

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
First Session — Sixteenth Legislature
24th Day

Tuesday, March 19, 1968.

The Assembly met at 7:30 o'clock p.m.
On the Orders of the Day.

WELCOME TO STUDENTS

Hon. D. Boldt (Rosthern): — I would like to introduce a group of students from my constituency, from Hepburn, Saskatchewan. They were to be here this afternoon and they are disappointed that the House did not sit. I met them this afternoon. They said they would stay till after the lunch hour and I am sure all Members will appreciate their sincerity in coming here at this time to learn of government in action. I certainly would welcome them here and I am sure all of you will wish them a pleasant stay here and a safe journey home this evening.

Some Hon. Members: — Hear, hear!

SASKATCHEWAN CURLING TITLE FOR CANADA

Mr. W.S. Howes (Kerrobert-Kindersley): — Mr. Speaker, before Orders of the Day I think yesterday was hardly appropriate, but today I would like to call through you the attention of Members of this House to the fact that the Larry McGrath rink of Kindersley has again won the mixed curling title for Canada, an event which is sometimes called The Little Brier. This is the first time anyone has won this event twice and it speaks highly for the quality of the rink, which is composed of Mrs. Darlene Hill, Mrs. Marlene Dorsett, Larry McGrath of Kindersley and John Gunn of Brock. I think that all Members will be as delighted as I at the results in St. Boniface.

Some Hon. Members: — Hear, hear!

ANNOUNCEMENT – UNEMPLOYMENT FIGURES

Hon. L. P. Coderre (Minister of Labour): — Mr. Speaker, before the Orders of the Day are proceeded with, I thought that the House would be interested to know what the latest unemployment figure stands in Saskatchewan as compared to the other provinces for the week ending February 17 which is the last figure available. In Saskatchewan the figure stood at 10,000, an unemployment figure of 3.1 per cent, the next closest one is Alberta with 3.6 per cent, Manitoba with 4.8. Saskatchewan still has the lowest unemployment rate anywhere in Canada, Mr. Speaker.

Some Hon. Members: — Hear, hear!

QUESTION

RETURNS NOS. 4 AND 5

Mr. C.G. Willis (Melfort-Tisdale): — Mr. Speaker, I was merely going to rise to enquire of the Provincial Secretary (Mr. Heald) if there is any word about

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Return No. 4 and Return No. 5, which I have been waiting for a long time.

Hon. D.V. Heald (Provincial Secretary): — Mr. Speaker, I wish to lay on the table Returns Nos. 17 and 63. I don't have No. 4 or No. 5.

MOTIONS FOR RETURN

RETURN NO. 84

Mr. F.A. Dewhurst (Wadena): — Moved that an Order of the Assembly do issue for Return No. 84 showing:

(1) The name, address, principal line of business and date of appointment of each person who has been named a 'special liquor vendor' under Section 15a of The Liquor Act, from February 14, 1966, to March 1, 1968.

(2) The name, address, and principal line of business of each unsuccessful applicant for appointment as 'special liquor vendor' in the above-specified time period.

Hon. W.R. Thatcher (Premier): — Mr. Speaker, the Government has no objection to answering part (1) of this question, we could not however we feel answer part (2). We believe that this is privileged correspondence and we believe it would be not in the public interest to give the information in part (2).

Hon. D.G. Steuart (Provincial Secretary): — Mr. Speaker, I beg leave to adjourn the debate.

Debate adjourned.

RETURN NO. 85

Mr. W.J. Berezowsky (Prince Albert East-Cumberland): — Moved that an Order of the Assembly do issue for Return No. 85 showing:

With respect to the nine loans made to northern residents by the Northern Affairs Branch as noted on page 36 of the 1966-67 Department of Natural Resources Annual Report, (a) the name and address of each person or firm receiving a loan; (b) the amount of the loan in each case; (c) the purpose of each loan granted; and (d) whether all required payments have been made on all loans to date.

Hon. A.C. Cameron (Minister of Mineral Resources): — Mr. Speaker, in regard to this Order for Return under the project of natural development of Natural Resources, loans are made to northern residents to enable the establishment or of the loan in each case couldn't be given, or the purpose of each loan granted, or whether all the required payments have been made on all loans to date. We do feel however it would be inappropriate to mention the individual person's name and the

amount of loan he got. We think this may have an adverse effect on the project and that people would not wish to avail themselves of the loaning facilities if they knew their name and the amount and whether they were in arrears or not were made public. For that reason, I would move, Mr. Speaker:

That all the words of part (a) be deleted and that parts (b), (c) and (d) be re-designated as parts (a), (b) and (c).

Amendment agreed to.

Motion as amended agreed to.

RETURN NO. 90

Hon. W.S. Lloyd (Leader of the Opposition): — Moved that an Order of the Assembly do issue for Return No. 90 showing:

Copies of all correspondence, telegrams, or other communication sent by the Premier of Saskatchewan to (a) the Prime Minister and/or the Government of Canada; (b) the Agent-General for Saskatchewan; and (c) the Canadian High Commissioner to Britain, regarding immigration to Canada and Saskatchewan of Asians presently residing in Kenya.

Mr. Thatcher: — Mr. Speaker, I have had some correspondence with the Prime Minister and also with the Agent-General for Saskatchewan in connection with Asian immigrants from Kenya. But I must say that if the Premier of this Province wants to write to the Prime Minister and the Agent-General who works for us, this is surely privileged correspondence, and on a matter of principle I must oppose this motion.

Mr. Lloyd: — Mr. Speaker, it seems to me an entirely new principle which the Premier is trying to invoke in this case. I admit that there are some kinds of correspondence which go from the Premier's office which must be considered as privileged, but surely correspondence between the Premier of this Province and the Prime Minister of Canada on a matter of this kind is something that should be made available to the public. Surely instructions given by the Premier to an employee or representative of the Government of Saskatchewan in a matter of this kind should be something of interest and to which the public should have proper access. I would draw the Premier's attention to the fact that he made a magnificent sounding statement here in the House about the way in which he was prepared to offer the charity, not the charity but the facilities of Saskatchewan in rehabilitating many of these people. We all applauded him for that statement. It got a lot of publicity. I have an acquaintance who lives in London. She writes me and says, "I heard with some surprise and interest on the tele this morning a statement by the Premier of Saskatchewan about the open-door policy for the people from Kenya" who have been barred...

An Hon. Member:— ...limited...

Mr. Lloyd: — ...limited that is correct. What I want to know, Mr. Speaker, is to what extent the Premier is putting this policy into effect. What kind of offers are we making? How fully are

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we extending the hospitality of this Province? A statement was made in the House the other day in Ottawa that the Premier had said we'd take six or seven families. This is a magnificent offer, Mr. Speaker, a magnificent offer after all the talk about it here.

Mr. Thatcher: — That's not correct!

Mr. Lloyd: — After statements on the CBC and the BBC we find that Saskatchewan is making the grandiose offer of saying we'll take six or seven families.

Mr. Thatcher: — Mr. Speaker, that is simply not correct! The Leader of the Opposition is not stating the facts.

Mr. Lloyd: — If the Premier will turn to a very recent Hansard he will see that Mr. Marchand, the Minister of Immigration and Manpower, there was answering a question which was raised, I think, by the Member of Parliament for MacKenzie, in which he stated he had been in conversation with the Premier and reference was made to the fact that Saskatchewan has offered to take six or seven or perhaps eight families.

Mr. Thatcher: — I say again that is not in accordance with the facts.

Mr. Lloyd: — Mr. Speaker, all I'm saying is that's what's in Hansard. That's what it said in Hansard, that's what I'm quoting. If the Premier wants to correct Mr. Marchand, that's his business. But all the more reason, Mr. Speaker, why the Premier should table the correspondence in this h.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — If he's going to stand up, declaim and declare in this way that his colleague, the Minister of Immigration and Manpower in Ottawa, is giving wrong information to Parliament and to this country, then he should put his cards on the table to prove it. I want to say again, Mr. Speaker, that I do not recall any precedent behind which the Premier can hide in saying that correspondence of this kind between the Premier of this Province and the Prime Minister of Canada is privileged. It is a new principle. We need access to what the Premier has offered about what the Province of Saskatchewan will do. The question wasn't asked in a critical sense. The question was asked so we can find out the extent to which we are offering assistance to those people. We applauded the Premier for the offer he made. We'll applaud him if he makes it good enough, but we want to find out what he is doing about it. Surely, that is our right. Surely, Mr. Premier, you are wrong in refusing that information to the House.

Mr. Thatcher: — Mr. Speaker, I hope I'm in order. May I rise on a point of privilege? Am I in order?

Mr. Speaker: — A Member in debate can rise to correct a statement which is made by another at the end of the other one's statement. He

should confine his remarks to a correction of the statement which was made.

Mr. Thatcher: — Thank you, Mr. Speaker. Well, I want to say most emphatically...

Mr. Lloyd: — May I rise on a point of order? I want to know what is going on. I closed the debate. Do I understand the Premier is now to have right to attempt to debate something I have said?

Mr. Speaker: — Now just hold your horses a moment, until I find the correct chapter and verse in the book.

Mr. Thatcher: — Am I in order, Mr. Speaker? Am I in order on a point of privilege?

Mr. Speaker: — Now just wait until we settle the point of order here. On the point of order, I would draw the Member's attention to May's Parliamentary Practice, 17th Edition, page 445:

In the House of Commons a Member, who, during a debate, has spoken to a question, may again be heard to offer explanation of some material part of his speech which has been misunderstood; but he must not introduce new matter, or endeavour to strengthen by new arguments his former position which he alleges to have been misunderstood, or to reply to other Members. Somewhat greater latitude is permitted in cases of personal explanation where a Member's character or conduct has been impugned in a debate.

The proper time for explanation is at the conclusion of the speech which calls for it; but it is a common practice that for the Member desiring to explain to rise immediately the statement is made.

That doesn't affect us here because the debate is concluded, the mover of the motion having closed the debate.

Mr. Thatcher: — Mr. Speaker, I'll try and stay in order then. The Hon. Member said that it was indicated that I had said Saskatchewan would take five or six families of these immigrants. What I said was that we would take five or six at a time. When I spoke in the House, I said we were prepared to take a limited number and we would be ready to take 50 or 60 families if we can put it through the Federal immigration authorities. I think that matter should be clarified, but I am still not prepared to table privileged correspondence.

