

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Third Session — Sixteenth Legislature**  
**29th Day**

**Thursday, March 26, 1970.**

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

**STATEMENT**

**TANNOY SYSTEM**

**Mr. Speaker:** — I want to draw the attention of all Members to the fact that our Tannoy System hasn't been working too well over the last few days. It creates some problems in connection with transcribing the speeches. The technicians have worked on this for some considerable time, they are certainly doing their very best to make this system work correctly. I would ask all Hon. Members if they would try and speak as directly into their microphones as possible in order that, if there are any further problems in connection with the transcription, it would assist the girls at least in the Hansard office when they are typing out the speeches. I would also draw the attention of all Hon. Members to the fact that some of the speeches which will come back for correction may have, due to the fault in the Tannoy System, some blank spots, but you will have to correct them to the best of your ability. But I didn't say you can rewrite them.

**WELCOME TO STUDENTS**

**Mr. Speaker:** — I wish to introduce to all Members of the Legislative Assembly the following groups of students situated in the galleries: 36 students from the Caroline Robins school in Saskatoon from the constituency of Saskatoon Mayfair represented by Mr. Brockelbank, under the direction of their teachers, Mrs. Hladay and Mr. Dyck; 27 students from the Hugh Cairns school, Saskatoon, in the constituency of Saskatoon Nutana Centre represented by Mr. Forsyth, under the direction of their teacher, Mr. E. Francis; 62 students from the Kinistino school from the constituency of Kinistino represented by Mr. Thibault; 74 students from Lyndale school in the constituency of Moose Jaw North represented by Mr. Snyder, under the direction of their teacher, Mr. Shorobach; 62 students from St. Paul's separate school in the constituency of Prince Albert West represented by the Provincial Treasurer, Mr. Steuart, under the direction of Miss Haude; 32 students from Spalding school in the constituency of Humboldt represented by Mr. Breker.

I am sure that all Members of the Legislative Assembly would wish to extend to these visitors in our galleries the warmest of all possible welcomes and express the very sincere wish they will find their stay here educational and enjoyable. We wish all of them a safe trip home.

**Hon. Members:** — Hear, hear!

**QUESTIONS**

**STRATEGIC AIR COMMAND**

**Mr. G.R. Bowerman (Shellbrook):** — Before the Orders of the

Day, Mr. Speaker, I would like to address a question to the Premier perhaps. Some two or three weeks ago there was an announcement in The Leader Post that the Strategic Air Command would be undertaking some air operations in Saskatchewan this summer. I understand from the notice that they would be flying directly north to Prince Albert to north of the National Park and then turning in a southwesterly direction to North Battleford. These aircraft will be flying at altitudes lower than 1,000 feet; this means of course, Mr. Premier that they will be flying at altitudes at which non-commercial aircraft or commercial aircraft northern flying is usually done. I am wondering what announcement or what proclamations might be made to alert flyers particularly in my constituency in this regard.

**Hon. W.R. Thatcher (Premier):** — I would point out to the Hon. Member that I did not make an announcement in this connection. The Hon. Member for The Battlefords (Mr. Kramer) asked me a question. I indicated that we had been notified by the Department of National Defence that these flights would be taking place. I am not aware of any details. I would be pleased to look into the matter. If I understand the question correctly, you would like us to notify the local flyers of the dangers involved. Is that what you want us to do?

**Mr. Bowerman:** — I have been contacted and I belong to a number of flying clubs in my particular constituency and in Prince Albert. There is concern expressed by pilots being instructed and flying at those altitudes which certainly creates a hazard in the air for training pilots. Perhaps all we can do is...

**Mr. Thatcher:** — If I am correct they will be above these local flights. However I shall be pleased to look into the matter.

**Mr. Bowerman:** — The Regina Leader Post, didn't say that it was you that made the announcement. I read in The Leader Post that they would be flying at altitudes below 1,000 feet and in that range. This is the altitude at which training pilots fly.

**Mr. Thatcher:** — I think that is not correct, but I'll look into it.

**Mr. E Kramer (The Battlefords):** — Mr. Speaker, I would like to ask the Premier if he was apprised of this situation at the same time Federal MPs were in a similar letter. I know that a letter was sent to all the MPs of this area prior to the announcement that was supposed to have been made on April 19th. I would also like to inform the Premier that the information that I have received, I think it is authentic, that the whole design of this plan is low-level flying which would indicate that it will be less than 1,000 feet, Sir.

**Mr. Thatcher:** — Defence, Mr. Speaker, is a matter of Federal jurisdiction, and really we haven't much to say about it. We really have no responsibility for the flights.

**Mr. A. Mitchell (Bengough):** — I am sure that all members

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who have licences in Canada are getting bulletins from the Department of Transport. I have already got notification of this six weeks ago, the exact route of the flight, the minimum in 800 feet. It is all marked on the map exactly what route these planes will follow and the times.

## **STATEMENT**

### **EVICITION OF INDIANS AT NORTH BATTLEFORD BUS DEPOT**

**Hon. D.V. Heald (Attorney General):** — Mr. Speaker, I desire to make a statement if I might. On February 25, 1970, I received a written complaint of the infringement of a right established under the provisions of The Fair Accommodation Practices Act, all signatories were of Indian descent. The complaint was immediately investigated by Mr. J. Gary Lane, Crown Solicitor and Officer appointed under The Fair Accommodation Practices Act. The facts are as follows. All complainants were in the Bus Depot in the city of North Battleford on February 20, 1970; all were lawfully in the Bus Depot either by licence or with a lawful excuse; all complainants were evicted by reason of a rule that people sitting in the depot had to have tickets. None of the complainants had tickets. This rule had not been communicated to the Indian community. The complainants were causing no trouble and were merely conversing among themselves while in the depot; all complainants were evicted after it was determined they had no tickets; only the complainants were asked if they had tickets; two white people seated in the depot were not asked if they had tickets. There were allegations of assault in the eviction process, but all were advised that the assault allegations were a matter of separate enquiry under the criminal law. These allegations — that's the allegations of assault — were not made part of the terms of reference of the enquiry conducted by Mr. Lane. Findings: 1. There is no evidence of discrimination in the fact that only the complainants were asked for tickets. There was sufficient evidence to warrant the finding that the persons evicting knew the other persons had tickets and had no reason to ask them again. 2. There was no evidence that the rule that everyone has to have tickets was applied only against Indian people. There was no evidence of discrimination in instructions to evict given by the manageress.

In summary my law officers felt that there was not sufficient evidence to warrant either a commission or charges of discrimination. However, the officer investigating felt that a lack of communication of the rules to the Indian people and the complete mishandling of matters led to the situation which embarrassed and embittered members of the Indian community. Some were put to additional time and expense because of the situation. The situation was unnecessary and it was recommended that those concerned with the operation of the depot meet immediately with leaders of the Indian community and Indian workers to explain the rules which apply to the operation of the depot. Mr. Speaker, I have instructed Mr. Lane to immediately convene a meeting between these people in line with his recommendations.

