copy of the sub-amendment here but it would seem to me that it would make more sense, Mr. Speaker, if it had stopped at "insurance program" in line six, and also deleted the words "to commence as soon". In the way it would read now, there seems to be a sort of a dead end. I was wondering if the member for Moose Jaw had forgotten to delete a couple of more words. It doesn't quite make sense the way it is.

**Mr. Davies:** — Mr. Speaker, on a point of order, I think you have already seen that the words "as feasible" are included in the last line so that it reads:

to commence as soon as feasible.

**Mr. Speaker:** — The house agreed to take the motion as read. Probably what I should do is read the motion and the amendment. The motion is:

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;

and the amendment thereto:

That the resolution be amended by striking out all the words after the word "that" in the first line to the word "this" in the fourth line and by striking out all the words after the word "assembly in the fourth line to the end of the resolution and to substitute therefor the following:

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.

and the sub-amendment would delete the words:

after the National Medical Care Plan is introduced.

**Mr. J. H. Brockelbank (Kelsey):** — Mr. Speaker, I would like to say a word or two to the house on this sub-amendment. You notice that in the amendment

**March 17, 1966**

and for that matter in the motion itself, reference is made to the National Medical Care Plan, and it is called a proposal to introduce a National Medical Care Plan by July 1st, 1967. Now, we know that certain roads are paved with good intentions, and there is many a slip 'twixt the cup and the lip, and we don't know . . .

**Hon. D. G. Steuart (Minister of Health):** — All is well that ends well.

**Mr. Brockelbank (Kelsey):** — That is what I will say to you a little later, "All is well that ends well", and we are just trying to end this resolution well. But we don't know for sure, no one knows when exactly we are going to get a national medical care plan, not even my friends in the Liberal party know because the Liberal party has said this is what they are going to do. But you know they said in 1919 they were going to do things with regard to health and they haven't got them all done yet, and that is a long time, Mr. Speaker,

I think it would be foolish for this legislature to shackle itself and tie itself to some action of the federal government. I think what the members of this house want, I think everybody agrees that it is a good thing to have insurance cover the cost of drugs. I think what the members of this house want is to have this kind of insurance come into effect just as soon as we can. Now, that is what the sub-amendment will ask for. When the sub-amendment is put into effect then it asks that the government of Saskatchewan give consideration to the introduction of a drug insurance program to commence as soon as feasible. Now, Mr. Speaker, it may not be feasible to commence it until July 1st, 1967, I don't know. But I would certainly like to see it in these words rather than tie ourselves to the possible actions of some other government. Let's get on with the business here in Saskatchewan. This will not, doesn't commit the government to doing it immediately. We are not even asking them to consider it for immediate action as the original resolution asks, but as soon as feasible. And I think it would be very sensible for the house to vote for this sub-amendment.

**Some Hon. Members:** — Hear, Hear!

**Mr. I. C. Nollet (Cutknife):** — Mr. Speaker, why wait? Why wait for the federal government to bring in its medical care plan. My heavens, according to the Premier, the government is swimming in wealth now, rolling in it, it is just pouring in. We can give \$8,000,000 in Homeowner grants. What are you afraid of? Why are you waiting for the federal government? We have been waiting for them since 1919, and they are less predictable than the weather in this regard.

Mr. Speaker, on this basis alone, there is poor justification for hon. members opposite supporting this simple amendment. Let's do it as soon as we possible can, and let's not wait until July, 1967.

**Some Hon. Members:** — Hear, Hear!

**Mr. Steuart:** — Mr. Speaker, in speaking to the sub-amendment, I don't intend to support it. I don't think it is necessary. I can assure the members opposite that we are confident that the federal

government will have a National Care Plan by 1967. I can further assure them that if by any chance they don't have one, because of the obstructive tactics of the opposition down there, or for some other reason, I can assure them that we in Saskatchewan intend to implement our promise, that we intend to have a drug insurance program introduced in this province and working in this province before 1968.

**Some Hon. Members:** — Hear, Hear!

**Mr. W. S. Lloyd (Leader of the Opposition):** — Mr. Speaker, that being the case then, there is absolutely no reason for the members of the government to reject the amendment which has been offered. This is just to keep the record straight, perhaps help to keep them a little bit honest, with a little bit of pressure on. We ask them to support this particular program now.

Obviously what we are concerned with on this side of the house is that again we will get, when next year rolls around, the answer from the government that we have had so many times, "the idea is good but the time is not right". We have had it once already tonight, we had it once yesterday, we have had it I don't know how many hundred times during the years that have passed. This little amendment is, just as I say, to keep them on the track, hopefully to help keep them honest in terms of what the Minister of Health (Mr. Steuart) just now said they were going to do and what they said they would do during the election campaign. He, himself, has removed every vestige of reason for anybody over there voting against the amendment.

**Some Hon. Members:** — Hear, Hear!

**Mr. W. J. Berezowsky (Cumberland):** — It is very interesting to hear the Minister of Health (Mr. Steuart) at this time say that he, and I presume his colleagues, are going to vote against the sub-amendment.

I have a program here of the Liberal party, their election promises, and no. 7 says that they will maintain medical care insurance and extend it to cover major drug costs. Now, I wonder, Mr. Speaker, who the Liberals are fooling? Were they fooling the electorate when they made this promise? Or were they just foolhardy.