Mr. Lloyd: — May I make a slight addendum for the purpose of clarifying what I said. I referred to information which was on the records of the Parliament of Canada. I refer the Premier to Hansard, page 7610, March 14, 1968...

Mr. Speaker: — Order, order! The Member is making an explanation of what he said. The Premier has given an explanation for what

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his side of the case was. The Leader of the Opposition is now quoting chapter and verse of the material that he quoted...I don't think that, if I remember the debate correctly, he quoted chapter and verse or the page in Hansard and I think that the House is entitled to have it.

Mr. Lloyd: — I didn't refer to the page in Hansard but I did refer to Hansard, Mr. Speaker. I was wrong in one respect, but I was speaking from memory. Mr. Marchand did not say six or seven or eight families. He said ten or twelve families and he stated this as the extent to which the Saskatchewan Premier had offered to help with a view to accepting Kenya immigrants in the Province of Saskatchewan. I commend, Mr. Speaker, the Premier to read page 7610 of Hansard, March 14.

The Motion was negatived on the following recorded division.

YEAS—21

Lloyd	Berezowsky	Brockelbank
Wooff	Romanow	Pepper
Kramer	Smishek	Bowerman
Willis	Thibault	Matsalla
Blakeney	Whelan	Messer
Dewhurst	Snyder	Kwasnica
Meakes	Michayluk	Kowalchuk

NAYS—33

Thatcher	Grant	Radloff
Howes	Coderre	Weatherald
McFarlane	Bjarnason	Mitchell
Boldt	MacDonald	Larochelle
Cameron	Estey	Gardner
Steuart	Hooker	Coupland
Heald	Gallagher	McPherson
McIsaac	MacLennan	Charlebois
Guy	Heggie	Forsyth
Loken	Breker	McIvor
MacDougall	Leith	Schmeiser

RETURN NO. 94

Mr. G.T. Snyder (Moose Jaw North): — Moved that an Order of the Assembly do issue for Return No. 94 showing:

- (1) The number of persons appointed to the staff of the Department of Public Health since November 1, 1967.
- (2) The name and position of each such person.
- (3) Whether appointment was made by public Service Competition or Order in Council, in each case.
- (4) The date on which each appointment was made.

Hon. G.B. Grant (Minister of Public Health): — The way this motion is worded would involve a tremendous amount of work and I don't think the Hon. Member really wants information pertaining to casual and temporary and day labour service and the likes of that. I would like to move the following amendment seconded by the Hon. Member from Gravelbourg (Mr. Coderre):

That all words after the word "appointed" in part (1) be deleted and the following substituted therefore:

to permanent or probationary positions on the staff of the Department of Public Health from November 1, 1967, to date, not including promotions or transfers

Amendment agreed to.

Motion as amended agreed to.

RETURN NO. 95

Mr. R. Romanow (Saskatoon Riversdale): — Moved that an Order of the Assembly do issue for Return No. 95 showing:

- (1) The number of persons appointed to the Attorney General's Department since November 1, 1967.
- (2) The name and position of each such person.
- (3) Whether appointment was made by Public Service Competition or Order in Council, in each case.
- (4) The date on which each appointment was made.

Hon. D.V. Heald (Attorney General): — This is a similar situation as the last Return and for the same reasons I would accordingly move seconded by the Minister of Education (Mr. McIsaac):

That all words after the word "appointed" in part (1) be deleted and the following substituted therefore:

to permanent or probationary positions on the staff of the Attorney General's Department from November 1, 1967, to date not including promotions or transfers

Amendment agreed to.

Motion as amended agreed to.

RESOLUTIONS

RESOLUTION NO. 5 — INTER-SESSIONAL COMMITTEE, THE ELECTION ACT

Mr. R. Romanow (Saskatoon Riversdale): — Moved, seconded by Mr. Blakeney (Regina Centre):

That this Legislature recommend to the consideration of the Government the immediate establishment of an Inter-sessional Committee of this Legislature, with such powers

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and authority as may be necessary, to review and recommend to this legislature amendments to The Election Act.

He said: Mr. Speaker, when one reads from time to time in the newspapers and hears over the radio about the problems in many of the far away countries and some countries fairly close to the Province of Saskatchewan attempting to gain certain basic democratic rights and freedoms, I am sure that all Members of this House will feel fortunate that Canada and this Province of Saskatchewan certainly have made large strides in enshrining our basic democratic institutions and our basic democratic rights.

One of the most important rights of democracy, Sir, is that the wishes of the people or the electorate may be easily ascertained. Those on this side of the House, I think it's a fair statement to say, regret that the decision made by the electorate in the October last Provincial election was against us, but nevertheless Saskatchewan people through their democratic institutions, that I very briefly have alluded to, decided on October 11 on the issues and on the men that were presented to them. The aim of all societies is to increasingly refine the sophistication with which these wishes of the people may be determined. Thus, in opening this debate on the Resolution, Mr. Speaker, I submit to this House that it should be the intention of each and every one of us to ensure that the true wishes of as many of the electorate as possible may be easily and quickly ascertained during elections. Now if that is to be the case, Mr. Speaker, then we must from time to time assess whether the machinery that obtains this judgment from the people is working at peak efficiency. If you will, our elections in Saskatchewan must be operated in such a manner, in such a fashion, that will truly and quickly determine the wishes of the people of the Province of Saskatchewan or as many of them as is possible.

I am sure it was keeping in mind this basic premise that the present Election Act of Saskatchewan, whenever it was first drafted, attempted to embody and incorporate these principles. Provision for example was made for determining the wishes of the young, and thus it was Members on this side when they were the Government that allowed for legislation of the vote of 18 year olds and over. Provisions were made for determining the wishes of the sick and thus the hospital vote was made available. Provision was made for those who would legitimately be away on election day and thus the absentee and the advanced poll was instituted and incorporated in this Election Act of ours. I think it's commendable, Mr. Speaker, that The Election Act has these features. It is, as I have said, important to note that as many people as possible in the Province of Saskatchewan be heard on the issues of the day, when they have the chance on election day. However, as a young Member of this Legislature, I now feel that the time has come for the Government of the day to review the provisions of the Saskatchewan Election Act. Accordingly this Resolution is before this House.

There are major areas of concern in the present Election Act which I submit, Mr. Speaker, will help the better operation of democracy that I've talked about earlier. Firstly, I submit there is a need for the enactment of the appropriate amendment to The Election Act in order to provide for what I may broadly call remedial provisions or sections. Secondly, there is a need for pressing amendments that will more readily permit the principle of judicial reviews. That is to say the principle

whereby the courts of the Province of Saskatchewan will more freely arbitrate on disputes that arise from time to time on election matters. My second point is there needs to be Election Act amendments to provide for, if I may use not a very popular word on this side, liberalizing the matter of judicial review. Third, there is an immediate need to review in fine detail many of the minor aspects that, when totalled up together, Sir, cause some of the very deep frustrations and problems of The Election Act. These I would submit have to be reviewed and refined in order to bring them up-to-date to the demands of the modern times.

Now, Sir, may I briefly discuss each of these three pressing reforms. Firstly, the need to incorporate remedial sections. Now what do I mean by remedial sections? The present legislation is too strict in its procedure for carrying out the various duties of The Election Act. It's strict to the point, Mr. Speaker, where, in many cases in past years and in fact in the election that is just concluded the fates of many seats, the fates of many individual ridings and Members are determined by legal technicalities. The problem is compounded by legal decisions in the past in the case of disputed election cases, which say in effect that courts have no rights to interfere with rules of elections. That is to say, Sir, courts have ruled in the past that election rules are to be set only by the Legislature and, if no provision is made or provided for the remedial relief, then none can be afforded by the courts. The theory is based on early democratic thought that stated in this proposition which was translated another way, Sir, that only the elected representatives of the people could make the election laws themselves. Thus in the present Election Act there was a glaring absence for remedial legislation. And I would submit that the need for this remedial legislation is more evident to the people of Saskatchewan in the very recent past recount court decisions in the matters that are before the courts as a result of the October 1967 election.

May I illustrate my point, for example, a candidate who wants to obtain a recount has to follow certain procedures that are laid out in Section 125 and onwards of The Election Act. He must first of all, Mr. Speaker, marshal all of his material. He must then argue it before the District Court Judge in order to set a date for an official recount hearing. That District Court Judge must be closest to the constituency affected. He must then get the date set. He must serve all of his opponents. And this he must do, I would submit, within the very stringent time limit of eight days after the final count. Eight short days after the time when the Election Officer determines the final result of the election. The important thing in the light of the decisions of the courts, Mr. Speaker, is that all of the material that has to be set out by the candidates must be set out in very precise and exact terms according to the very precise terms set out in the Election Act. This Act, Section 125, requires that a Member file an affidavit in support of his application for a recount. For example, if he doesn't accurately set out the fact that the majority of differences between himself and the winner was less than 50 votes, the provision has been so interpreted to mean that the candidate is out of court. The provision needs to be pleased at the very beginning of the application to have the recount hard in order to circumvent, Mr. Speaker, according to the present provisions of the Act, the need for posting a bond in the amount of \$100. Well, in our hypothetical example some weeks after the candidate has filed

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material, the matter comes before the District Court Judge to be determined again, and the opposing candidate then comes along and points out the error or the oversight by the applicant, showing to the court that the applicant has not alleged or pleaded in this affidavit material that the difference is less than 50 votes. There has been no posting of the \$100 bond, and therefore, the argument goes, the matter is not properly before the courts. Therefore the hearing on the recount cannot be proceeded with further. Eight days have gone by; the court further refuses to hear the applicant's case. Now, the applicant tries, Mr. Speaker, to find some remedial section in The Election Act to enable him to circumvent this small problem or small error. When the courts come to determine the issue, their thinking or their rationale is as follows. The court says to the candidate who makes the application:\

You have no remedial provisions in The Election Act, as it is presently set up, in order to file supplementary affidavits or material in order to correct or to rectify the problem and, therefore, you are stopped from presenting your case.