### **REGINA WINTER FAIR BULL CHAMPIONS**

**Mr. J. Kowalchuk (Melville):** — Mr. Speaker, before the Orders of the Day I would like to make a comment which I think is fairly important. It

is with pride that I want to make it known to this Legislature that at the Regina Winter Fair last night a constituent of mine from Lorelie, Saskatchewan, Mr. M. A. Dreger, Alf as called, a small farmer and one of the old pioneer families in the district, was awarded the honored position of winning the grand champion shorthorn bull, Pheasant Creek Leader 4th, which isn't anything new for Alf Dreger. He won the grand champion award last year as well. It is also a pleasure and with pride that I wish this House to know that we have another winner from my constituency, in the Neudorf district, Mr. Philip Bender who won with Philford Valour, a bull judged junior and reserve grand champion. I want to add my congratulations to Mr. Dreger and Mr. Bender and I am sure that all of us here wish them many years of success in their purebred cattle ventures.

**Some Hon. Members:** — Hear, hear!

### EVICTON OF INDIANS AT NORTH BATTLEFORD BUS DEPOT

**Mr. R. Romanow (Saskatoon-Riversdale):** — Mr. Speaker, I wonder if I might with the permission of the House just say a few brief words as a result of the Hon. Attorney General's statement on the findings of the incident at North Battleford. I want to say first of all that it is important to be reassured by the Hon. Attorney General that no acts of discrimination were found by his Department in the investigation. I also want to say very briefly that I have great reservations about the procedure in which this matter has been conducted in terms of an officer of any agency of the Government conducting an investigation on what I think is to be a valid consideration of human rights. I am sure Hon. Members and Mr. Speaker will understand and appreciate that we haven't had an opportunity to examine the statement that the Hon. Attorney General has given to the House, I therefore would like to get a copy of it and peruse it and perhaps sometime later with leave make a further brief comment.

### CONDOLENCES

**Mr. A.E. Blakeney (Regina Centre):** — Mr. Speaker, before the Orders of the Day I wonder if I might take a brief moment to ask the House to record its sense of loss at the death during the last week of two distinguished psychiatrists in the persons of Dr. Sam Lawson and Dr. Griff McKerracher. They died in quick succession. They were architects and builders of the mental health plan that has gained world renown under the name of the Saskatchewan Plan. Dr. McKerracher was director of psychiatric services from roughly the mid 1940s to the mid 1950s. Under his guidance Saskatchewan became a world centre of innovation and experiment in the field of mental health treatment and research. Dr. Lawson succeeded Dr. McKerracher as director of psychiatric services. At the time of his death, Dr. Lawson has retired from the public service. Dr. McKerracher had left the public service to become the head of the Department of Psychiatry at the University of Saskatchewan, which post he held at the time of his death. I would ask the House to join in tendering our condolences to the bereaved and in recording our sense of appreciation to these pioneers in the field of mental health.

**Hon. G.B. Grant (Minister of Health):** — Mr. Speaker, I would like

to join the Hon. Member in the expressions of sympathy. I was not too well acquainted with Dr. Lawson, but I knew Dr. McKerracher very intimately. The loss of these gentlemen is sincerely felt by all who were associated with them, particularly with Dr. McKerracher, because he was so closely involved with the program at the present time. It might say that the Department is giving consideration to making a recommendation to the Government to give some suitable recognition of the contributions these two gentlemen have made to the psychiatric services in this province.

## **RESOLUTIONS**

### **RESOLUTION NO. 9 — SASKATOON MASTER AGENCY PLAN**

Mr. R. H. Wooff (Turtleford) moved, seconded by Mr. G. R. Bowerman (Shellbrook):

That this Assembly deplores the continued stripping of rail and freight services from Saskatchewan communities as exemplified by the CNR's proposed Saskatoon Master Agency Plan, and demands that the Canadian Railway Transport Commission, before acting on this plan, schedule a series of public hearings across Saskatchewan so that the protests of communities to be affected may be properly heard and considered.

He said: Mr. Speaker, this motion dealing with the Saskatoon Master Agency Plan is one of those motions that deal with some of the problems that affect the people of Saskatchewan in their daily enterprise and their daily living.

I am going to be brief, Mr. Speaker, because I know that there are several other Members wishing to speak on the motion, so I am not going to take too much time of the House. I think that no better terminology could have been used than that of the motion, "The continued stripping of rail and freight services from Saskatchewan communities." This has been and is taking place by rail abandonment, as well as the proposed Saskatoon Master Agency Plan. Mr. Speaker, railways were given and have continued to be given real concessions and subsidies in order that the residents of Canada might benefit from the railway services from coast to coast. I may not agree with the way in which payments or subsidies have been made from time to time, but paid the railways have been throughout the years of their operation. I am not suggesting either, Mr. Speaker, that time does not require change, change must and will come. I submit that change should come in a planned and a meaningful way rather than in an arbitrary capricious manner of profit-oriented operations. The railways have been paid from public revenues to a large extent to provide a public service and should not either feel free or be free to do just as they please. The SNR is presenting its master agency plan by phases 2, 3, and 4 — by the way, the same basis that we old threshermen used to feed the separator on days when the going was tough, a sheaf at a time, or something like the chap that chopped off the dog's tail an inch at a time because he was afraid if he wacked it off all at once, the dog might bite him. Mr. Speaker, the Master Agency Plan when complete is going to strip the Saskatoon area to the bone so far as station agents are concerned. In my opinion, it is only the forerunner of further abandonment and retreat by the

railways. No matter what arguments are used, the outcome will be detrimental to rural Saskatchewan's smaller centres and small town businesses and enterprises which in most cases represent a lifetime of work and investment. This alone, Mr. Speaker, spells ruin for hundreds of families. I submit, Mr. Speaker, that the time for change and profit alone is not good enough. When Britain was, and for that matter still is, endeavoring to solve some of her like railway problems, a rather different approach was used. A survey was carried out and the report left no one in doubt that certain areas must continue to be served even if it meant subsidies. Here, Mr. Speaker, is an important factor that I don't think we in Saskatchewan can ignore.

As I have already pointed out the 2, 3 and 4 phase policy is calculated to lull some communities into a state of inactivities, because they are not immediately under the gun. I would just like to read to the House a list of those stations that come under the phase 2, 3 and 4. In this way you will get some idea of the coverage of northern Saskatchewan. Phase 2, these are the places that are under the gun — Avonlea, Central Butte, Northgate, Gravelbourg, Bengough, Ceylon, Riverhurst, Hodgeville, Willowbunch. These are the places that will probably remain open. It doesn't say they will, there is no guarantee — North Regina, Radville, and Weyburn centres of this size. Phase 3 — those that are likely to be closed.