**Some Hon. Members:** — Hear, Hear!

**Mr. Berezowsky:** — Now they are going to vote against this very platform plank that they presented to the people only two years ago. I say that if you vote against this platform then the people of Saskatchewan will know just who you are. Your promises were not meant to be kept.

**Mr. Steuart:** — Is that the only answer you have got.

**Mr. Speaker:** — Order, Order!

The sub-amendment was negatived on the following recorded division:

**March 17, 1966**

**YEAS—(22)**  
**Messieurs**

Lloyd  
Cooper (Mrs.)  
Wood  
Nollet  
Brockelbank (Kelsey)  
Blakeney  
Davies  
Willis

Whelan  
Nicholson  
Kramer  
Dewhurst  
Berezowsky  
Michayluk  
Smishek  
Link

Snyder  
Brotten  
Larson  
Robbins  
Pepper  
Brockelbank  
(Saskatoon City)

**NAYS—(26)**  
**Messieurs**

Thatcher  
Howes  
McFarlane  
Boldt  
Steuart  
Heald  
Guy  
Merchant (Mrs.)  
Loken

MacDougall  
Grant  
Coderre  
Bjarnason  
Trapp  
Cuelenaere  
Gallagher  
Breker  
Leith

Radloff  
Romuld  
Weatherald  
MacLennan  
Larochelle  
Coupland  
Gardner (Moosomin)  
Mitchell

The amendment was agreed to on the following recorded division:

**YEAS—(26)**  
**Messieurs**

Thatcher  
Howes  
McFarlane  
Boldt  
Steuart  
Heald  
Guy  
Merchant (Mrs.)  
Loken

MacDougall  
Grant  
Coderre  
Bjarnason  
Trapp  
Cuelenaere  
Gallagher  
Breker  
Leith

Radloff  
Romuld  
Weatherald  
MacLennan  
Larochelle  
Coupland  
Gardner (Moosomin)  
Mitchell

**NAYS—(22)**  
**Messieurs**

Lloyd  
Cooper (Mrs.)  
Wood  
Nollet  
Brockelbank (Kelsey)  
Blakeney  
Davies  
Willis

Whelan  
Nicholson  
Kramer  
Dewhurst  
Berezowsky  
Michayluk  
Smishek  
Link

Snyder  
Brotten  
Larson  
Robbins  
Pepper  
Brockelbank  
(Saskatoon City)

The motion was agreed to unanimously.

**MOTION: AMENDING THE SCHOOL ACT RE MENTALLY HANDICAPPED CHILDREN**

The assembly resumed the adjourned debate on the proposed motion by Mr. 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;

and the proposed amendment thereto by Mr. Leith (Elrose):

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

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

**Mr. D. W. Michayluk (Redberry):** — In adjourning the debate on the amendment moved by the hon. member for Elrose (Mr. Leith) I wanted more time as I had not had the opportunity to consider what this amendment to the original resolution introduced by the senior member from Saskatoon (Mr. Nicholson) had meant.

In perusing the amendment and the original resolution, Sir, I may say that the original resolution, as presented by the hon. member for Saskatoon (Mr. Nicholson) would make it mandatory for the school boards to provide education for the mentally retarded, that is the educable and the trainable retarded children. The resolution, or the amendment to the resolution, as proposed by the hon. member for Elrose (Mr. Leith) suggests that encouragement be given to school boards through a grant structure, to accept responsibility in providing an appropriate education for exceptional children. Now "exceptional", Mr. Speaker, could be taken to mean two different ways. It could mean students with the high mental ability, or the students that are exceptional due to mental retardation.

When this resolution was brought before the house, the Minister of Education (Mr. Trapp) made a brief comment, "While I agree wholeheartedly that much must be done in future years in this regard, I do not think that the time is right at the present to make it mandatory for all school systems".

Now, I am somewhat perturbed and surprised, Mr. Speaker, at this particular statement by the Minister of Education at the time when this resolution was brought before this house.

I have, Sir, before me the annual report from the Department of Education for the year 1964-65. The word mentioned in the amendment to the resolution, is to encourage. I want to quote some statistics from the annual report of the Department of Education for 1964-65. Education for the educable and trainable that is being provided by various school units and public school boards in the province of Saskatchewan is something of this nature. For the educable retarded there are five school units providing education. There are thirteen separate and public school boards, there are some 67 teachers in the employment

of these jurisdictions and the total enrolment that are educably retarded is 998. In the trainable retarded, Mr. Speaker, there are some ten units out of 59 that are providing facilities and training for this group. There are seven public school boards and also four special boards. They employ some 51 teachers and have a total enrolment of 452 pupils. In the two groups, Mr. Speaker, and I want to bring this to the attention of the hon. members of this house, a total enrolment in the educable retarded and the trainable retarded is 1,450 students. Now, these jurisdictions and school boards and school units that are responsible for the education of school children need no more encouragement. They have already taken the initiative. What these jurisdictions need is a grant structure and a financial responsibility by the province of Saskatchewan. The Minister of Education (Mr. Trapp) says that the time is not yet ready or right. Now, I know that some school jurisdictions are not in the financial position to provide facilities of this nature. Take the school unit where I am teaching, assessed at \$7,000,000, employing some 77 teachers. They are not in a position to provide special facilities and qualified teachers due to the fact that the enrolment for this group does not warrant providing facilities and engaging a teacher. However, school boards could do it collectively. Well, what is being done? What does the Blaine Lake School Unit do in respect to the mentally retarded children? Well, it undertakes to pay the tuition fee. Some of the children go to the John Dolen School in the city of Saskatoon. Other students go to the school for the mentally retarded in the city of North Battleford. Mr. Speaker, I have a clipping, and with your permission I would like to quote in part:

Non-resident student fees remain the same.