And if you will, Mr. Speaker, as a logical extension, the case of many hundreds of other electors and voters in his constituency. When this type of situation happens, Mr. Speaker, as it has, it is bad that the individual candidate as an individual himself, who has certain rights in a democratic society, is denied his democratic right. But worse yet is the impossible and intolerable situation, I would submit, where in many cases, the true wish of the majority of the electors of any one given constituency or riding is frustrated in having their wishes heard and their wishes finally recorded in this Legislature. Thusly, I submit that all of democracy suffers when one individual, or one candidate, or one riding has been so deprived by what I can best describe as legal technicalities — but legal technicalities in the minds of the average citizen of s. The average citizen, I think, tends to then view The Election Act as rather being a vehicle whereby the interests of the people of Saskatchewan can be promoted than as a vehicle for frustrating the true intention and desires of that voter's particular wishes. Now, certainly, Mr. Speaker, there is need for legislation that will allow more judicial review by the courts.

This second submission is, of course, a natural offspring and a very close companion to the first point made, Mr. Speaker, and that is the need for remedial legislation. In our democratic society, citizens can and should rightly look to the courts of Saskatchewan for honesty, fair play and impartiality, and I am sure that all Members of both sides of the House will agree that this is the case. From time to time disputes that arise in elections will have to be determined in the courts of Saskatchewan and the courts should always follow, I am sure that they do now to the extent that the present legislation allows them to do so, the court will follow the principle that as many of Saskatchewan's ballots as have been cast on election night should be counted. Unfortunately many of our candidates cannot now be heard before the courts because the present legislation does not enable them to present their cases, or if you will, Mr. Speaker, does not

fully embody this principle of judicial review. Again an individual candidate or an individual riding association that sponsors a candidate has the right of judicial review somewhat limited. It is my submission that the will of the people and democracy in general are frustrated and hurt.

May I give you, Sir, one rather sterling example of the inability of certain candidates to have their cases heard. Recently, Sir, there were two court decisions concerning the constituency of Kelvington in the Province of Saskatchewan as a result of the October 1967 election. Now in both of these hearings and in the decisions in the courts, the central point in the issue, if I may boil it down somewhat, was whether or not sufficient material was filed by the candidate who was seeking the recount to establish that proper persons had been served pursuant to Section 125, sub paragraph 5 of The Election Act. It is required that certain services and certain manner of services be completed. If I may say, the central character in the whole drama that unfolded in the Kelvington constituency was a person known as Neil Byers. It is no secret that Mr. Byers was the NDP candidate for Kelvington constituency. Now the argument raised by counsel for one of the other candidates, and I am not now for the time being going to mention that other candidate, Mr. Speaker, was that the material showed discrepancy, if you will, between one Neil Byers and another total stranger by the name of Neil E. Byers. The question by the other candidate that was asked the court was: "how do we know that the Neil Byers is the one and the same person as the Neil E. Byers referred to in the election documents?" That was the plaintive cry that was raised in that issue in the District Court.

Well, further to my argument in the second areas for the need for judicial review, when Mr. Byers attempted to file material supplementary in order to clear up the situation, then a District Court Judge ruled that the time was inopportune because he had now gone past the eight day period and as a result of the present provisions of The Election Act no recount could be proceeded with. The result was, Mr. Speaker, at that level, that a number of uncounted ballots, the wishes of untold numbers of people were left undecided. Well, Mr. Speaker, an appeal was launched to the Court of Queen's Bench of Saskatchewan and there Mr. Justice Bence - I am sure lawyers opposite and on this side will agree one of Saskatchewan's leading jurists - had to face the problem once again. but this time Mr. Justice Bence didn't have to come to grips with the question determining that which the opposing candidate could not determine, namely whether Neil Byers was the same person as Neil E. Byers. He was faced at that time on the appeal with a lightly different argument that was presented. The argument before Mr. Justice Bence of counsel of the candidate was this, that there was no recount actually held. That is to say, the District Court Judge refused the procedure of counting the unopened ballots. Since there was no actual recount held, there can be no appeal. The present legislation does not allow appeal mechanism from a decisions taken by the learned District Court Judge. Well, Mr. Justice Bence had to rule on this matter, and I quote from page four of his typewritten judgment. He said this, Mr. Speaker:

It is my view that the learned judge did not enter into a recount within the meaning of the Act, let alone complete one. He specifically refused to do so, holding he had no jurisdiction.

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And continuing with the quote,

There is no appeal from a decision of a District Court Judge that he has no jurisdiction. This matter is not properly before me.

The result was, Mr. Speaker, that the principle of judicial review in my submission was frustrated and the individual candidate, in this case, Mr. Byers, could not have his case heard before the learned judge. And the irony and the tragedy of the whole case for the people of Kelvington, for democracy, for all of the candidates involved, was Mr. Justice Bence's further statement on page 2 of the same typewritten judgment which said in part:

It is my view with respect that the learned District Court Judge was in error in not permitting the use of further material to show that the requirements had not been met.

So we have a strange situation where a Superior Court Judge, and I mean superior in the legal sense, has had to make an observation that the decision made by a judge of an Inferior Tribunal was wrong in fact, but because the principle of judicial review was not fully embodied or embraced in our Saskatchewan Election Act there was no opportunity for the argument to be heard. It is my view, with respect to the learned District Court Judge, with respect to the Queen's Bench Judge in the two cases I have referred to, that all of us are the losers. When the public and the people of Saskatchewan can draw inferences that election promises, election wishes of the people of Saskatchewan can be frustrated on what they think are mere legal technicalities, we all stand to lose.

Some Hon. Members: — Hear, hear!

Mr. Romanow: — Now, Mr. Speaker, it is not my purpose here tonight to attack any member of the judiciary. As I said on many occasions I am a member of the profession. I am very proud to be, I am only interpreting after all the law as it is and as they interpret it. The law in The Election Act has, respectfully, hamstrung the judiciary. I am not here to discuss why the winning candidate was unable to decide in his own mind who was Neil Byers and who was Neil E. Byers. I am not here to charge or to urge whether or not the Hon. Member for Kelvington (Mr. Bjarnason) should resign in order to let the constituents of Kelvington have a true expression of their wishes, their election wishes,. Another court, Mr. Speaker, will decide that issue for the Member for Kelvington someday sooner or later, and for Prince Albert as well, as the Hon. Members have pointed out. But the point is this, perhaps we need a section in our Election Act which is similar to the Election Act of other provinces. One I am thinking of particularly is the Province of New Brunswick. I have had an opportunity to review the Election Acts of the various provinces and they are rather lengthy and difficult statutes, but the New Brunswick statute I think incorporates rather admirably, Mr. Speaker, this principle of judicial review that I have talked about and commend to the Hon. Attorney General (Mr. Heald) and his G for further consideration. Very briefly this section says this:

In case of any omission, neglect or refusal of the County Court Judge to comply with the foregoing provision with respect to the recount or the final addition therein provided for or to proceed therewith, then any party aggrieved may within eight days thereafter make application to a judge of the Supreme Court for an order, commanding the County Court Judge to comply with such provisions and to proceed with and complete such recount or final additions.

It seems to me, Mr. Speaker, that that section is somewhat more lenient and moves somewhat closer to this second proposition that I am enunciating, and that is the right absolutely to judicial review in the case of election matters that come before the courts. The necessity for the inclusion of such a similar section, I submit, Mr. Speaker, has come to the attention of this Legislature in the past. As far back as 1912, Mr. Speaker, in a case which is referred to us as Pinto Creek Elections Case, the judges of the Province of Saskatchewan brought it to the attention of the Legislature that it is our responsibility to take the proper legislation in hand and provide for the principle of judicial review. Surely we can act now, when another case so very recently and so very fresh in the minds of all of us here in this Legislature is brought to our attention, and the glaring inadequacies of the legislation are brought to our full exposure.

Now, Mr. Speaker, thirdly there is a need for a vast variety of minor amendments to this Election Act. One night, you know, I attempted to review all of the areas that I thought could stand some further review and consideration. But the task was just simply too onerous, the Act is a very complicated and difficult one. Such problems as the following I am sure would give Members an example of what I am referring to in this third section. First, there are only two days allowed in which to lodge an appeal, after a recount has in fact been carried out and all the ballots have been counted. Plainly, this is just not enough time in which to marshal all of the legal material and have the proper services conducted and have the appeal before the courts. I think that the definition of students and other certain categories in The Election Act is at times bug and difficult and it is an illusory type of definition which I am sure must give election clerks on election day problems, let alone people who are in the legal profession. The demands for example on serving documents for hearings, I submit, are complicated and sometimes impossible to carry out. Again the wishes of the people of the Province of Saskatchewan in any particular riding may be frustrated.

Perhaps even a careful check of all of the boundary lines of the constituencies from time to time is a minor or a major responsibility, depending on how you view it, of this Legislature. I think my speech could be made on all of these areas alone. All I want to say, Mr. Speaker, is that it's a tribute to the average election worker on election day that he and she have thus far managed to conduct the election procedures as well as they have. Now, Mr. Speaker, how then will we tackle the problem of bringing our Election Act in step with the times, in the light of the three particular areas I have brought to the attention of the Hon. Members? Considering all the possibilities I thought of the introduction of an amendment to the Election Act, I thought perhaps a resolution which would have embraced at least two aspects of the observations I have made tonight

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would be of some benefit, but in both cases I abandoned that approach, Mr. Speaker, and submitted this Resolution, because I feel that it is now time for political parties to pitch in together and to change this Election Act, impartially, unbiased in a non-partisan manner. It would be, Mr. Speaker, a positive show of force to all of our constituents of Saskatchewan that above all we in this Legislature are here to make democracy a meaningful and respected thing. It would show, Mr. Speaker, to all the people of Saskatchewan that we as legislators are concerned in having their wishes heard at all times and not frustrated or stopped by legal technicalities. Accordingly, I framed the Resolution that calls on this House to set up a Select Inter-sessional Committee representative of all political parties to tackle the problem of revising The Election Act. I thought this was the best way of putting it in a non-partisan manner. I think a Standing Committee on The Election Act would be able to produce a fair and equitable series of proposals on which this Legislature could act in order to rectify the present difficulties of our Election Act. If this Select Committee on The Election Act does a good job, perhaps even, Mr. Speaker, this Committee can become an active beginning for the consideration of some of the problems connected with the drawing of boundary lines for constituencies that was alluded to in another debate by my learned colleague from Saskatoon Mayfair (Mr. Brockelbank). Perhaps even someday, Mr. Speaker, this Select Committee, if it tackles this problem in a fair minded, non-partisan manner, will even be the beginning of a more active committee that will constantly keep under review the rules, procedures, the rights and the privileges of the individual Members of this Legislature. I think surely democracy in this Legislature can only benefit by such a proposal. It must above all tackle the problems with reckless impartiality, if I may use that phrase. If I may be permitted to be overly political for just a moment, Sir, in concluding my remarks, I would hope that Members opposite will not, like the Hon. Member from Souris-Estevan knows more about 1964 than he does about 1968. It is his nature to be living in the past. It is fine for the young Members of this Legislature to be reminded of the past by those who want to make political capital out of a matter of such paramount importance. But I think, Mr. Speaker, that future voters will never forget our neglect of the present, if Members of this House adopt these type of attitudes in the approach to Government business. We must move with dispatch, not only in this Resolution but in the resolution of all the Government matters that come for consideration before the House. It is with this spirit and with this outline that I have made, I move, seconded by the Hon. Member for Regina Centre (Mr. Blakeney), this Resolution.