**An Hon. Member:** — Colgate?

**Mr. Wooff:** — Application was made for Colgate.

Big River, Debden, Canwood, Spiritwood, Shell Lake, Shellbrook, Birch Hills, Kinistino, Carrot River, Aylsham, Ridgedale, Star City, Arborfield, Zenon Park, Mistatim, Prairie River, Duck Lake, Hague, Meskanaw, Yellow Creek, Avonlea, Bjorkdale, Carragana and Weekes. Those are the ones that are for closure. Those that may remain open; Crooked River, Cudworth, Melfort, Moose Jaw, Porcupine Plain, Prince Albert, Rosthern and Tisdale. Again I would remind you there is no guarantee on this

Phase 4 — Frenchman Butte, Paradise Hill, Mervin, Edam, Meota, Glaslyn, Medstead, Rabbit Lake, Mayfair, Leask, Marcelin, Blaine Lake, Krydor, Hafford, Speers, St. Louis, Domremy, Aberdeen, Vonda, Davidson, Delisle, Fort Qu'Appelle, Kindersley, Humboldt, North Battleford, Radisson, Rosetown, St. Walburg, Turtleford, Saskatoon, Lake Lenore, Maymont, Borden, Langham, Brock, Fiske, Harris, Vanscoy, Dundurn, Hanley, Kenaston, Craik, Aylesbury, Chamberlain, Bethune, Lumsden, Vibank, Montmartre, Glenavon, Lebreton, and Balcarres.

If this is carried out, Mr. Speaker, there will only be Turtleford left between St. Walburg and North Battleford in my own home area. This means, Mr. Speaker, that you have got some 80 stations that are now under the gun by application being made. You have only 22 out of 102 that may remain open.

I would like for us now to just turn briefly to the motion. The heart of the motion of course is the demand, the request that people in these communities, the ones affected, be given the change to voice their protests at properly conducted public hearings. Surely, Mr. Speaker, this is not too much to ask of

a service supposedly owned and operated by all Canadians.

**Mr. G.R. Bowerman (Shellbrook):** — Mr. Speaker, it is not my intention to deal at length with this Resolution. I do, however, want to emphasize the importance of the provisions of the Resolution to the rural people of Saskatchewan, and in particular to the smaller urban centres that serve the farming communities of this province. The Resolution is not adamant about the position of the railway closing certain of its stations or its agencies that have become obsolete or inefficient with the passage of time, nor does the Resolution presume the position that any or all stations should remain open or be closed. But it does, I suggest, Mr. Speaker, call upon the Canadian Transport Commission to hear the position of those most severely affected and consider those local situations. I suggest, Sir, that this position is indeed a valid one. Surely if we are to have public rail transportation facilities, that public company must accept some bad situations with the good. I view the Master Agency Plan as rail-line abandonment under a different name. It is the method by which the railway company hopes to get its foot in the door for the eventual total withdrawal of services without any rationalization of those services.

One has only to take the provisions of the railway's proposed program and superimpose it on a map of Saskatchewan and you can easily determine the results. Looking at the constituencies in the northwest of the Province, the program proposes to have one or two agencies from Price Albert west and northwest of the Alberta border. Surely, Mr. Speaker, much more consideration must be given to this tremendous railroad reduction plan than this unqualified acceptance of Eastern planners without providing any opportunity for those most directly affected to have some say in the matter. I can assure the railway officials that every board of trade, every rural municipality and town council in my constituency is vitally concerned over the announcement of this program. It is grossly unjust, and in deed it is inconceivable that such a major public service should ever consider curtailment of its program to the extent proposed without some public hearing. I suggested earlier that the public services of this nature must accept some bad with the good. Providing this were not so, we would have smaller urban and farm power grids or we wouldn't have the smaller urban and farm power grids that we have today in this province. I suggest, as well, if we did not adhere to the principle that through this principle power lines running four or five miles to serve a single farmer would in the same light be abandoned. Some of the smaller northern communities such as Beauval or Ile-a-la-Crosse, Buffalo Narrows, only to mention a few, would be cut off and left without power or left to provide for themselves.

I suppose that it is possible that the day will come when we can operate railways and industry without people. But the facts will still remain that the utilities, services, and industry must continue to operate for the benefit of people. Without such an objective industrial or technological developments become meaningless.

At this stage of our industrial and technological progress I respectfully doubt whether our Canadian railway system can operate efficiently or effectively for people without their agencies and their stations, at least in most of the smaller thriving communities. It is only four short years ago, in 1966,

that the railways were accounted as having lost wheat sales of 200 million bushels because they could not move grain at the pace that was required at that time. It hardly seems to be a responsible suggestion that they should now reduce their local agencies and personnel and hope to improve their efficiency in grain handling or public transport services of another nature.

Therefore, Mr. Speaker, I urge that we support this Resolution, which will require the Canadian National Railways to acknowledge the local communities and the problems that will arise as a direct result of their proposals.

And I, Sir, am prepared to support that Resolution.

**Mr. A. Thibault (Kinistino):** — Mr. Speaker, in rising to support this Resolution I want to concur with what has been said by previous speakers. Rather than be repetitious I want to bring to the attention of the House a meeting that was held at Birch Hills on February 6, 1970.

From this meeting came this resolution and it was sent out to the authorities that I will mention in the course of reading this Resolution. So in order to shorten the time that we want to spend in the House I will read this resolution and this will certainly express the feeling of the people in my constituency. Therefore, I cannot choose any better words than were chosen at that meeting.

The meeting was attended by the town of Birch Hills, the town of Kinistino, the Chamber of Commerce of Kinistino, the Chamber of Commerce of Wakaw, the RM of Birch Hills, RM of Fish Creek, RM of Kinistino and the RM of St. Louis. I quote:

Be it resolved that the after mentioned municipalities and other interested organizations present at the mass meeting at Birch Hills on February 6, 1970, go on record as unanimously opposing the Master Agency Plan as proposed by the Transport Commission for the following reasons:

We believe that the recent CN policy referred to as a direct line service is a gross misrepresentation of the needs of the communities so affected in that. 1. The social impact on human resources is being completely misrepresented. 2. There will be no significant saving because of the effective shadow-type administration to replace the present system. And that in the next decade or two the policies of Government will be that of decentralization due to the fact that the cities will be unable to cope financially and socially with the problem of overcrowding. 3. The type of service proposed under the Master Agency Plan in our considered opinion will not give a very efficient and personalized service as we are accustomed to and believe is our right to expect. 4. We question the wisdom of the CN utilization of provincial highways as a substitute for the tracks, placing an additional burden on highways. 5. The creation of more employment in an already depressed economy. Saskatchewan stands to lose alone in the area of \$1 million. Some employees will be laid off after having given 20 years or more of their lives to the



service of the CN. These employees will be cut loose at an age in life when it is difficult for them to retrain their own secure employment in any field. 6. It is our contention that the track and the CN facilities will disintegrate with the withdrawal of local agents. 7. We have seen our local section crews disappear which the CN officials assured us they would replace with a more efficient and economic means. The results have proven in our estimation to be more costly and less efficient. 8. It is our understanding that in the early formative years of the railway grants and concessions were given to the railway to provide service to the people. We strongly protest a railway that is attempting to remove some of these services. 9. Removal of services which is contrary to the pioneer spirit of our Canadian West causes communities to die bit by bit and will in the end cause complete death. 10. We, therefore, request a public hearing in the immediate area of the undersigned municipality before the CN takes such drastic steps, as instituting the Master Agency Plan, which as said, vitally affect our communities. We can assure such a hearing that many more important points should be brought out and fully discussed before further thought is given to the implementation of the Master Agency Plan. 11. We strongly resent the fact that the CN states via news media that municipalities had already been informed and that this Plan was being instituted. Of our seven municipalities and three Chambers of Commerce present at this meeting, not one had been informed. Resolution passed unanimously and instruction issued to forward copies of this resolution to elected representatives of Government of Canada, Transportation Commission, and all municipal bodies concerned, this 6th day of February A.D. 1970.