But it further says this:

Public school boards chose to approve a non-resident fee schedule which will increase the fees for non-residents in the retarded class . . .

And this is the group for which this resolution is to speak

. . . in the retarded class increased to \$350 from \$240.

In other words a parent or a school jurisdiction that wants to send a mentally retarded student to the school for the mentally retarded in Saskatoon is by one stroke obligated to pay an additional \$110 in increased tuition fee.

This is precisely the reason why the hon. member for Saskatoon (Mr. Nicholson) brought this resolution to this legislature. It is to obligate the Department of Education to provide a grant structure to assist the school jurisdictions in the education of the mentally retarded. And it also states further that it is to make the education of the mentally retarded obligatory or mandatory. The School Act as it exists today states clearly that all children from the age of seven to the age of 16 must attend school. There is no provision in the School Act to make the education of the mentally retarded obligatory. I think that this resolution would make it possible for all the children, be they normal children, be they brilliant children, or be they mentally retarded to get educated to some degree, provided they are educable and trainable. We as a society must assume and the government must assume full responsibility for their training and their education.

All this costs money. You will recall, Mr. Speaker, that in the last budget when we were the government, we provided grants to the school jurisdictions of Saskatchewan whereby we made an additional increase in grants up to 14 per cent of the total cost of education. When this government assumed office they provided only 7 per cent of the costs over the previous year. What happened? Mill rates for school purposes were increased to the taxpayer anywhere from 3 to 7 mills. Not only were they increased last year. I have, Sir, clippings from papers that will indicate precisely what is happening in this fiscal year where the school boards, or the school units are setting the budget for 1966. What has happened? North Battleford board approves a budget boost of how much? A 4.4 mill increase.

**Mr. Thatcher:** — Lower taxes.

**Mr. Michayluk:** — For the unit board the total overall figure is \$944,670 and this is the North Battleford School unit. Their mill increase is three mills. Another area had a 1.4 mill increase. No School Board is aware of what the new incentive grants or its formula will do to keep down the mill rate.

Mr. Speaker, I am certain that we are all in accord or in agreement with the resolution that was moved in this legislature. I am not sure that I favor the amendment moved by the hon. member for Elrose (Mr. Leith) because I think that as a province we should assume financial responsibility for the training of the mentally retarded children. School Boards certainly are aware of the need and require little encouragement as I have demonstrated by what is being done throughout the various units and public school boards in the province of Saskatchewan. Therefore, Mr. Speaker, I would suggest that the members of this house defeat the amendment and support the original resolution.

**Some Hon. Members:** — Hear, Hear!

**Hon. G. J. Trapp (Minister of Education):** — I think I said previously on this subject that the word mandatory is most unfortunate here because I think the time is not ripe to force all school systems to take on this extra burden at this time. I think I also pointed out that great strides had been made in the last two years in the number of boys and girls, the number of students who have and who are now receiving education by the school systems.

I think I would be more struck by the sincerity of the opposition in urging this point at this time if there had been some lapse of time, 10 or 15 years, but when you think, Mr. Speaker, that in less than two years a member of the opposition can get up and say there is great urgency in this matter. Well, it's nonsense. If there is great urgency there must have been for a long time and they were the government when this urgency was here and did nothing about it. I am going to tell you that before very long there will be something done about it. I don't think it will be done in a mandatory attitude. It has not been our attitude that we will demand people to do this and to do other things. I think we will achieve our objective by encouraging, financially and otherwise, boards to take on this extra burden. I am convinced that if you look at the figures, the improvement that we have had in the last year and a half or two years, it is amazing. I am convinced also that the best way to achieve this educational opportunity for the mentally retarded,

**March 17, 1966**

and for other exceptional children, is to encourage it financially and by grant structures which we are very seriously considering. We have had consultations with school systems on the matter. For this reason I very much favor the amendment and the motion amended, Mr. Speaker.

**Some Hon. Members:** — Hear, Hear!

**Mr. W. S. Lloyd (Leader of the Opposition):** — Mr. Speaker, once again we have heard from the members opposite that phrase for which they are most famous, “It’s a good idea but it isn’t the right time”. Three times tonight, we heard it yesterday, and as I said previously this evening, we have heard it many times over the years.

When it was proposed that larger school units be established in this province, the members of the Liberal Party who then sat here said, “It’s not the right time. It’s a good idea.” When it was proposed to establish hospitalization plans in this province, the members of the Liberal party then sitting over here said, “The idea is good but it’s not the right time.” When it was proposed to establish a comprehensive medicare program in the province, the members of the Liberal party said, “The idea is good but the time is not ripe”. I should think, Mr. Speaker, it wouldn’t be too long before they think up at least some original way of saying “The time isn’t ripe” instead of just repeating the same phrases one after the other.