Hon. C.L.B. Estey (Minister of Municipal Affairs): — Mr. Speaker, in rising to take part in this Motion which has been brought by the Member for Riversdale (Mr. Romanow), I first want to point out, as is well known to certain Members sitting opposite, that insofar as our courts are concerned they are most reluctant to enter into the question of any recount or any other question arising out of The Election Act, because they deem The Election Act to be the responsibility of the Legislature. And what the Legislature enacts in an Election Act is deemed by the courts to be the wish of the Legislature. It is all right for us to sit and talk about judicial review and judicial land. It is up to this Legislature to prepare an Election Act which

will conduct our election in what the Member for Riversdale has called a democratic manner and to arrive at the election of Members in the shortest possible time. And this will continue in spite of the fact I am in the same category of profession as the mover of this Motion. The appeal procedure of our courts were never devised in my opinion to take care of election procedures. We simply cannot have election procedures go through the method of appeal, an appeal, or many Members both in the opposition and on this side of the House might have to leave their seat during the session or after having once been declared elected to this Legislature. If we are going to amend an Election Act which I expect will be done during this session – I'm not speaking of the Commission on independent Electoral Boundaries because I deem that to be outside of this Motion in view of the fact we have another Motion on that point – we as a Government take the position that we must take the responsibility and are prepared to do it for any amendments into this House. They will be debated on the floor of this House and the Opposition should and will have every opportunity to debate those amendments to this Election Act. We will bring those amendments into this House. They will be debated on the floor of this House and the Opposition should and will have every opportunity to debate those amendments. I cannot say too much insofar as this review of the courts is concerned, because it's a well known fact to any lawyer, as I've said before, that the courts and the case law establish that they are very loath to review, particularly an Election Act, which has been passed by the Assembly and the Members of that Assembly take part in the election. We have heard something about democracy tonight, and I submit if we are going to serve in the democratic manner here we must have amendments to our Election Act in the method which I have stated, and our elections must be held in the shortest possible time with definite results. If in the case of Kelvington, there is carelessness in the preparation, I'm not going to condone carelessness. It's not valid to condemn the Act in order to permit a careless solicitor to get before the courts.

Some Hon. Members: — Hear, hear!

Mr. Estey: — That is the last reason for seeking an amendment to encourage carelessness. Insofar as Election Acts are concerned I am certain and I think anyone will agree that we have made great progress over the 1964 Election Act.

Some Hon. Members: — Hear, hear!

Mr. Estey: — I took part in an election with the Hon. Member from Mayfair (Mr. Brockelbank) where five people were to be elected. Fortunately he and Mr. Nicholson were pretty well declared elected on election night. Myself and four others waited. It was either 18 or 21 days. Then we opened approximately 3,000 votes in a small room and I had the honour, or whatever you want to call it, of having defeated an MLA but not being elected to the Legislature. I'm not complaining about that, but what I am complaining about is the length of time it took to determine who was going to be elected and that's where you undermine the democratic weight which my friend the Hon. Member from Riversdale (Mr. Romanow) was speaking about. The public of Saskatchewan, I am convinced, will be satisfied with an Election Act which determines as soon as possible who are elected.

Some Hon. Members: — Hear, hear!

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Mr. Estey: — What they don't want is a bunch of ballots kept in a box till a court or a returning officer or somebody else gets around to count them.

Some Hon. Members: — Hear, hear!

Mr. Estey: — I cannot stress too strongly the last thing needed insofar as any amendments to the Election Act or revised Election Act is concerned is to have an Inter-sessional Committee where something can be done without the public knowing about it. The Election Act is of such importance that any amendment, no matter how infinitesimal it will be, should be brought into this House, debated in this House and passed by this House.

Some Hon. Members: — Hear, hear!

Mr. A.E. Blakeney (Regina Centre): — Mr. Speaker, I don't know whether the Member for Saskatoon Nutana Centre (Mr. Estey) was directing his mind to the Resolution or not. It seemed to me that he seemed to be debating the undesirability of certain provisions in the Election Act which were removed at the 1965 session and I'm not here to dispute the fact that those provisions which were so removed were perhaps undesirable. What bothers me about the whole tone of the comments from Members opposite is that they seem to regard elections as a sort of a contest between a couple of candidates — a bit of a game between a couple of candidates to see which one gets elected — rather than an exercise by a whole body of electors to select the person whom they want to represent them.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — And it seems to me that any judge who undertakes a recount should be directing his attention not to whether the material is properly prepared or improperly prepared, not to whether a bond is filed or not filed, but to the question of whether or not the candidate who is declared elected has the most number of votes. This strikes me as being the nub of the most number of votes. This strikes me as being the nub of the matter, I don't dispute with the Member for Nutana Centre that there ought to be a limit on the number of appeals.

Hon. W. R. Thatcher (Premier): — You had 20 years....

Mr. Blakeney: — Mr. Speaker, we consistently hear the proposition that so and so had 20 years to do something. We are not suggesting for a moment that all of the wisdom of the ages was enacted on the Statute Books during those 20 years...

Hon. D.G. Stuart (Provincial Treasurer): — Very little.

M. Blakeney: — ...anymore than the Members opposite presumably believe that they have done all the things they are going to do in four years, although they have run out of gas rather sooner than most Governments.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — My colleague indicates that they are not out of gas; they are just out of ideas. The point of course is that not only the Government which was in power for 20 years but also the Government which has been in power for some four years had an opportunity to change these things in The election Act, and they didn't seem to find these difficulties.

Mr. Steuart: — No, we have good lawyers.

Mr. Blakeney: — I see. Well, Mr. Speaker, I suggest that it is wholly irrelevant whether electors or candidates have good lawyers or bad lawyers; this shouldn't matter. It seems to me that it ought not to be a prerequisite in a democratic society for people to elect a Member that they have a good lawyer.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — I have every respect for good lawyers. I wish we had a couple more in our firm as a matter of fact, Mr. Speaker. But it seems to me that it should not, I repeat, be a requisite of any candidate to get elected or any group of electors to select the person of their choice that they engage a good lawyer.

Mr. Steuart: — ...Mess things up...

Mr. Blakeney: — Mr. Speaker, it's all very well for Members opposite to make these little remarks, but, if they had in mind the same ideas that I have in mind that there should be an Election Act, they would suggest that justice ought to be able to be achieved without any lawyers. It seems to me that the proper working of election machinery ought to be something that does not depend upon the skill of lawyers in dealing with technicalities. It ought to depend upon something else. I think that there was a time when court actions used to be carried on with excessive regard for technicalities, that if you left out an initial then that defect was fatal. We've laid aside all that sort of thing in courts. If any lawyer had raised in court the objection which was raised in the Kelvington recount — and I'm not blaming the lawyer who raised it, it was his duty to do so — the judge would first have swept it aside and then have censured the lawyer in a mild sort of way for raising that sort of objection, the objection that somehow there was a difference between John Jones and John Q. Jones and then further objecting to John Jones, who was in the court room, saying that he was the same person. If any lawyer had done that the judge would have said, "Now, come, come, let's get at the meat of this matter," and properly so. I think by the same token we ought to enact in our Election Act the sort of remedial provision which other Election Acts contain which says that the judges can correct clerical errors and minor errors that occur. This is done every day and all the time in the courts. It is not done to produce delays but rather to prevent delays and it would similarly prevent delays in The Election Act procedures and would expedite matters in the manner which commends itself to the Member for Nutana Centre (Mr. Estey) and commends itself to me. I agree with him that the provisions which were enacted in the 1950s about absentee voting did not work out when put to the test in 1964. And when they were amended in 1965, we did not object. We thought that these provisions had built-in, unnecessary delays and accordingly had failed, and we supported the amendments. We would think that

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Members opposite, when they see that other provisions of the Act have really worked unfairly insofar as the electors are concerned, would support changes to remove those items of unfairness. We did not complain in 1965 about removing the provisions which were objected to by the Member for Nutana Centre (Mr. Estey). He was right; they were unsatisfactory, I think that he ought to join with us in removing what are unsatisfactory provisions now; unsatisfactory not in any abstract sense but those that have worked out in an unsatisfactory way, as I suggest they have, when anybody is declared elected with any substantial number of uncounted votes. I would have thought he would have agreed with me that that was unsatisfactory. For whatever reason, it is an unsatisfactory result.

Well, Mr. Speaker, I did not share his view, and I don't know whether I followed his argument against an Inter-sessional Committee. Somehow he suggested that its deliberations would be secret. Let me make a couple of points. Firstly, there is nothing secret about an Inter-sessional Committee, the public can come if they like. Now, he may well argue that in fact the public won't come, so there is a measure of de facto secrecy. But may I point out that the Inter-sessional Committee would not itself legislate anything. It would simply take a recommendation to this House and there would be as much opportunity to debate the report of the inter-sessional Committee in the House with the same number of people in the galleries and the same number of people in the press galleries, as there will be to discuss any amendments to The Election Act which are brought forward. And it would seem to me that the purpose that the purpose of the Inter-sessional Committee is not to endeavour to carry on any discussion in secret but to deal with a whole lot of amendments which are necessary. I wonder if you people, when you filled out your expenses, dealt carefully with this matter of engaging horses and carriages. Did you give careful consideration to how much you had spent for livery and all the other items which are listed there?