Signed: A. C. Davis, Chairman, Birch Hills.

Mr. Speaker, I think what is said in this resolution clearly indicates the feelings of my people. It means that not a single station agent will be left in my constituency if this Plan is put through. I think that before such action is taken that the people of my constituency should be heard. So, therefore, in support of my people in my constituency I wish to table this resolution.

**Some Hon. Members:** — Hear, hear!

**Mr. G.G. Leith (Elrose):** — Mr. Speaker, I have listened with great interest to the speeches have already been made on this subject. As it seriously affects the constituency which I represent, I intend to have something to say about it.

It will mean the loss of agents on four subs in the west central part of the province: the Conquest sub, the Beechy sub, the Elrose sub and the White Bear sub. If the Master Agency Plan goes through there will be a large station with about nine CNR employees at Eston and it is my understanding that there will be no other agency representation between Eston and Watrous. This is going to be a big change to the people that I represent. I think that we are going to have to really look at the implications of a Master Agency Plan, as put forward by the CNR.

It is interesting to note that there are 35 Master Agencies already operating in various regions in Canada. This CNR people came to several meetings that I attended in the Elrose area and said that so far the Master Agency has been working out well, as there are no serious complaints against the Master Agency. About 60 per cent of the people who will be laid off will be employed in other areas of railroad work. Many of them will be given early retirement with some benefits. I don't intend to quarrel with that aspect of the situation but I do intend to have some more to say on it and I beg leave to adjourn the debate/.

Debate adjourned.

### **RESOLUTION NO. 13 — ENACTMENT OF A NEW LANDLORD AND TENANT ACT**

Mr. R. Romanow (Saskatoon-Riversdale) moved, seconded by Mr. E. Whelan (Regina North West):

That the Legislature recommend to the consideration of the Government the enactment of a new Landlord and Tenant Act for residential premises which would incorporate inter alia the following principles, as more specifically set out in a draft Act tabled with this Resolution, namely:

1. The establishment of a Rent Review Board to protect tenants from unjustifiable rent;
2. The establishment of a Landlord and Tenant Relations Board so that tenants could be recognized in appropriate units for purposes of bargaining collectively with landlords respecting all matters of their landlord and tenant relationship;
3. The limitation of use of security deposits;
4. The abolition of the right of distress for default of payment of rent;
5. The standardization of notices of termination or leases;
6. The right of entry to be guaranteed for candidates and agents seeking election to public office;

And further, that the Legislature recommend to the Government the enactment of a standard lease form in the proposed new Landlord and Tenant Act.

He said: Mr. Speaker, it is my pleasure today to introduce this Resolution respecting landlords and tenants.

I think all Members of the Legislative Assembly will agree with me that the incidence of apartment-living in the Province of Saskatchewan, indeed, throughout Canada, is sharply on the rise. My Resolution, with a draft Bill that I have taken the liberty of preparing and I will be tabling, attempts to deal with this new phenomenon, if you will, of increased apartment-living and with the type of problems that result with that type of relationship.

I think a word or two must be said as to why we face the need to modernize our laws on landlords and tenants. The most

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distinctive fact about this relationship at present is the fact that it is brought on by an acute housing shortage in the Province of Saskatchewan, not so much in the last several months because of the economic crisis but up until the last several months and in Canada as well.

The crisis in the housing shortage is the single greatest obstacle, I think, to economic and social stability and fair dealing when it comes to landlords and tenants. Housing is just not as available as it should be. The cost of obtaining a house is almost prohibitive now for the average person of Saskatchewan. The population is more mobile and thus, I think, exhibits a greater reluctance, even when houses are available, to reside permanently in a particular city or area. This problem of housing and the attitudes of our modern generation are going to continue and are going to increase. The pressure will increase on the Provincial Government and the Federal Government to such a point that they will have to embark sooner or later on a revolutionary and new program with respect to housing and a new attitude with respect to landlord and tenant relationships. Unfortunately, I see no such hope from the gentlemen opposite and I see no sign of action with respect to either housing or the other aspects that I have talked about, from the Federal Liberals.

Thus all factors indicate that this crisis is going to continue. There will be more tenants. There will be an increased demand for more apartments and with this, Mr. Speaker, there will be an increased urgency to update our laws governing the relationship between landlords and tenants. And it is with this light, with that background, that this Resolution I am offering with an attempt hopefully to offer some solution to the Members of this House.

Before I go into a brief discussion about the Resolution and the draft Bill that I have prepared, some comment must be made about the present Landlord and Tenant Act in the Province of Saskatchewan. Does this Bill do the job? That Act is archaic and obsolete in almost every way. My Resolution deals primarily with apartments and I must emphasize not farm leases. We are just doing the residential leasing arrangement. I think it can be stated with certainty and with little fear of contradiction by the Hon. Attorney General (Mr. Heald) or lawyers and other persons who have had direct dealings with The Landlord and Tenant Act that the statement about this Act being as ancient as any Act in the Province of Saskatchewan will certainly be true.

There has been no major revision of the Act for years. I have searched the statutes to determine if there had been any amendments respecting the Act and I think there have been from time to time. But with certainty I can say there has been no new thinking and no new look with respect to The Landlord and Tenant Act by this Province and by us as legislators of this province.

That is a deplorable situation. We must not and we can not allow our laws, in any area, to become anachronistic and outdated as I think The Landlord and Tenant Act has become. We must be sure that our laws in all areas keep pace with modern economic and social relations and developments such as, what I say is the special economic and social relationship existing between landlord and tenant.

I don't know how us a legislator in the province of Saskatchewan, deal with the entire problem of modernizing our laws. I think perhaps a vital and active and strong law reform commission is partly the answer. A law reform commission that is searching and examining into details all aspects of laws that are on our Statue Books. This hasn't been done by this Government in the last five or six years, to my knowledge at any rate. The result has been that the laws in many areas have fallen into disrepair. I would commend a general observation, with respect to this Resolution and other aspects, that the Provincial Government considers implementation of a law reform commission to review and make suggestions for changes in all aspects of law in the Province of Saskatchewan.