Let me look just for a moment at the resolution, Mr. Speaker, and draw the attention of the Minister of Education (Mr. Trapp), in particular, to what the resolution says. It asks the government to give consideration to amending the School Act, asks them to think about amending it 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.

Mr. Speaker, I can appreciate the argument which the member for Elrose (Mr. Leith) advanced the other day that in a number of instances it is not feasible, not practicable to establish these services in each and every district in which there might live one of these handicapped youngsters. But I submit that we can take mandatory action in ways other than this. The member for Redberry (Mr. Michayluk), who has just taken his seat, drew attention to the particular situation of one youngster and her parents in the school system today. He drew attention to the fact that it is possible under the provisions of the School Act as they now exist for a school board to exclude itself from any financial responsibility whatsoever for this particular type of youngster. Once that has happened then the parents, if they are lucky enough to find a place where this youngster can be trained, are in the position of having to pay the entire cost themselves. I submit that one method, one step, one stage, of making mandatory some responsibility for these is to say to school boards that for these youngsters, as we have already said for other youngsters, there shall be a mandatory financial responsibility. If there is a youngster of this kind in the community and if the area is not capable itself of providing the facilities for this kind of training, or education as the case may be, then the school board at least ought to be responsible for supplying the fees at the institution to which the youngster can be sent. That is a fact of the resolution, that is a fact which is entirely ignored by the amendment and that is one reason why the amendment

ought to be voted down.

One further point, Mr. Speaker, and all of us are aware of the fact that this is not just a question of providing school facilities and of providing teachers. It is also a question of doing more than we have done in providing teachers who have the right kind of training. So there needs to be financial assistance and encouragement and organization to that end. It is not just a matter either of providing teacher who have the right kind of training, it is a matter also of providing many of other persons with the kinds of skills that are needed also — the teacher psychologist, the social worker, the psychiatrist, as the case may be. I would hope that the time is not too long before we much more adequately provide this whole group of disciplines which are needed if we are to make the kind of contribution which society can make, if we but will it, to the development and the achievement of at least some greater degree of satisfaction for these unfortunate young people.

Mr. Speaker, to go back specifically to the resolution I submit that when the amendment omits any consideration on the part of the government of preparing for school boards to accept in a mandatory way financial responsibility for the education of these youngsters, then that amendment falls short of what is necessary because if that is the case, then the amendment ought to be defeated and the original motion ought to be supported.

**Some Hon. Members:** — Hear, Hear!

**Mr. Leith (Elrose):** — Mr. Speaker, I must draw your attention to the fact that I moved the amendment and I intend to close the debate.

**Mr. A. M. Nicholson (Saskatoon):** — Mr. Speaker, I wish to thank the Leader of the Opposition (Mr. Lloyd) and the member for Redberry (Mr. Michayluk) for their constructive suggestions in connection with this important resolution. Mr. Speaker, the arguments used by the Minister of Education (Mr. Trapp) were the arguments which were heard 100 years ago when the question of education for all children was a matter of public controversy. I submit, Mr. Speaker, that the original resolutions sets out that this assembly believes every child has a right to develop his potential to the maximum. We are discussing a group of children who are citizens and future citizens of this province and this country. I think the resolution in its original form in the very affluent Saskatchewan of today was very reasonable. I think that the Minister of Education is correct in saying that the passing of this resolution and acting on the original resolution would place additional costs on the taxpayers. That's true, Mr. Speaker, but there are unreasonable costs which are being carried by the parents of these children in many sections of the province. I hope that the assembly will reject the amendment that has been proposed and that all children will have the advantages which they should have in this country as we plan to move into the second century of Canadian history.

**Mr. H. A. Broten (Watrous):** — Mr. Speaker, I have had occasion to live close to four children that are retarded. In fact all four children, in the last eight years have lived within four miles of my home. So I have been brought into fairly close contact with this, probably more than the average person has at this time. We have started a schoolroom in the town of Viscount and it has been quite successful. What is needed in this whole program is public education. We realize that we are not going to teach these children

too much in two half days in a week. But we do know that we will be bringing to the attention of the people of the Viscount area, the people in the Lanigan unit, that these children have as much right to, and the parents of these children have as much right to the help, and the children themselves have as much, shall we say, right to the amenities that this society can give them. I think that when we talk about mandatory I think that brothers and sisters of these children find their way to school because in many cases it is mandatory that they do find their way. I think we are working close to a time when it will be mandatory that these children and parents get help in the situation that they find themselves in.

I think what we fail to realize in many cases is that parents of these children, as the member for Saskatoon (Mr. Nicholson) mentioned, have an extremely rough road. They have someone in hand that is active and uncontrollable for a much longer time than the normal child. That is as the child gets older sometimes, the child is more troublesome. I think that any help that these parents can receive from society should be made available. I think that this legislature in saying that we should make it mandatory that education to all educable and trainable children be given and that consideration be given to this type through encouragement of grants through the grant structure to this type of need, would all be to the good.