Hon. D.V. Heald (Attorney General): — It should have been taken out!

Mr. Blakeney: — That's right, it should have been taken out in the 1950s and it should have been taken out in 1965. We all know that. But it is so much easier to leave these things, either in a 20-year period or a 4-year period, it's easier to leave some of these things. And I think it wouldn't be untoward for us to have a look at that Act and see what might be taken out. There are a fair number of provisions of that Act which can be used in a very unfair way. I don't think I give away any secrets when I say that in 1960 in a particular recount, a particular dodge, if I may use that word, suggested itself to me where I felt we could have put the other candidate at a severe disadvantage in a recount. I know I put it to the person involved who I think to his credit said he didn't want to use that type of a device. But it may well have been that another prospective MLA would not have been as scrupulous as this particular person. I was glad he made that decision, but my job as a lawyer was to tell him what choices were open to him, not to advise him on morals. He made what he felt was the appropriate decision. At least no use of this dodge was made. But I don't think elections should depend upon what lawyer thinks up what dodge. I think we should go over this Election Act to see if we can pull some of these out.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Whether Members are seated in this House now or not is not in issue, subject to any appropriate procedures under another Act, which we are not now debating. If those proceedings fail, then insofar as I'm concerned, the Members are seated here. I do not want to discuss their particular position under the guise of discussing The Election Act. That is not the purpose of this endeavour. When we have gone through an election, all of us can pick out things which are unreasonable in The Election Act. We remember them right after the election and soon forget them. We remembered a lot of them in 1965 and the changes were made and for the most part they were good changes. Now I suggest we try to remember a few more and I think that it would be appropriate for us to look at the Act. The Member for Saskatoon Riversdale (Mr. Romanow) suggested that this be done by an Inter-sessional Committee and I frankly think that's a good idea because it seems to me that that's a way that Members on both sides of the House can get together in a purely dispassionate way, as we are not always dispassionate in this House, and review some of those sections which I think are inappropriate or outdated. Then we could all tell what little pitfalls we have thought might lie in the operation of this section or that section, and we may be able to get some of them cleared up. We all know the sections respecting service of documents are inappropriate. I remember in the old seat of Regina East, formerly represented by the present Member for Regina North East and the present Member for Regina South East. There was some question about whether or not a recount could be carried on there because there was difficulty in showing that the election clerk had been served and the judge didn't know whether he could go ahead with the recount notwithstanding the fact that the election clerk was sitting in front of him and said, "Well, I don't remember whether I was served or not, but I certainly knew about the hearing and here I am, I brought everything you want", and the judge was saying, "Well, I don't see that the affidavit is quite right." Now that sort of a situation is ludicrous, just ludicrous. And there are a good number of sections which can produce equally bad results. It seems to me that we can get rid of some of these. There was a similar argument based upon whether a certified cheque is cash. These sorts of arguments it seems to me don't do very much credit to a Legislature or to an Election Act. I think we could go over the Act and pick out a fair number of these provisions. I think I speak for Members on this side of the House in saying that, if Members opposite agree with the idea that The Election Act ought to be reviewed but don't like the idea of an Inter-sessional Committee, we will certainly welcome any device they have, in order that we might look into this thing to see whether or not these offending sections could be pulled out of the Act. I don't want someone to say, "Well, tell us what's wrong,": because we don't know all the things that are wrong. We can give 10 or 15 things that we think are wrong with the Act. But other Members probably have 10 or 15 things they think are wrong. I don't know when, for example, a candidate is nominated under that Act, I don't know whether he is nominated when his party nominates him in the unofficial way or only after nomination day. I don't know whether I can buy a fellow a cup of coffee between the time I am nominated by my party and official nomination day. I don't know for example whether I can, if I am a private citizen, have a contract with the Government between those dates, i.e. between the time that I am nominated by my party and the time that I am officially nominated, when my nomination papers go in. And may I say that I think the law officers of the Attorney General don't know, because I had occasion some years ago to ask them and they said

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they were puzzled. The Act was not clear on that. I can list a fair number of these points. When I go into a campaign I think maybe I'm going to win, and I wonder therefore whether I could be unseated by doing some obscure thing that appears to be contrary to the Act, such as I say buying a cup of coffee between the time I'm nominated by my party and official nomination day. It seems to me that we should attempt to clear such difficulties and I think the Member for Saskatoon Riversdale (Mr. Romanow), when using an example of a particular incident, was not meaning to bring that incident into question, I'm sure he was using it as an example because it was fresh in many people's minds, fresh in our minds anyway but perhaps not so fresh in Members opposite. I think that the Resolution is well worth considering and I would commend it to the Hon. Members. If they don't like the idea of an Inter-sessional Committee, maybe another device is worthwhile. I was interested in the commend from the Member from Nutana Centre (Mr. Estey) suggesting that there might be amendments this session. If there are we will certainly welcome an opportunity to study them. All I can say in closing is that I think that this is not a particularly controversial matter. I don't really think the Member for Prince Albert West (Mr. Steuart) feels that these things ought to depend upon the skills of a lawyer. I think that he is satisfied to represent the majority in Prince Albert West, even if rather a slender majority. I think that all Members will agree with the idea that each Member hereafter should represent the majority. And accordingly I would urge all Members on both sides to have a look at this Resolution and see whether they are able to support it, or support it in some amended form.

Some Hon. Members: — Hear, hear!

Hon. D.V. Heald (Attorney General): — Mr. Speaker, I would like to say a few words in respect to this Resolution because the administration of The Election Act comes under my Department. I hope you forgive me if for a minute or two I review the situation within my knowledge and my area of responsibility when we became the Government on May 22, 1964. I would of course remind all Hon. Members that the wishes of the electorate in that 1964 election, because of the workings of The Election Act, and this is not denied but is admitted by the Members opposite, the wishes of the majority and the preponderance of the people of Saskatchewan were not given effect to between the election date of April 22 and May 22 because of the kind of Election Act which we had. Immediately after we became the Government, I got in touch with the chief electoral officer because these experiences were fresh in my mind and because I had something to do with advising some of the people who were in the situation that my colleague, the Minister of Municipal Affairs was in. In Saskatoon where there were literally thousands of ballots that were not opened and there was this impossible situation of electing (it was a multiple member seat at that time, what was it? 5 members) and you had this impossible situation of thousands of ballots that were not opened and the result was of course that thousands of people in the Province of Saskatchewan were disfranchised in that 1964 election. So I called the chief electoral officer in and asked him for his observations and recommendations and critical comments as a result of the election. I think it was generally accepted by people in all parties that The Election Act in 1964 broken down. It just didn't work in a very close election as 1964 was. Everybody agreed on this. The result was that the chief electoral officer over the period of the

next few months, between May and when the session sat in February of 1965, made recommendations to the Government with respect to many changes, the object of which was to get away from these problems that had been created in the 1964 election. You'll recall that, when we did introduce the 1965 amendments to The Election Act, and Hon. Members opposite agreed with them. As I recall there wasn't any argument about them, because it was clear that it was an honest attempt to do away with many of the problems. You will recall what we did. We shortened the time as much as possible so that there wouldn't be this ridiculous period of 30 days in a close election when the people of Saskatchewan wouldn't know who the Government was. Some changes were made with respect to the absentee ballot, so that there wouldn't be as many absentee ballots as there had been in the 1964 election and we did that. We also did a number of other things which I think did improve the Act. Now it's true that they were amendments. It wasn't a completely new Act and I would be the first to admit that there were still some problems as the member for Saskatoon Riversdale (Mr. Romanow) pointed out. There were still some problems which arose in the 1967 election where again there were a number of close results in different constituencies in the province. Now the Member for Saskatoon Riversdale and the member for Regina Centre (Mr. Blakeney), each of them made a number of suggestions with respect to amendments to The Election Act, some of which I agree with, and some of which I don't agree with. The member for Saskatoon Riversdale is urging this matter of liberalizing judicial review. There are two arguments here and I have an open mind on it. There are a number of provinces where they don't have this judicial review any further than a district court, and there are other provinces where they do as he said. He quoted Section 125 of the New Brunswick Act. I think there is a pretty good argument for putting a curative section in the Act, but I would ask you to remember this that, if you provide for too many appeals, too many courts all the way up, District Court, Queen's Bench, Court of Appeal, Supreme Court of Canada, we might still be in court and thus there would be some question as to who the Member is over a period of two, three or four years. It is not hard for two or three years to go by when you get into protracted litigation. So one of the reasons, why in some jurisdictions they've decided that there should not be any appeals past the District Court, is because they think the people are entitled to have a representative in the Legislature and to know who their Member is. So that's the other side of that coin. There's an argument both ways. Certainly the points that the Member for Saskatoon Riversdale have made are valid points and you can argue both ways. The Member for Regina Centre also made some points. I've often wondered about this question of when you are nominated too. Are you nominated when your party nominates you or are you nominated on nomination day, which is just two weeks before the election? Now these are things which we will be clarifying in The Election Act. The time to review The Election Act, I suggest, Mr. Speaker, is after you have just had the election machinery in operation. And that of course is the first session or the second session after a general election. We are now presently in the process through the chief electoral officer and the law officers of my Department of reviewing The Election Act. And I think I can promise you without any equivocation at all that before long I don't know whether it will be this session or next session but certainly there will be amendments introduced to The Election Act to correct some of these problems that manifested themselves in this last election of October, 1967. I would invite my Hon.

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Friends to come to me or to the Chief Electoral Officer with any other suggestions. I made a note of the suggestions that were made tonight. Of course you have suggestions and we have suggestions over here. I would think that in the new Election Act, incorporating some of the ideas you suggested. But why I am going to vote against this motion, Mr. Speaker, is because I don't think it is necessary to have an Inter-sessional Committee of the Legislature examine this Act.