Thirdly, Mr. Speaker, within this context, I now present this Resolution and, I repeat it is not the intention of the Resolution to deal with aspects such as farm leases. That is a special problem that I think will require special attention perhaps at a future session. I certainly intent to dedicate myself to looking at that aspect of it and putting forth a resolution soon, next session or earlier if possible, on that aspect of it.

It is my hope that the Resolution that I have presented will come to grips with the problem of modern apartment-living. I want to emphasize that the draft Bill is not the answer. It is my own composition, with a little bit of help from Ontario which has only recently implemented some similar Acts in this regard, and from some readings that I have undertaken in this area. However, I want to emphasize that I do think that the draft Bill that I am going to deal with is a good Bill and I do put it forward for the consideration of the Members. It would be a good start for this Legislature and we ought to now accept the principle of the Resolution and hopefully the principle of the draft Bill that is going to be tabled with it.

Now what do this Resolution and Bill talk about? The major provisions are as follows: 1. The Resolution and the Bill attempt to recognize a brand new theory (perhaps legalistic, I don't want to get overly legalistic in this area but I have to enunciate this a bit) a new theory behind landlord and tenant relationships. The present Act and the common law that interprets it view the law and the landlords and tenants in a purely mechanical way, that is to say that our present Landlord and Tenant Act defines the relationship in terms of mechanics — how a lease is terminated, how the lease is made and the like. But it does not make any conclusion about rights and duties and obligations in terms of the vital interests of each of the landlord and tenant. What the Resolution and the Bill do is to get the legislators to recognize the principle that the law in this area should be cognizant of vital interests — if you will, the theory of vital interests — the vital economic and social interests and relationships that exist between the landlord and tenant.

As I have said, that economic and social interests is the theory of vital interests. It attempts to add to the economic relationship a new definition of social relationship between landlord and tenant. It is of utmost importance that we acknowledge the social interest of all parties because what we are talking about here is a way of life and the quality of life of a large and ever increasing group of people in the Province of Saskatchewan, namely the tenants. So that is the first aspect of the Resolution and of the proposed Bill.

Secondly, the Resolution talks of a landlord and tenant relations board, and certification — this will interest the Hon. Minister of Labour (Mr. Coderre) because he is knowledgeable and interested in certification — certification of tenants so that they can deal in a collective bargaining manner with landlords to define their economic and social interest. I am excited about this idea of a landlord and tenant relations board. I visualize the board and this type of phenomenon arising in large multi-unit apartment blocks primarily in the cities of Saskatoon and Regina and perhaps in Prince Albert, Moose Jaw and other areas as they increase in our province.

This concept would entitle the tenants to organize themselves into a tenant association, if you will, and through this association get some form of certification or legal sanctification from the board so that they could deal with the landlord on all matters respecting their relationship. I see two advantages to this idea. Firstly, the individual tenant, as the present law stands, is virtually powerless respecting the landlord. Often in these large complexes the landlord is some unidentifiable corporate body with large assets who has the distinct advantage, not only because of the nature of the being but because they deal individually with the people involved. If the landlord acts individually against the tenants, they are next to powerless. I think this concept of certification would give them protection in union.

Secondly, an advantage of the certification principle would be of advantage not only the tenants but to the landlords. I think there would be a greater feeling or responsibility that each tenant and the entire association would accept in respect to one and the other and the landlord when it comes to the use of the building and the facilities. I think there would be a spirit of cooperation that would prevail with respect to the dealings of the tenants and the building concerned. But they are now interested not only in the small individual apartment but they are interested as much as the landlord is in making sure that the building isn't going to fall into disrepair and into a run-down condition.

I feel that this concept would result in a decrease in the type of activity that landlords so rightly and unfortunately, so frequently, complain about, the type of activity that results in deterioration of building causing disharmony and loss to all parties concerned.

I could not think of a better name to call this board other than Landlord and Tenant Relations Board. I attempted to incorporate the features of our present Trade Union Act in the Province of Saskatchewan into the draft Bill in setting up the board. Some of the provisions there may not be fully applicable. I do say, as a brief word of explanation, that the board could be the arbiter of disputes between landlord and tenant. It could be expanded not only on certification but on arbitration of disputes between landlords and tenants. It could be the judge of allegations of unfair practices as between the parties concerned. And of course it would be the certifying body of the association and the building where the tenants decided voluntarily to so associate. It is necessary for the board to have legal teeth and power to enforce its rulings. I have incorporated strong penal provisions and this power in the proposed Bill in the hands of this board.

So to sum up, a framework of collective bargaining will help to serve all the various problems that are associated with landlords and tenants. It gives the tenant a direct say in the right of his dwelling house, the entire unit, and I think it is a great step forward to acknowledging the special social and economic relationship that I talked about earlier.

Thirdly, the Resolution and the Bill urge this House to set up a rent review board. Individual municipalities could set up such rent review boards in their region to supervise and control rent increases. I am flexible in this suggestion. I think nothing really stands or falls whether it is done on a Provincial basis or on a regional basis. I like the concept of regional basis.

Mr. Speaker, there is an urgent need for public involvement and public control in the question of rent increases. The February 1970 Federal-Provincial Conference at Ottawa talked of rent control, Mr. Speaker, as a means of fighting inflation, talked of holding the line on rent increases. Prime Minister Pierre Elliot Trudeau talked — and there was considerable Press coverage — of the need for Provincial Governments to go back to their individual jurisdictions and implement laws and provide the facilities whereby there can be meaningful rent review and rent control. He said it should be done as a means of fighting inflation and I think that is important. But apart from that there should be an attempt to eliminate once and for all, in times of inflation or non-inflation, practices which cause unjustifiable, unfair and gouging rents that exist right here in the Province of Saskatchewan in the larger cities from time to time.

When the housing shortage is particularly acute, landlords, it only stands to reason, will charge accordingly. This rent review board that I propose and advocate will not only concern itself with rent increases but also, as I have said, would go out and actively investigate and prosecute unfair rents even if they are too high now and forgetting about increases only in a period of inflation. Mr. Attorney General (Mr. Heald), this suggestion is one of consumer protection. We are now looking into ways and means to ensure that people who need money are not fleeced with high interest rates. There is no logic whatsoever why we should be concerned about legislation to protect consumers on high interest rates and not be concerned about the renter who is being fleeced by unfair and high rents. Those of us who are in need of accommodation would be victimized by unscrupulous landlords and it is time now that the public and the Government show their direct concern by setting up such a rent review board.

Fourthly, Mr. Speaker, I propose in the Resolution and the Bill a standard lease form. I might add that I haven't prepared the standard lease form for the consideration of the Members. It isn't included in the Bill. A standard lease form I propose should use simple laymen's language to define the rights of the tenant so that he knows clearly where he stands. Any variations in the standard lease would have to be indicated by special print, perhaps a distinguishing form or color or type, so that the tenants and the landlord know exactly what they are getting into when they sign the lease. We have often receive complaints, legally and in our positions as MLAs, about tenants who feel that they have been taken in by leases that perhaps in their own neglect they have not read as carefully as

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they should. Again, the odds are by and large with the landlord and there is very little equality in this area.