I also believe, Mr. Speaker, that the work that is being done by the Association of Retarded Children is a tremendous thing in bringing forth the all important fact that there are so many children that are retarded. I think that if you have a group of ten people in a room that there will at least be one of them that will know of a retarded child and that child will be either a relative or a very close neighbor. Because of this I think we haven't added up the number and the importance of this. I also think that by opposing the amendment and passing the resolution we would be just recognizing the problem in the way that we should in this house.

Before I sit down, Mr. Speaker, I would very much like to give credit to the school boards that are giving help in this area. I think it's very commendable because some of us who have had very close contact with this find it easy to be sympathetic and knowledgeable as far as the problem of the parent is concerned and also to some degree, the child itself. But I found out from experience that not too many people do realize that there are as many retarded children in Saskatchewan as there are. So I will oppose the amendment and support the resolution.

**Some Hon. Members:** — Hear, Hear!

The amendment was agreed to.

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

**Mr. F. A. Dewhurst (Wadena):** — Mr. Speaker, on a point of order. He didn't move the original motion. He spoke to the motion and moved an amendment. He has no right to speak again. He has exercised his right.

**Mr. Speaker:** — You are right. Point of order is well taken. I'm

sorry.

Motion as amended agreed to.

### **MOTION: PRIVATE PENSION PLANS**

The assembly resumed the adjourned debate on the proposed motion by Mr. 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, 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):** — When I was discussing this problem with respect to portability of pensions and vesting of the employer's contributions to the employee, I stated that it was my belief that the economic premise in the Income Tax Act with respect to Income Tax Approved Pension Funds is that the employer's contribution on behalf of an employee is, in fact, a deferred wage. This, of course, can only be completely true if we achieve early vesting and complete portability. I expressed the opinion that the coming of the Canada Pension Plan should facilitate an increase in the vesting clauses in relation to private pension plans and therefore speed up portability. I mentioned the fact that since the Canada Pension Plan, and many private pension plans are operating, some adjustment had to be made between these private plans as they previously operated and the Canada Pension Plan. I mentioned the fact that generally speaking people assume there are two courses open. One usually referred to as "decking" or "stacking" and the other as "integration". I mentioned that I felt there was a third course, much preferable perhaps to either of the first two, in which cognizance or recognition was made of the fact that contributions must indeed be made to the Canada Pension Plan and, therefore, some adjustments should be made in the private pension plans.

I mentioned the fact that I had done a considerable research study on 1,140 trustee pension plans in Canada and that under the present vesting clauses in all of the average earnings, final earnings, final average earnings, and career average earnings plans I looked at and indeed, some of the money purchase plans, actual portability is not achieved or complete vesting attained prior to actual retirement. In fact, Mr. Speaker, in a large number of these particular private pensions plans, the employer in effect takes back the contributions he has made on behalf of employees when they terminate employment prior to normal retirement, simply through the legal loophole of reducing remittances to the pension trust in future months, by the amount which was not made available to the department employee by reason of the fact that the employer's contributions were not vested in him.

**March 17, 1966**

I have mentioned the fact that only three real factors occur in a pension plan, the contributions made by the employee, and by the employer on his behalf, the time factor and the earnings factor. The latter two are closely related because it can be clearly demonstrated that the time factor is of great importance in the multiplicity factor of interest return credited to the employee in terms of his final pension.

Using the example of a person having a \$5,000 a year income with a 4 per cent contribution to a private pension plan plus the contributions that he must make to the Canada Pension Plan, we see results achieved, if employed for 35 years, at an assumed average compound interest return equal to the return we have achieved in our pension society that would provide a pension, along with his Canada Pension, of \$407 per month. This figure compares with a combined pension of \$482 if a "decking" program is used in the above example and a combined pension of \$363 when an "integration" approach similar to the one apparently in mind by the government in relation to superannuation or pension funds under the jurisdiction, is utilized. It should be realized that it is most important that the individual retain his purchasing power, which is of vital importance not only to him as an individual upon reaching retirement, but to society as a whole.

Mr. Speaker, I would submit, that due to the fact that we have increasing productivity in terms of our economy, we simply must achieve wider distribution of income to maintain the purchasing power which is essential in terms of consumer economics, the vital factor in our modern day.

To illustrate the prime factor here, I cite as an example: If the same individual had earned the same \$5,000 income, made exactly the same contributions to a private pension plan, plus the contributions of \$79.20 a year matched by his employer which he is required to make to the Canada Pension Plan, with only 20 years of participation, his monthly pension would be reduced from \$407 a month down to \$210. Now, I would like members of the assembly, Mr. Speaker, to take note of the fact that although this individual would have approximately 60 per cent for as long a period of service, his actual pension is cut roughly in half.

Further if you took a third individual at the same rate of pay, that is \$5,000 annually, and with the same contribution to his private pension plan, plus the regular contributions which he must make to the Canada Pension Plan and similar contributions made by his employer, with the time factor reduced to 10 years, this individual's pension would be reduced to \$143 a month. Although this individual has a bonus in relation to the Canada Pension Plan it is clear that the vesting clause should credit to the employee at as early a date as possible all of the various contributions on his behalf. This occurs completely with respect to the Canada Pension Plan, and, Mr. Speaker, I submit should occur in terms of private pension plans. I think we can ask some very pertinent questions with respect to pensions, and a perusal and study of pension plans brings these readily to mind.