I think that there is a need in some cases for Inter-sessional Committees. I think the Committee that was appointed two or three years ago in respect to traffic safety was a good Committee and we are trying to implement some of those recommendations. I don't think that The Election Act falls into the same category. If we appointed an Inter-sessional Committee with respect to nearly every one of the Acts that are considered from time to time, we would have a lot of Inter-sessional Committees. It is the responsibility of the Government of the day to continue to review legislation, and if the legislation is not doing the job it was designed to do, then we should amend that legislation or we should bring in a new Bill. And this we are prepared to do. But I really don't think it is necessary every time some need for change is indicated in the Statute to have an Inter-sessional Committee. I would be a little concerned that every time we have a problem with respect to the administration of an Act, that we appoint an Inter-sessional Committee. I don't think that is necessary in the case of The Election Act. Now the Hon. Member for Regina Centre (Mr. Blakeney) invited those of us on this side of the House to suggest an alternative. My alternative that I suggest to you is that you make known to us, to myself as the Minister in charge of the administration of this Act or to the Chief Electoral Officer or to any of my law officers, any suggestions for changes that you have. We will look at these and we will bring in amendments, probably at the next session. There is full opportunity for all Members of the House, not only on second reading, but in clause by clause consideration of the amendments to thrash this thing out. I will remember the amendments in 1965. There was a good discussion without rancour, as there wasn't any of the political give and take and repartee in respect of that Bill. There was a very good discussion and we spent two or three days on it. Mr. Brockelbank, who is sitting at the back will remember it very well as he was a bit of an expert. He has been through as many elections as anybody else in this House, he and the Leader of the Opposition. We received the benefit of their suggestions while these amendments were going through and I think that is the way we should do it again. I really don't think, in all sincerity, that there is any need to have an Inter-sessional Committee to amend The Election Act. Therefore, I will be voting against the Motion, but I repeat my invitation to all Hon. Members opposite to make any suggestions for improvements for the amendments to The Election Act at any time.

Some Hon. Members: — Hear, hear!

Hon. W.S. Lloyd (Leader of the Opposition): — Mr. Speaker, I just want to say a few words in particular respect to the closing comments of the Attorney General. It is an occasion on which I have to disagree with his advice which he gave to the legislature in the comment which he has made. It has occurred to me, Mr. Speaker, that this particular Act is a particularly appropriate one for review by an Inter-sessional

Committee. This is a matter in which each of the Members has a certain amount of experience. What we are really drawing up here is a set of basic rules which guide democratic procedure as it takes place in this province. Starting with the constituency, we are trying to define, better than we have, the rules by which people select who will represent them in this Legislature. It seems to me that this fits very well as the kind of thing best done by an all-party group of this Legislature. I can appreciate what the Attorney General said that it is possible for the Government to have points of view expressed to them by all Members. It is possible for us to have in this discussion in this Legislature a full, free, and fair discussion without that. But I don't think that this answers the question. What the Inter-sessional Committee can do that can't be done by this House, is that it can investigate more fully, and that it can have more time to do it. I think that there is a great deal of advantage to having an all-party Committee of this House and give it some staff to conduct certain research and to prepare certain information that is needed, most of all give it time to consider and to contemplate, give it time, perhaps, even to talk to some of the people who work in elections at a local level. That's not as easy to do when we do this just in this Chamber. I think that it could be extremely useful for people who have experience as returning officers and in other ways, to make a direct contact with an Inter-sessional Committee. I would like to see as a matter of fact, Mr. Speaker, the whole device of the Legislative Committee looked at more than we do. I agree with what the Attorney General has said that we can't set up an Inter-sessional Committee every time it is necessary to change an Act. but I do submit that this House and this country would be better governed if we made more use of Inter-sessional Committees on more occasions than we do.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — I quite seriously think that this is something for all Members of this Legislature to give a lot of consideration to. I won't pretend to have read very extensively on this matter, but it does seem to me, Mr. Speaker, that it's not very many years ago that in the House at Westminster, the House of Commons in Britain, there was a Committee of which I believe Mr. Speaker, was the chairman, called the Speaker's Committee or some such name as this. It sat for a period of some years. They felt that their election procedures were greatly improved as a result of dealing with it in that way. I would like to appeal to the Attorney General and to others on that side of the House to give some more sustained thought to the use of the Inter-sessional Committee in this respect. And I repeat, it would first of all give time to consider these basic rules which we won't have, if it is done in the ordinary way. Secondly, it would give an opportunity for Members of the Legislature with the assistance of staff to study what goes on in other places as well as what is wrong with our own procedures. Thirdly, I think that we would come out with a lot better set of rules than we now have.

I, too, hope that the Government Members would look at this favourably and support this device of making this study.

Some Hon. Members: — Hear, hear!

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Mr. A. Thibault (Kinistino): — Mr. Speaker, I just want to make a few short comments. As far as Inter-sessional Committees are concerned I have had strong feelings throughout the years about politics. I feel that a great number of our problems could be taken out of the realm of politics if we would use Inter-sessional Committees. I think that you would also find a better general support for a program throughout the country when the recommendations come from an Inter-sessional Committee. The remarks that you hear throughout the country today about elections, I know, are the type that no politician is proud of. I think that an Inter-sessional Committee where you have both sides well heard would be good. Then you get support from all political parties who are in the field. I have spent a considerable amount of time in Inter-sessional Committees both on Expropriation and Highway Safety and I feel that this time was the best spent since I have been working as a politician. You could go back to your people and tell them that we are going to do this, and when the Government enacts a certain Act all politicians back it up which makes an awful lot of difference. After all that has been said about recounts — and I am not going to go through and mention them all in this House — I know that some have even less respect for the judiciary today on account of this. I think that since it has gone this far I certainly would like to see this Resolution supported by both sides of the House. I think that there are times that we should show a united front on some of these things. I think it would get greater acceptance by the general public.

Some Hon. Members: — Hear, hear!

Hon. A.C. Cameron (Minister of Mineral Resources): — Mr. Speaker, I only have a very few comments to make. I have been a Member of this Legislature as you know, for a considerable number of years and I was here on two occasions when The Election Act was changed. I can recall the former Attorney General, Mr. Walker, stating openly that if it was the last thing that he had ever done in the Legislature it would be that he was going to revise The Election Act. I can recall in the debate, sitting in the Opposition, bringing in some amendments which we thought would improve the Act which the Government was sponsoring and putting through the House at that time. If my memory serves me correctly I don't believe that we were successful in getting one amendment which we moved accepted in trying to evolve a workable Election Act. It is interesting to note that change, Mr. Speaker, today they feel that perhaps an Opposition can contribute something. Perhaps the Opposition has some valid thoughts on a matter. So it is interesting to note the difference in view-points when they are in the Opposition to when they were the government. It is nice for them to say let us bring some harmony. Let us put our heads together. Let us do this through an Inter-sessional Committee and we are sure that we have better government as a result of it.

I'll give you my experience, Mr. Speaker, on an Inter-sessional Committee that I sat on. I was very conscientious about it as were the other Members. It was on a problem in Saskatchewan which was needed, crying for attention for years. That was in the matter of Expropriation. We set up an Inter-sessional Committee. We sat on it for most of the summer. We brought in a recommendation to this Legislature. We were so concerned we brought in a model Bill drafted by the Inter-sessional Committee

and agreed to unanimously. We tabled it together with our recommendations to the House. It is interesting to note the work of that Inter-sessional Committee was pigeon-holed and the Government never did see fit to act on the report of that Inter-sessional Committee.

When Expropriation comes down – and I hope it will this session – it is because this Government pulled this Inter-sessional Committee report out of the pigeon-holes to wipe off the dust and do something about it.

Mr. Blakeney: — Wiped out in four years.

Mr. Cameron: — Yes, 20 years. I can remember the former Premier of Saskatchewan, when we raised the question of amendments or of Inter-sessional Committees had a very valid answer. He would say that we are elected to this Provincial House by the people of Saskatchewan in order to govern and this Legislature is the highest court in the land. Therefore we would be shirking our responsibility to refer things to the electorate on plebiscites, on committees, in order to do the work for us. That time they took full responsibility for The Election Act which they piloted through the House. As a result of that Election Act, we felt that it was necessary to bring in the amendments which were brought in in 1964 and brought forth a tremendous improvement in it.

No doubt there are areas that can be improved yet in the light of the experiences of the last election. I am confident that, if the amendments are brought in and the Members do their homework and give serious consideration to it, there are Members in this House that have more first-hand knowledge of The Election Act than anyone else. Therefore, we have it within our authority to devise an Election Act here, right in this Legislature and I think that it is the responsibility of the Members of the House to deal with this right here on the floor of the House. That is why I will oppose this motion of abrogating our responsibilities to some commission whose recommendations may or may not be acted upon.

Some Hon. Members: — Hear, hear!

Mr. R.H. Wooff (Turtleford):— Mr. Speaker, we have once again been treated to a very good exhibition of dust throwing. I think perhaps there is no one in this House who has had more practical experience in these delayed actions than yours truly. Strange as it may seem, Mr. Speaker, in spite of all the short comings of Mr. Walker's Election Act that has just been gone over by the Minister of Mineral Resources (Mr. Cameron), it was not what Mr. Walker put into the Act that gave me the trouble, it was what he didn't take out...

Some Hon. Members: — Hear, hear!

Mr. Wooff:— ...and what is still in the Act and what in many cases can be used to very effective advantage by people that are not too careful about the kind of decisions that they make, or the way they use the loopholes that are still in the Act.

I am not going to speak at any length tonight, Mr. Speaker, but I for one would very much welcome a Commission being given

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the responsibility of making recommendations to the Legislature and to the Government on amendments to the present Election Act. I would like to adjourn the debate.

Debate adjourned.

RESOLUTION NO. 8 – CLOSURE OF COMMUNITY HOSPITALS

Mr. J. Kowalchuk (Melville) moved, seconded by Mr. Kwasnica (Cutknife):

That this Assembly recommends to the Government that no community hospitals be closed –

- (a) until it has been conclusively established that alternate services will be available on a year-round basis;
- (b) without prior consultation with hospital boards and communities affected;
- (c) without a minimum of 12 months notice;
- (d) until alternate use has been found for hospitals which are structurally sound and in a good state of repair;
- (e) until a thorough study has been conducted into the needs of affected communities, including the concentration of senior citizens in the area, travel conditions and distance from alternate hospital services, and other pertinent factors.