I want to emphasize, Mr. Speaker, that we do not have to wait for a new Landlord and Tenant Act to bring about a standard lease form for the protection of the renter now. We don't have to wait.

The Government and the Attorney General can introduce such an aspect that I think would be a progressive step with respect to consumer protection. I would commend the Hon. Attorney General (Mr. Heald) to this task as soon as possible.

Fifthly, Mr. Speaker, I propose that the use of security deposits be greatly curtailed. There's a variety of abuse in security deposits. Time and time again I am told by people who are renters who come in and say, "I have to move in three days' time because I have been transferred in my job to Vancouver; I have to put down a \$150 deposit with my landlord; he doesn't want to give it back to be now because he says I have caused some damage in the building." He is faced with a very difficult economic situation and a legal one. He either sues the landlord in lengthy and expensive and sometimes complicated law suits to try and recover the \$150. He can't do it if he has to go outside the province or if he has to move from city to city. This is an unfair situation with respect to the tenants. Personally I feel we ought to move to the day where deposits of all kinds will be totally abolished.

There is no other area of abuse that is as evidence as this security deposit, whether it be damage or whatever other type of deposit. The landlord takes this amount and the tenant has very often lost it unfairly. Often it simply does not pay to go to court as I've said. There is no reason why the landlord should have any special privileges as compared to other persons. If the Minister of Labour owes me \$150, I have to sue him in an ordinary court of law and obtain judgment and then pursue my ordinary remedies in the right way by garnishee and execution. Why should we have this outdated special privilege for landlords whereby he has this \$150 right in his hand at the time. What makes him a special privileged citizen in our society when it comes to collecting a debt? In other areas of the law, this situation does not exist. I have tempered, however, my own personal views in this area when I came to preparing this Resolution and preparing the draft Bill because my seconder, my colleague from Regina, has had much practical experience in this matter and he has had much to say about the question of deposits. I think there is an argument that he will be advancing, I hope, in this area which has resulted in myself coming to the conclusion as far as this Resolution is concerned. We won't, at least I won't, advocate the total abolition. It is sufficient to say that this proposed Act and Resolution do call for the establishment and acceptance in principle of a drastic curtailment of the use of security deposits as may be determined from time to time by this Landlord and Tenant Relations Board that I have talked about, or perhaps the Rent Review Board.

Mr. Speaker, I am now going to very briefly sum up some other provisions. The right of distress is abolished in the proposed amendment in the proposed Resolution and Bill. This means that the landlord will no longer be able to barge in and seize personal items of the tenant because of arrears of the renter around some make-believe concept of damage or otherwise.

If there is damage or if there is rent owing, the landlord, as I have said, has his legal recourse in the normal way to the courts of law, by proceeding by way of statement of claim and judgment, as we who have had occasion to deal with this matter know. Again, I say our distress places the landlord in a special position in our common law that just is not consistent with modern-day life.

Another provision, Mr. Speaker, is the right of entry of the landlord being seriously curtailed to times of emergency and only after 24 hours' notice is given to the tenant. Again, this underlines the special social relationship between the two, that for the tenant his apartment is his castle as much as for those who own houses, the home is his castle. There is not justifiable reason why any landlord should have the right to enter holus-bolus with respect to the tenant's living accommodations. He would be subject to trespass and further action if he did it to our private homes. He ought to be so subjected to the responsibilities when it comes to the tenants living accommodation and his home. Again, to re-emphasize the theme of the Act and the theme of my remarks and the theme of the Resolution, this provision underlines the special social and economic relationship that I talked of.

One other provision interests me, Mr. Speaker. That provision is to the benefit of a person who seeks public office. He has the right to enter into an apartment building to express his views. It is my contention that every person who seeks public office, whether it is a public office of dog catcher or a president or a prime minister or a premier, has the right to seek support for the public office by campaigning and canvassing tenants in apartment blocks. All MLAs, I am sure, have heard of instances where — I have had the personal experience — candidates for public office, for city elections or towns, or RMs or whatever the situation may arise when they present themselves to the apartment building, find that they are locked out by a mechanical device. There is no way they can get in to canvass the 50 or 150 family units or however many units there happen to be. There can be no reason why the person who is making the sacrifice, concerned with the aspects that affect all of our lives, namely, democracy and the issues, why he shouldn't have the right to step in and present himself at the door of the tenant. Let the tenant make the decision as to whether or not his views should be expressed to him. It is a question of whether or not a tenant wants to listen. When the Hon. Minister of Public Works (Mr. Guy) comes around canvassing for the Liberal party I wouldn't blame the tenant if he said, No. That right lies especially and particularly on the tenant. It doesn't lie with some corporate landlord or some other landlord who decides as a matter of politics or as a matter of any other reason that he is going to take it upon himself to be the sole arbiter of 50 or more family units' right to listen to a candidate. I've heard it told that far too often this entry has been denied. This Bill makes a special provision for that so that every person who seeks democratic office in our society will have his luck only determined by the tenant and that is the way it should be.

Well, Mr. Speaker, Members can peruse the Act for themselves which I would now like to take the liberty of tabling for consideration. I also have prepared additional copies for the individual Member's consideration. I say again with respect to the Bill, it doesn't have all the answer. It is my own



composition with all of the weaknesses to it. I say this, Mr. Speaker, in conclusion, we as MLAs are out of touch with the times by failing to improve this area of human relations. Ontario has set up an Act and to my knowledge is the only province that has done so. Every once in a while this Government opposite makes a rash political statement that it's going to do something in this area, but like far too many other Liberal promises, it is forgotten as soon as it gets into power. Every once in a while I have heard the Hon. Attorney General tell a Liberal convention somewhere to satisfy the Liberals at the convention that there is going to be action on the Landlord and Tenant Act, and he does nothing about it. Every once in a while I see some Liberal get on some television set trying to fool the people of the Province of Saskatchewan that there is going to be a Tenant Act, and he does nothing about it. Every once in a while the people are getting fed up with the promises of the Liberal party in this area and other promises that are coming too late and are not kept. I remember when I got up in this House, very early in the Session, and before the Orders of the Day at the notices of motion, I gave notice of my motion with respect to The Landlord and Tenant Act. I was confronted by the Hon. Premier and the Hon. Treasurer and the Hon. Attorney General that I was too late. The Hon. Minister of Public Works (Mr. Guy) was in there also in the cacophony of sound saying that we were too late, that some Bill would be introduced. Here we are in the latter part of March and there is nothing before this House that is going to take remedial steps. They say we are too late. I ask you, Mr. Speaker, and Members of the House, who is too late now when it comes to this question of landlord and tenant law. Where is the Bill that the Government is supposed to put forward? Well, I heard on television of couple of days ago that the Attorney General (Mr. Heald) said, "Not this session." He hasn't got time to try and sneak through another election before they make another promise about bringing in a Landlord and Tenant Act. I can say to the Hon. Attorney General and the Government concerned opposite, that if they are going to take that stand, when it comes around to cities, when they come around to campaigning with respect to tenants, they are going to be in for a rude awakening, like they are for all other aspects of this Government's inactivity. In City Park-University, I can tell the Hon. Member that university students have got a crisis with respect to housing and apartments. They are more particularly vulnerable about landlord and tenant law than perhaps any other segment or factor of our society because they are there for a 4-month period. They are economically strapped. They have landlords who are taking advantage of them. They have been complaining to the Hon. Member for City Park-University (Mr. Charlebois) and they have certainly been complaining to me. Yet his Government does nothing for the university students in Regina and Saskatoon in this area. That's a regrettable situation, Mr. Speaker, an absolutely intolerable position when it comes with respect to this Government. I receive letters, as the Hon. Attorney General does, and I know he does because there are carbon copies sent to me of the letters he gets, urging this House to get on with the job of passing a new Landlord and Tenant Act. Still no action. Six long, long years of Liberal rule in this province and no action, not even a Landlord and