Does the pension plan regardless of where it operates have a reasonable representation system for its employees? Does it have a reasonable representation system for its employer or employers? Often we have group trust type plans with more than one employer involved in the pension. Does the computation of service in terms of that vesting occur from the date he begins his service, or is it delayed until the time he retires and is

based on total service?

Does the plan supply to the participating employee an annual statement, clearly outlining what his equity is in the plan in relation to his own contributions and the earning accrued thereto at the beginning of the year? Does it supply the contributions of his employer and earnings accrued thereto at the beginning of the year? Does it supply the contributions of his employer and earnings accrued thereto at the beginning of the year. Does it list the contributions made by the employee and the employer during the year, plus accrued earnings credited to the account during the year and with final totals listed for that employee?

It is most important that this be done. Mr. Speaker, I find in surveying pension plans across this country that in the main this is not done. Quite frankly many people you talk to will simply say, "I have a good pension", but they have no idea what kind of pension results they are going to attain. I think it should clearly indicate the actual percentage of earnings realized and credit each year. I note pension bills introduced into the house this year indicating raising the returns, in terms of pension earnings, from percentages of 2 ½ per cent to 4 per cent. I submit this is most important. In fact, one-tenth of one per cent in earnings on a pension over an average of 35 years of participation means \$1,000 to the pensioner, therefore, one percent means \$10,000, two per cent means \$20,000. Since \$11,000 is required to achieve for the average male \$1,000 per annum income on a guaranteed basis for a period certain of 10 years, \$13,000 required for a female for \$1,000 annual income per year, it is most important that people have some reasonable understanding of the costs of pensions involved.

Mr. Speaker, I cite, as an example, that it cost \$11,000 to acquire \$1,000 pension for a male at 65, and \$13,000 for a \$1,000 pension for a female at 65. This is basically due to the fact that women live longer than men. They are not the weaker sex. They are tougher and they last longer. I would simply state to all of the members in this assembly that they should accept the fact that a male can't beat a woman in the long run.

I think these pensions should also state quite clearly what provisions, if any, are made for additional assistance over and above the actual contributions made by both the employee and the employer on his or her behalf, for long service personnel who happen to have a relatively short contributory periods. Mr. Speaker, we are approaching a period in the history of pensions when we will see increasing portability. About this there is no doubt whatsoever. Again it is a question, of course of timing. We have in this province and I am not sure of the actual title of the act, the Minister of Labour (Mr. Coderre) perhaps could give us this information, The Disclosures Act, I believe, and I think after the present government was elected it was found not necessary to continue to gather this data. I note a year ago the Minister of Labour did inform us that there were 984 registered pension plans in Saskatchewan, that they held some \$464,000,000 in pension funds, that they had some 22,800 persons participating at that some 2,000 of them had already been retired, 1,900 of them males and 100 of them females. A breakdown was given with respect to the types of pensions listed.

In addition to this, of course, other provinces have taken action. The most notable one is the Ontario Pension Benefits Act, 1962-63, amended in 1964, and declared to be effective as of

**March 17, 1966**

January 1st, 1965, one year prior to the institution of the Canada Pension Plan. Quebec has a Supplemental Pensions Act with a reciprocal agreement with Ontario. Manitoba introduced a bill two years ago, Bill no. 107, with respect to some measure of control and some uniformity over private pension plans. That bill, however, did not pass their legislature. So, in effect, what we have today are three acts, one in Ontario, one in Quebec, one in Saskatchewan, currently inoperative in the main. The two in Ontario and Quebec, of course, cover the largest percentage of the total population in Canada, and they do have a reciprocal agreement so that they have complete uniformity in relation one to the other.

I suggest, Mr. Speaker, that this is most important. I mentioned previously that pension conferences had been held in Canada and I felt that there was some intimation that the government of Saskatchewan would go along with the idea of a uniform approach in this regard. It is most important that this be done. The Ontario Pension Benefits Act, of course, leads the way in this respect and points up very clearly the questions that I mentioned with respect to perusal of pension plans. The Ontario Pension Benefits Act says that all of the funds accumulated on behalf of a person in a pension plan which is income tax approved, after that individual has attained 45 years of age, and after he has 10 years of participation in their plan, must if he terminates employment prior to normal retirement, have 75 per cent of that total used for the purchase of pension at normal retirement.

This is important, if we are to get portability and I sincerely hope we will, if we are to get speeded up vesting in terms of employers' contributions on behalf of employees. The other side of the coin is to make reasonable assurance that the money is used, in fact, for the purposes intended, that is the purchase of pensions.

Now it is interesting to note that the Ontario Pension Benefits Act calls for:

1. After age 45 and 10 years of participation, if termination of employment occurs prior to normal retirement, 75 per cent of the contributions and accrued earnings accumulated after January, 1965, must be used for pension purposes payable at normal retirement. Twenty five per cent is available to the individual who may have lost his job as a rehabilitation credit.

Mr. Speaker, the other night when I was speaking on this particular resolution, I cited specific examples in terms of dollars and cents to illustrate the impact of this rule.

Three other rules are very important:

Administrators of pension plans must supply annual reports to the participants of pension plans, including an annual financial statement, a copy of the regulations, and an individual equity statement.