He said: Mr. Speaker, the last time I had the opportunity to get on my feet in this Assembly was quite a number of days ago and I am going to tell you now that I am going to address this Assembly quite a bit slower than I did that time.

Some Hon. Members: — Hear, hear!

Mr. Kowalchuk: — The reason of course at that time was that I was hedged in from the top by my New Democratic friend from Weyburn (Mr. Pepper) and at the bottom by a Liberal speaker, and therefore I had to rush my statements. But I thought that I had made them very clearly, very substantially, Mr. Speaker. However I want to remind the people on the other side of the House that, even though I made a lot of the statements faithfully and honestly, I noticed that the Hon. Member for Athabasca (Mr. Guy) distorted it and turned one of them into complete falsehood. So I am going to stick very particularly to my subject tonight and I will do it very closely, Mr. Speaker.

In rising to address this Assembly on the Motion relating to hospital closure. I want to first direct a few remarks to the Members of this Assembly and particularly to the Hon. Minister of Public Health (Mr. Grant). Now last week, the Hon. Minister, when asked a question in the House as to what kind of action he intended to take regarding the announcement by the Federal Government that the Provinces would be responsible for certain matters relating to payment of health services regarding Indians, the Hon. Member quickly stood up and said that he had sent the Federal Minister of Public Health a strongly worded letter indicating the feelings of the Provincial Government. And this is as it should be, Mr. Speaker. He also protested that the Province should have been consulted, Mr. Speaker.

And again I say, that is as it should be. However, this same righteously indignant Minister of Health for Saskatchewan, who on the one hand sees the importance of someone consulting with him about a certain matter, saw no need with himself consulting the eight hospitals slated for closure this coming April. He saw no need to confide in them, no need to talk to them, no correspondence with them. Not one single little bit of consultation or consulting did he do with these people to whom the hospitals' staying open means more than any other facility in their respective communities. However, I have been informed that he has reformed. He has paid a visit to Neudorf. He told them that he was delighted with the kind of set-up that they have there and that he found there, and that their establishment was far from the picture that he had been led to believe and so on.

Now yesterday I noticed, Mr. Speaker, that he is changing his tune somewhat again, that he has somehow re-acquired the intestinal fortitude to proceed with the closing of the hospitals once again. I, on behalf of the communities affected, ask him to reconsider very, very carefully, and do more consulting before proceeding on any course whether closing a hospital or putting it to alternative use.

Mr. Speaker, much harm has already been done to those communities. In some the doctors have already moved. The idea of the hospital closing resulted in just that. In many cases no other doctor wants to move in especially with this Government closing hospitals one day and opening them up the next.

Mr. Speaker, I think this House should know something about what happened prior to the events leading to the abrupt hospital closing. I want to repeat to you the reaction of the Minister when he was confronted by the Neudorf Hospital Board, who had come into Regina to see him. I don't know what the reaction was when other hospital boards visited him, but I am sure that their questions and the answers were much the same as for Neudorf's. I want to report to you and through you, Mr. Speaker, to this Assembly, the arrogant and aloof Minister of Health that he really was prior to the recent dramatic changes. Let me quote to you some of the questions that the Neudorf board asked the Minister and his replies:

Question: Why was the Neudorf hospital slated for closure?

Answer: The necessity to save money. There were far too many hospital beds for capita in Saskatchewan and so the cost was too high.

Question: What would be the savings by closing these eight hospitals?

Answer: Approximately \$500,000.

Question: Do dollars come before the health of our citizens?

Answer: Yes, they do. It is time hospitalisation costs went down in Saskatchewan. (Note, Mr. Speaker, went down).

Question: You said, Mr. Minister, that one of the reasons why Neudorf hospital is being closed was because it was old, dilapidated and an old army hut.

Answer: That is what our records show.

Question: Did you ever see the Neudorf hospital?

Answer: No.

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Question: You closed it without ever seeing it, without paying a visit to Neudorf to see what kind of a building it was?

Answer: Yes.

Question: What happened to the New Saskatchewan which we heard about prior to October 11th, Mr. Grant?

Answer: It isn't up to me to answer that.

Can you imagine an answer such as this from a recently elected Minister of the Crown, Mr. Speaker? It reminds me of a gentleman by the name of C.D. Howe, who in 1957 when being questioned about irregularities in another matter said, "What are you going to do about it?" Well, Mr. Speaker, at the next election the people showed what they were going to do about it, and I think that the Minister of Health (Mr. Grant will get his answer at the next election too, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Kowalchuk: — I think that enough has been said about the meeting of the Neudorf hospital board and the Minister of Health. In introducing this Motion I want first of all to stress the seriousness of the situation as it affects the immediate communities. But before doing this let us deal with some of these questions and answers just mentioned. They are very relative to the closing of community hospitals and directly concerned with the Resolution. Now the main reason for closing these hospitals was to save money, said the Minister. It is possible that there are too many unused beds in some small hospitals though the figures tend to disprove this. Their use in most of these hospitals, in many cases, is just slightly less than the Saskatchewan average. But, Mr. Speaker, as long as there is no room to accommodate these patients in larger hospitals, these in the small ones are available, and for minor sick cases are in fact more suitable, being closer to home and so on. And as to the saving of \$500,000, Mr. Speaker, this is sheer fabrication, because the patient will be occupying a bed in another hospital and very likely at a much greater cost per day, with extra cost to the patient because of distance from home and so on, plus the inconvenience, particularly in minor hospitalisation cases and being far away from home and family. Now there would be some slight saving, Mr. Speaker, correct, but a far cry from the \$500,000 that Mr. Grant purports the saving will be. Now in answer to the question, do dollars come before people or the health of the citizens and the Minister answering in the affirmative, yes, only confirms what we on this side of the House have said and have been saying ever since this House assembled, that to the Liberals dollars come first and people last, that if you are condemned to suffer and yes, sometimes even die, if you haven't got the dollars. Now the answer that Neudorf was a converted army hut and the fact that the Minister didn't know that it wasn't and didn't bother to find out that it wasn't, condemns him and condemns his colleagues to no end. Neudorf was a new building built some 18 years ago with thousands of dollars of additions and repairs being made in the last couple of years. Now coupled with the fact that the Minister had never visited Neudorf, had never seen the hospital, clearly indicates the disregard he and his colleagues had for these communities in deciding to close these hospitals without seeing them, without any prior consultation. Mr. Speaker, the Minister's answer to what had happened to the New Saskatchewan so vividly portrayed

and so grossly untrue by the Liberals prior to the October 11th election, the Minister's best was that it wasn't up to him to answer that, is a very poor answer indeed. Mr. Speaker, I know that many of these same questions were asked by other hospital board members of the other seven hospitals slated to be closed by means of cutting off the operational grants on April 1st. Mr. Speaker, I want to put forward some of the reasons as to why the people of Neudorf and many of the other people want their hospitals to remain open. 1. It will mean the loss of qualified personnel to the community, the druggists, doctors and nurses. It will also mean an economic loss to a small community that it can ill-afford to take. The hospital has been a binding force, a cohesion in these communities. Many of these communities, if they lose their hospital, will have lost the hub of their community without which I believe, and they do too, that the community will fall completely apart. 2. The closing of these hospitals will create some unemployment. According to the Hon. Minister of Highways (Mr. Boldt) that might be a good thing. But to many this employment in the hospital supplements a small farm or other such jobs and often keeps people off the welfare dole. Ward aides, caretakers and others would be out of a job. Many would have to make a change of residence, an economic loss to the community and a further loss to the individuals who would be forced to sell drugstores, offices and homes at fire sale prices and the whole community would suffer. 3. The patients would face the inconvenience and possible death, a waiting list and chances of getting into a larger hospital often doubtful for long periods of time.

Now just to show you how serious this can be, let me quote you from an article in the Leader-Post, March 11:

The administrator of Halifax Civic Hospital with 53 beds and a waiting list of 90, says some people are dying before they can be admitted to hospital for treatment.

Ailine Ashton says some doctors think the situation is alarming and deaths have also occurred among persons waiting to be admitted to other hospitals in that city.

She knows of two persons on the Victoria General Hospital waiting list who died, she said in an interview.

We all know of the overcrowding of the large city hospitals and the difficulty there is to get into a hospital and to get a hospital bed, Mr. Speaker. Until the large hospitals in the bigger centres are built and added on to, including the Regina Base Hospital, Mr. Speaker, these small hospitals serve very useful purposes and should not be closed. Another good reason for these hospitals to stay open is that because of conditions at times which are uncontrollable by man such as weather, roads and so on, people would be required to travel quite some long distances at the risk of the irreparable damage to their health and as I said before, possibly a loss of life. Pensioners and old age citizens who have established themselves close to a small community hospital and who usually are in need of a doctor and a hospital immediately, would not have one available at hand, in their declining years. Mr. Speaker, these people have specifically moved to these smaller centres for that reason more than any other. They have invested their life savings in a home, so that they could be close to the hospital facilities, close to their church and close to their friends and home community. Mr. Speaker, the towns and villages where these hospitals are have

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invested heavily in debentures in many cases for sewer and water, large centralized schools, centralized community halls, rinks and other community centres, always with the thought in mind that the community hospital complements the whole total. It rounds off a complete community, and as I said before, Mr. Speaker, is the hub and the heart of the community. Many of the hospitals are so located that the nearest other hospital is many miles away. From this aspect alone a thorough and comprehensive study must be made. Although the roads have improved, and transportation is more reliable, the fact still remains that in case of an accident – and farm accidents are numerous – the closer the hospital the better. The human rights of these individuals are being jeopardized. Human beings must have some guarantee of medical and hospital attention in as quick a time as possible.

Mr. Speaker, we have heard the Minister outline in some detail the reasons as to why some hospitals should be closed. We don't argue the point that a number of his reasons are valid, but as free citizens of this country we expect many better reasons than offered as to the methods and the ways the Government has used in its attempt to close these hospitals. This wholesale closing without warning, without consultation, with arrogance and with Caesar-like tactics, Mr. Speaker, not be those methods should hospitals be closed.