Tenant Act but in any other aspect of our society, all take but no action.

Mr. Speaker, I invite all Members to vote for this Resolution, as I am sure they will, especially in the light of my non-partisan remarks. I invite the Hon. Attorney General to peruse the draft Bill, make changes, make criticisms, propose amendments and come down with a charter for tenant's rights that is consistent with the 1970s.

**Some Hon. Members:** — Hear, hear!

**Mr. E. Whelan (Regina North West):** — Mr. Speaker, in rising to support this motion and the draft Bill, it brings to my mind an experience I had with The Leasehold Regulation Act for a number of years, legislation which in effect controlled rentals in the relationship which existed between landlords and tenants. Mr. Speaker, during this period of time we have a good deal of experience with The Landlord and Tenant Act as it is presently written. There was no doubt then that it was out of date; it needed redrafting. Provinces of Canada have begun studying The Landlord and Tenant Act in its present form. Ontario has just placed a new Landlord and Tenant Act on the Statute Books. I would suggest that all Members study the Ontario Act although it may be inadequate in some respects, because it does update and it does provide some of the principles called for in the Resolution on the Order Paper, that is, Resolution No. 13 moved by the Hon. Member for Saskatoon-Riversdale (Mr. Romanow).

The old legislation made the landlord almost the custodian of the tenant in many respects. Sometimes he maintained an interest in the tenant's ethnic background, religion and even his place of employment was deemed to be part of the landlord's business. Landlords and tenants often begin as close friends and sometimes end up as feuding friends. There is fixed in my memory, Mr. Speaker, disputes we were called on to mediate when the Province controlled rentals. A number of them I quote to prove my point: case, Mr. Speaker, where two close friends, who had sat together in the House of Commons, built a duplex. One became a landlord and the other a tenant. The landlord and tenant arrangement lasted for one year. At the end of that time they had gotten on one another's nerves to such a degree that the landlord advised me that he couldn't stand to have the tenant on the premises any longer. They parted as former friends when the lease was terminated. There was a case of a landlord who owned a number of homes. He would pick out an unsuspecting tenant and insist on reducing the rental for the entire home if the tenant would allow him on the premises. Every tenant who made this arrangement with him found it to be foolish, found it to be a foolish and unbelievable mistake. No landlord or tenant legislation could have changed the personality of this owner of the premises who now became a tenant, a subtenant of the main tenant. He had a dozen peculiarities, each more irritating as the days went by. One of them was counting a pailful of money each night after the rest of the house had gone to sleep. It got to be a common remark at the Provincial Mediation Board when the rental was approved on one of his leases, when the lease was filed, the remark would be made, "How long will this tenant put up with him?" Sometimes it was three weeks, sometimes it was a month, never more than three months. The tenant's wife would appear in a state of shock under the impression that no more

irritating person was in existence and yet in some ways the man made a contribution to society. When he died he left a fortune to the churches and religious organizations in the city of Regina.

There were landlords who were too kind; senior citizens who were landlords and depended on the rental in order to live, rental that wasn't paid by an irresponsible tenant. There were tenants who paid their rent religiously and on time. There were tenants who looked after the premises diligently. There were tenants who never made any attempt to keep up the premises and who could and would do a thousand dollars' worth of damage in a one-year period.

Mr. Speaker, the Mediation Board or The Leasehold Regulation Act, which controlled rentals at that time, controlled services, notices, possession and all other aspects of the relationship which did or might exist between the landlord and tenant, served a real purpose. Mr. Speaker, this purpose is not in evidence anywhere in any legislation in existence and the need for this type of adjudication is very much in demand because of the inadequacies of the present Landlord and Tenant Act. From the outset, Mr. Speaker, let me be emphatic and clear in this respect. Most landlords, 95 per cent of them, are reasonable and live up to a contract, do not interfere with the tenant's day-to-day existence, provide him with decent services, 95 per cent of the tenants too respect the landlord's property, respect the same rights of other tenants, in an apartment for instance, the same duplex, the same fourplex, respect and keep in good condition the property they are using for a period of tie because they have paid a rental for it.

Mr. Speaker, there are times when you will be confronted, if you are tenant, with the landlord who will include in his lease the right to increase rent by a one-month's notice and will increase that rent in the winter when it is impossible for the tenant to seek other accommodations. Two years ago in February a landlord increased the rental on a number of accommodations in this city, some of them in my constituency, 25 per cent in one hike. Mr. Speaker, this is the kind of unjustifiable increase that no tax, no maintenance or other kind of costs can possibly explain. Mr. Speaker, this is just plain greed and there should be a method of appealing such an increase. There should be, as this Resolution suggests, a rental review board, a board that the landlord and tenant could appear before. The landlord should appear to justify his increases if the tenant appeals, if the tenant's request for an adjudication to that board is made. This Resolution calls for the organization of a rent review board. This Resolution calls for the establishment of a landlord and tenant relations board. One board might serve to adjudicate in both instances. The boards might be under Provincial control, might be under local control, municipal control. There is at the present time a need for establishing rules and regulation regarding the tenant's rights, for instance, to keep children on the premises; for a procedure set out in an Act adjudicated by this type of board in a new Landlord and Tenant Act and enforced by this board, a procedure that would establish a period of notice required, the type of notice required, the subletting rights regardless of whether there is a written lease. The board should have the right to hear disputes, disputes which are sometimes nothing more than clashes of personalities. The board should have the right to terminate a lease between a landlord and a tenant if they are

not getting on together. The tenant and the landlord should be separated. If they are kept together it will produce nothing but ulcers and in some cases fisticuffs.