Mr. Speaker, I would like to inform this house, in our pension society, we have been doing this for 22 years.

The pension administrator must provide annually a cost certificate to the Pension Commission of Ontario, to provide

evidence that the pension plan is, in fact, solvent.

In my study of the pension plans that I have mentioned, I came to this conclusion and this is backed up by a study carried out in Pennsylvania with respect to pension plans in that area of United States; that in actuality pension plans which call for specific levels of retirement pay have, in fact, no guarantee that there will be funds to meet those payments, and at any given time there almost never are sufficient funds to meet the obligations to which they are committed.

I suggest, Mr. Speaker, that it is most important that the provisions of the Ontario Pension Benefits Act which I have summed up briefly do three things: (a) they speed up portability; (b) they insure that, in large measure, the money shall be used for the purposes intended; (c) they permit a 25 per cent settlement as a rehabilitation credit. I think there is merit in the fact that a rehabilitation credit is available, because as I previously pointed out there may be persons over 45 who lose their jobs and require funds in terms of rehabilitating themselves because they may find difficulty in securing employment.

Lastly, it is vital that pension funds prove that they have solvency to meet the commitments they have made in relation to pensions. Mr. Speaker, I sincerely hope that the members of this assembly will unanimously endorse this resolution which simply calls for the speeding-up of portability and the improvement in vesting clauses relating to pension plans.

In summation, I would say, pension plans generally mislead people, not necessarily intentionally, but this is what is actually happening. It might be summed up in two brief lines, "Things are not just what they seem; skim milk masquerades as cream". There is a lot of truth in this in relation to pensions because most of the people who are involved in pensions have really very little grasp of what they will get in terms of final pensions.

I, therefore, Mr. Speaker, sincerely hope that every member of this assembly will give support to this resolution, and that the government of this province will consider early action in relation to legislation which will supply reasonable uniformity throughout Canada as some of the other provinces are now taking action in this regard.

**Some Hon. Members:** — Hear, Hear!

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

**Mr. W. G. Davies (Moose Jaw):** — Mr. Speaker, I do not intend to repeat anything that has been said, I assure you. I rise this evening to close this debate and to answer some of the questions that were raised by the Minister of Municipal Affairs (Mr. McIsaac), when he spoke on this resolution.

Before proceeding, however, to an examination of what he said, may I congratulate the co-operative member from Saskatoon (Mr. Robbins) for his contribution to the debate. I think that he has reinforced the underlying contention of the resolution. I believe he has contributed a great deal of very good information

that we would not otherwise have had.

When the Minister of Municipal Affairs (Mr. McIsaac) spoke, Mr. Speaker, he belittled the need for the legislation, and the adoption of the necessary ways and means to deal with portability of private pension plans. As I understood him he felt this was virtually impossible within the confines of one province. As I further understood the minister, he said that since the co-operation of all provinces and the dominion was required, we could do little or nothing until the federal government finally decided to do something.

The first comment I would like to make here is that Pension Disclosure Legislation to start with is a matter for the provinces. Of course, some of the provinces have done something about it. The second thing that I would like to say, Mr. Speaker, is that while the federal government is now proceeding rather cautiously to considerations involving manpower and, therefore, probably eventually pensions, there is no evidence thus far that they have given any positive consideration whatsoever to the portability of private pension plans. All of the Canada Pension Plan considerations have been revolving around the public plan, not private plans.

Now, I say, too, that even if action had been taken by the federal government—and I am submitting that it hasn't been taken effectively to this moment—that this wouldn't preclude action by the provinces. In fact, any action by this province to encourage portability in private pension plans should enhance and should encourage and stimulate the federal government to make some effort in this direction.

Now, I want to point out here what I think is an extremely important point, Mr. Speaker, apropos the remarks of the Minister of Municipal Affairs (Mr. McIsaac) the other day in this debate; and that is, that the frustration of some of the matters that are suggested in my resolution have been accomplished because of actions of the present Liberal government in this province to the fact that sections 4 and 5 of the Pensions Disclosure Legislation were last year deferred for a two year period until January 1st, of 1967. I say this to the government that, in my opinion, the legislation had within it no power whatsoever to defer the reporting of all pension plans and the doing of all those things that are required by the two sections. The only authority that is given to the government is with respect to the temporary delaying of the filing of information on classes of pension plans. This obviously means that where there is a group of private plans where they may have some difficulty in filing information, then the government may for a short time defer the obligations that are inherent for private pension plans to file these reports. But the government, I suggest and submit here, did not have the power to completely defer the section required by sections 4 and 5 in the Pension Disclosure Legislation, and for a period of two years to wipe out all the reports, wipe out all the filing of information that would be most germane to the considerations that we must face in preparing for portability of private pension plans. This is another classic example of the delay of the government in this province. I suggest to the Minister of Municipal Affairs (Mr. McIsaac) who is responsible for the Pension Disclosure Legislation, which is now as I understand, invested in the Public Service Commission, that he should immediately get an opinion from the Department of the Attorney General as to whether the action of the government in deferring the whole effect of

sections 4 and 5 is legally justified under the circumstances.