Now taking the Resolution point by point, Mr. Speaker, first that this Assembly recommends to the Government that no community hospital be closed –

- (a) until it has been conclusively established that alternate services will be available on a year-round basis.

I don't think that is asking for too much Mr. Speaker. By alternate services I don't mean a hospital 100 miles away with the possibility of a bed being available, maybe. Mr. Speaker, the alternative services must be there and must be available.

- (b) that no community hospital be closed without prior consultation with hospital boards and communities affected.

Again, Mr. Speaker, the Minister so blandly stated the other day that this is what they propose to do. Far different from before December of 1967. Let me read a portion of the letter written to me by the chairman of the Neudorf Hospital Board, I quote:

Thank you for your inquiry and interest in our hospital. We received a letter of notification regarding the closing of the hospital the same day it appeared in the press, January 20, 1968. Before that not a single word was said by letter or word. This I maintain is a point of contention, I feel an issue of importance such as this should be negotiated before rash action is taken.

An Hon. Member: — He'll have to table the letter!

Mr. Kowalchuk: — Fine, I'll table the letter Mr. Speaker, here it is.

Mr. J.E. Brockelbank (Mayfair): — On a point of order, if there is a point of order, if I could make a point of order. My understanding of the Regulations of the House are that, if the Member wishes to take the full responsibility for quoting from this letter, he may so do and in that way not have to table the letter.

Mr. Speaker: — Now just a minute, that's quite correct, wait until I find the chapter and verse. Beauchesne's Rules and Forms, Citation 158. "A member cannot read a letter referring to anything that has taken place in a debate in the House", I am sorry that is the wrong one...

Mr. F.A. Dewhurst (Wadena): — Mr. Speaker, may I draw your attention to 179 (2)...

Mr. Speaker: — Now just hold on, hold your horses.

Citation 159, subsection (3). It has been admitted that a document which is being cited ought to be laid upon the table of the House, if it can be done without injury to the public interest. The same rule, however, cannot be held to apply to private letters or memoranda. On the 18th day of May 1865 the attorney general, on being asked by Mr. Ferrard if he would lay upon the table a written statement and a letter to which he had referred on a previous day, in answering a question relative to the Leeds Bankruptcy Court, replied that he had made the statement to the House upon his own responsibility, and that the documents he had referred to being private he could not lay them on the table.

Now this is the summation of the rules and regulations as contained in Beauchesne. A letter quoted in debate should be laid upon the table if, however, as the Member for Saskatoon Mayfair has just said on a point of order, if the Member, who has quoted from the letter, states that he will take his own responsibility for the contents of the letter and the signature thereon, then he may do so and he does not have to table the letter. It is certainly much better parliamentary procedure to table the letter. It has been the procedure in this House for some considerable period of time and already taken place several times in this session. Several letters have been tabled. I think the reason for doing this is pretty obvious.

Mr. Brockelbank: — Mr. Speaker, I was wondering if it was your opinion that it is much better parliamentary procedure to table the letter or are you quoting the citation there. Is there some citation to say that it is much better to table the letter rather than to take full responsibility for the letter.

Mr. Speaker: — No, I don't think there is a citation that says so. However the Member agreed to table the letter. He has tabled it, and that's that. He agreed to table it and I think that this is the proper thing for him to do.

Mr. Dewhurst: — On the point of order, I would draw your attention to Beauchesne 179 (2) which reads,

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If a member proposes to read a communication in its entirety, or even a portion, without divulging the name and the address of the sender and the member refuses to take responsibility for the truth and accuracy of the contents, such communication should be laid upon the table, and, particularly, if so desired by any member of the House. The principle upon which this is based is that where information is given to the House, the House itself is entitled to the same information as the member who may quote the statement.

I think this is fairly clear and this is one of the rules which has been broken in this House so many times.

Mr. Speaker: — That's precisely the rule that I have been trying to find. Although I might also go further and say this, that if a Member chooses to give a summation of a letter, a summation only and does not quote directly from the letter then he doesn't have to table the letter. But in this case the Member was reading directly from the letter.

Mr. Kowalchuk: — Mr. Speaker, I will allow the letter to be tabled, in spite of what is being said. I just don't know if I'm going to have to but I want to say that I still accept full responsibility for what is said in that letter at the same time. But we'll let it stay tabled in spite of what is being said as I said before.

Mr. Speaker, in going back, I think a little bit was forgotten as to what that letter contained. I said that this man who wrote this letter said, "I feel that an issue of such importance, such as this should be negotiated before rash action is taken." This is what we don't want to happen again, Mr. Speaker. I understand the Minister paid a visit to Neudorf a week ago on Monday. May I suggest that he not only visit the Neudorf Hospital Board, but that he'd hold a joint meeting with all the municipal people, with the village and town councils and the rural municipalities as well, so that he gets a complete picture of what these people really want and need.

(c) that no community hospital be closed without a minimum of 12 months notice.

Again, Mr. Speaker, this is to guarantee that the 40 some other hospitals aren't treated in a manner equal to what happened last December, where some hospital boards received their letters of notification of the cut in hospital grants the same day as the news media got the news. Such a thing should not happen again, Mr. Speaker.

(d) that no community hospital be closed until alternate use has been found for hospitals which are structurally sound and in a good state of repair.

Mr. Speaker, this I think is one of the most vicious actions, to leave a building, and many of them in excellent condition, without even any attempt to use them for alternate purposes. It is a crime to do this, Mr. Speaker, and it is much more of a crime when a Minister admits that he never was near the place, never saw the building and is ignorant of the fact that the building is not an old army hut, but a new building, constructed mostly by volunteer labour, as in the case of Neudorf. The people

besides donating their labour and their time contributed through their generosity thousands of dollars in cash, Neudorf, nearly \$30,000. Mr. Speaker, they built and paid for in many cases nurses' residences and some cases even doctor residences as well.

- (e) that no community hospital be closed until a thorough study has been conducted into the needs of the affected communities, including the concentrating of senior citizens in the area, travel conditions and distances from alternate hospital services and other pertinent factors.

Only when the fore-mentioned conditions are met and studiously exhausted can and should any action be taken, because, Mr. Speaker, people must be consulted. Most people, when ample evidence is shown to them that certain measures must be taken, will show common sense and good judgment, without too much reservation, provided they are approached with honesty and integrity. It is the high-handed manners and methods used by this Government that set up the stage for the great hue and cry by the communities affected. And rightly so, Mr. Speaker, I only hope that this doesn't happen again. I don't blame those communities at all for doing what they did. In fact, Mr. Speaker, they would be remiss in their duties if they didn't protest and protest very strongly against such action as this Government has taken. You must admit, Mr. Speaker, that in spite of the great emotional state many people were in, they had the good sense and rationality to behave properly. They didn't go kicking doors in the Premier's office. They deserve a great deal of credit. Mr. Speaker, I predict that, in spite of the Minister now making the trips to all these centres affected, the people will be quite wary of him and his Government. I think that the many reasons I have mentioned today will indicate why, Mr. Speaker, but there are others as well.

There are 40 other places that are on the same chopping block and everyone is asking; Are we next? As my Hon. Friend from Turtleford (Mr. Wooff) said the other day, "All the irrigation in Saskatchewan won't wash away the stains left by this Liberal Administration." This applies particularly to the question of hospital closure, Mr. Speaker. There are many inconsistencies in this Liberal pattern of spoils system of government, Mr. Speaker. There are hospitals which were slated for closing as per Advisory Committee of '63, which today have new hospitals. How come no one ever heard about consultation and studies with these hospitals, Mr. Speaker? No inquiries, no investigation, just a straight forward go ahead. Now I would be the last one to deny these people a new hospital. They have probably had it coming, but I want to know why they were given the go-ahead sign for a new hospital, why others were being blackballed and curtly told, "Close". Mr. Speaker, there are other places who were told they were getting new hospitals, but so far there is no action. Why aren't we told more about these. Is each community hospital built under the present Government, or to be re-built, going to be determined by a political blood test? Is the attitude of this Government determined by the fuzzy thinking of the Minister of Highways (Mr. Boldt) who seems to be the spokesman for the Government on the size and shapes of schools. Is he the spokesman for the hospitals as well?

Mr. Speaker, the people of Saskatchewan are going to demand a lot of answers to a lot of questions. The present Liberal Government has no one to blame but itself. Its arrogance, self-righteousness, dictatorial attitude in this and other situations

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are going to make the work of any hospital closure or re-allocation extremely difficult, even where it may be essential, Mr. Speaker, in order that every community concerned with this important question of hospital closures be fully consulted, with proper length of time for the consultation of every aspect, as it affects these communities I have presented this Resolution, Mr. Speaker, and I sincerely hope it is accepted by this House unanimously.

Some Hon. Members: — Hear, hear!

Hon. G.B. Grant (Minister of Public Health): — Before the Hon. Member takes his place, I wonder if he would accept a question.

An Hon. Member: — What is it, Mr. Speaker?

Mr. Speaker: — Order. The Minister of Health asked the Member who just finished speaking whether he would be prepared to answer a question. If the Member is prepared to answer the question he will indicate his willingness so to do by nodding his head.

An Hon. Member: — It's ten o'clock, Mr. Speaker, and he can answer the question.

Mr. Grant: — Mr. Speaker, a very short question.

Mr. Speaker: — Now I didn't intend to deny any Member the right to ask or to answer a question just by adjourning the House even if it is the proper time. If the Members want to go ahead, I'll stop the clock. Go ahead.

Mr. Grant: — Mr. Speaker, the Hon. Member was reading from some document and attributing certain answers to questions to me, I would like to know whether he is prepared to table that document and indicate who compiled the document.

Mr. Kowalchuk: — Mr. Speaker...

Mr. Speaker: — Order, order!

Mr. Kowalchuk: — These are the answers given by the whole board of the Neudorf hospital.

Mr. Grant: — Is he prepared to table them, Mr. Speaker?

Mr. Speaker: — Order, order! The Member has been asked whether he is prepared to table it or not and, I presume by his words he indicates that he is not prepared to do so. Am I correct?

Mr. Kowalchuk: — They are in the records, Mr. Speaker.

Mr. Speaker: — Order, order!

Debate Adjourned.

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