The minister has referred to the province of Ontario and made some brief mention to this. When I rose to speak in the instance, I reminded the members that the province of Ontario had made a commendable effort to achieve some degree of portability which I suggested nonetheless was rather of a conservative nature. But there is no reason to believe we could not do in Saskatchewan at least what has been done in the province of Ontario.

The Minister of Municipal Affairs (Mr. McIsaac) has said that Ontario is a large province, that it has a large number of employees and, therefore, that in some way this means that Ontario is better able to cope with the problem. He has said it is a larger problem and, therefore, there is more reason for Ontario to do something that Saskatchewan does not need to do.

This again is simply a matter of relativity. We have a large number of employees, and these have every bit as much right to consideration as the employees of another province. Again I say that this is no good reason for not proceeding as has been suggested in the resolution, in this province.

I also say that the more provinces that do undertake the kind of action that is suggested in the resolution, the greater possibility there will be for some kind of interprovincial and federal co-operation to the end that more complete portability in private pension plans is achieved in the long run.

The government of Saskatchewan has already in effect legislation for portability and pension rights for members of the public service; that is, those members of the public service that move from province to province. This step was taken not only to accommodate employees concerned, but to advantage the government of this province in securing employees from other areas. We do stand to lose some employees but in the end result the results are beneficial for ourselves and for other provincial jurisdictions. The idea of freezing people in their positions in the civil service across this country would, I think, in the long run deter progress in all aspects of public administration. But my point here is that we have already taken some steps in the reform of pensions in public employment. There is no real reason to believe why some similar remedial action cannot be undertaken in connection with the employees in private industry. Surely what is good for one section is good for another.

But, Mr. Speaker, whatever the arguments that have been advanced by the Minister of Municipal Affairs (Mr. McIsaac), it is clear that there is nothing whatsoever in the resolution that commits the government to any action that would be deemed to be adverse after that investigation had been completed. The resolution simply asks for consideration of legislation and the ways and means by which the welfare of employees affected by private pension plans can be fairly and reasonably protected. In other words, any investigation would inevitably precede any action, any possible action by the government. Whether or not any action was taken would finally depend on the government's attitude after that study had been made.

I believe quite confidently that some study would reveal even more need to proceed than has been suggested by myself or the member from Saskatoon (Mr. Robbins). I submit to the Minister of Municipal Affairs (Mr. McIsaac) therefore that apart from

**March 17, 1966**

all the argument that he has advanced, the government has a responsibility and he has a responsibility as the minister in charge of the Public Service Commission, and the Pension Disclosure Legislation to see to it that there exists in this province the largest possible public measure of responsibility for private plans.

With these words, Mr. Speaker, I would hope that members opposite would support us and show unanimous approval of the resolution this evening.

**Some Hon. Members:** — Hear, Hear!

The motion was negatived on the following recorded division.

**YEAS—(20)**  
**Messieurs**

Lloyd	Whelan	Larson
Cooper (Mrs.)	Nicholson	Robbins
Wood	Dewhurst	Pepper
Nollet	Berezowsky	Brockelbank
Brockelbank (Kelsey)	Michayluk	(Saskatoon)
Blakeney	Smishek	Davies
Link	Willis	Broten

**NAYS—(26)**  
**Messieurs**

Thatcher	MacDougall	Radloff
Howes	Grant	Romuld
McFarlane	Coderre	Weatherald
Boldt	Bjarnason	MacLennan
Steuart	Trapp	Larochelle
Heald	Cuelenaere	Coupland
Guy	Gallagher	Gardner (Moosomin)
Merchant (Mrs.)	Breker	Leith
Mitchell	Loken	

**MOTION: INCOME TAX EXEMPTION**

The assembly resumed the adjourned debate on the proposed motion by Mrs. Merchant (Saskatoon City):

That this assembly urges the government of Canada to amend the Income Tax Act to permit exemption of costs incurred in the purchase of equipment and instruments used by workers in their employment and to permit exemption of the cost of workers' transportation to and from their places of employment.

**Mr. J. E. Brockelbank (Saskatoon City):** — I would just like to say a few words on this particular resolution with regard to the changes in the Income Tax Act to allow working people similar concessions that other people now enjoy. There seemed to be many architects working on this particular resolution the other day, superfluous as a matter of fact,

so many that one of them was out of order. There seemed to be a certain degree of unanimity among the members of this chamber that even the resolution that was offered, that was out of order, had some appeal, and I would like at this time to beg leave of the assembly to offer an amendment and ask the legislature to vote in favor of the resolution as it will be amended. The amendment reads as follows:

That after the word “purchase” in line 3, the words “and repair” be inserted and that the following words be added at the end:

And further this assembly urges the government of Canada to amend the Income Tax Act to permit exemption of travel and living expenses incurred by persons who are required to live and work away from their normal place of residence.

Amendment agreed to.

Motion, as amended, agreed to.

**Hon. D. G. Steuart (Minister of Health):** — Mr. Speaker, before the house adjourns I might say I understand that tickets to the Horse Show have been given out to all the members, but since we are sitting Monday we have been arrangements for the ticket to the Horse Show for Monday to be exchanged at Gillies Agency for Wednesday night. It has been suggested that we do so immediately so that we can have choice seats. I would now beg leave of the assembly to move that this house do now adjourn.

The assembly adjourned at 9:59 o'clock p.m.