Mr. Speaker, the whole area of services: heat, liability protection, that is, insurance on the premises which are rented, particularly in an apartment block, the landlord's obligation to decorate, the tenant's right to have company on the premises, the tenant's and landlord's jurisdiction regarding deposits. These are areas which should be adjudicated or could be adjudicated. This board might well have the power to referee bargaining between tenants' association and groups of landlords for overall increases for maintenance of service, for payment of deposits, for laundry facilities, for parking facilities, for car plug-ins and the like.

Mr. Speaker, the Ontario Act which has been drafted recently says that these types of disputes should be taken to a judge. Mr. Speaker, I am completely opposed to this type of procedure. Landlords and tenants are reluctant to appear before a judge, cannot afford it, and a judge, unless he is a specialist in the field, is far removed from the realities of the landlord and tenant relationship. The new Landlord and Tenant Act in Ontario in this respect does not meet with my approval. It would only add more costs to both parties in dispute, would take too long to settle disputes or to decide on a termination date. The board that is suggested in this Resolution, with rental officers, would be more versatile, would be more practical and would solve more problems.

Mr. Speaker, may I turn for a moment to the limitation regarding security deposits. Security deposits when rental accommodation is scarce are often and have in the past been used as just one more gimmick to get a little bit more rent. The new Landlord and Tenant Act, Mr. Speaker, should forbid postdating cheques for payment of rental, should restrict the payment of security deposits to one-half month's rent unless the accommodation is furnished. In furnished accommodation where furniture and appliances are easily damaged by a tenant, the security deposit could be or might be one month's rental amount. The whole area of furnished accommodation versus unfurnished accommodation in the area of deposits for security should be brought entirely within the new Landlord and Tenant Act jurisdiction. If the security deposit is held it should be placed in the hands of a neutral body, preferably the Landlord and Tenant Rental Relations Board, and if that is not the case, it should carry a payment of interest to the tenant when it is returned, on termination of the lease, if the deposit is in the hands of the landlord and he has the full use of the money.

The rights of distress and its present enforcement leave much to be desired. The new Act that we are suggesting, Mr. Speaker, should set out a procedure where rent is recoverable but not a distress action, which at the present time humiliates the tenant, hold furniture which he needs to live, must have if he is going to live from day-to-day, prevents him from paying an obligation which may or may not be owing, but which has him at a disadvantage because his furnishings are being held. Mr. Speaker, many times in my experience, furnishings and property of a tenant have been held when in actual reality the rent was paid. The tabulations made by the landlord was inaccurate and the figures he used for distress were his own figures. In my estimation, Mr. Speaker, a landlord and tenants' relation

Board or review board could in most instances prevent distress by adjudicating to the satisfaction of both parties concerned.

Mr. Speaker, may I turn to the types of notices that are required under law. In my experience I have seen notices that were three foolscap pages in length, and notices that were four words. The latter, Mr. Speaker, were written on a page of scribbler paper and spelled out in large block letters, "Get to H out." There is a real need for standardization of leases, standardization of leases in a simple form that anyone, be he landlord or tenant, can easily understand without referring him to a lawyer. By providing a standard lease we could do away with many of the intricate legal documents that are floating around, documents that are never understood by either the landlord or the tenant...

**Mr. Romanow:** — Or the lawyer.

**Mr. Whelan:** — My hon. friend from Riversdale says, "Or the lawyer." In election after election recently, Mr. Speaker, there have been disputes regarding a candidate's access to rented premises. This has involved apartment blocks in most instances. But it could apply to duplexes or fourplexes or sixplexes. The principle is that of omitting or shutting out or not permitting or chasing off or refusing admission in a democratic country, Mr. Speaker. No candidate for any office should be denied access to the voters.

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — That is a principle that has been in existence since the Industrial Revolution. All of us recall the factory-owned towns where the owner of the factory was the mayor of the town because only he had access to the voters. History documents the legislation that finally brought change for those who were held in political slavery by virtue of the fact that the mayor owned their homes. In today's world, apartment block owners where there are hundreds of tenants have been known to bar the way to two candidates and allow a third on the premises. This was a direct interference with the right of the tenant to see every candidate. Mr. Speaker, the landlord's case for preventing people on the premises, people who aggravated tenants, is trivial, unimportant, irrelevant, compared to the candidate's responsibility to participate, to practise, and to function in a democratic country. No landlord, Mr. Speaker, should have the right to interfere with a candidate's access to a voter. The new Act in Ontario recognizes this, provides a \$1,000 fine to a violator. A new section, Section 93, in that Act reads as follows, and I call the attention of the Hon. Member or Regina South West (Mr. McPherson) to this clause of the Act.

**An Hon. Member:** — A lot of money gone.

**Mr. Whelan:** — \$1,000. And this is what the Section says:

No landlord or servant or agent of a landlord shall restrict reasonable access to rental premises by candidates or their authorized representatives for election to the House of Commons, the Legislative Assembly, any office in a municipal government or a school board, for the purpose

of canvassing or distributing election material.

Mr. Speaker, this section is crystal clear. In Ontario recommendations from a Legislative Committee wrote this section of the Act. The experience in that province has not been good, the experience in British Columbia has not been good. With the large number of apartment blocks being built in the main cities of Saskatchewan, with this situation, I submit that the introduction of this amendment in our province is necessary, is timely, and is in the best interest of democracy.

If we are going to function as a democracy, if candidates are going to have access to every voter, if they are not going to be interfered with in their campaign for office in a democratic country, this section is absolutely essential in The Landlord and Tenant Act and should also be included in The Elections Act. Mr. Speaker, the fact that Ontario has adopted it, the fact that restriction of a candidate's activities is recognized in both Ontario and British Columbia by several of the political parties as restrictions on the tenant's right, the tenant's right to see the candidate; in view of these circumstances, in view of this recognition, in view of the Ontario legislation, I am sure that every Member of this Legislature understands and appreciates and will support this type of amendment to the new Landlord and Tenant Act.

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — In the drafting of forms of standard nature, whether they be for notice or for a lease, The Landlord and Tenant Act should spell out and include these standard forms in its written legislation. The present involved lengthy document that is presented to a tenant and signed by a landlord is often misunderstood, misinterpreted, and never removed from a file until a dispute arises. And at that stage lawyers interpret the contents of the lease. This is an unnecessary expense and an impractical way of establishing a relationship between a landlord and a tenant.

Mr. Speaker, I want to congratulate the Hon. Member for Saskatoon-Riversdale (Mr. Romanow) for putting this Resolution on the Order Paper with the draft Bill. The need for the legislation is of paramount importance. The Landlord and Tenant Act has remained unchanged for so many years, it has proved so impractical that the Resolution was long overdue. The writing of the Act cannot wait any longer. It needs immediate attention. I urge all Members to support Resolution No. 13.

Mr. Speaker, I will support the motion.

**Some Hon. Members:** — Hear, hear!

**Mr. R. Heggie (Hanley):** — Mr. Speaker, there is good deal of what has been said by my hon. opponents in the Opposition about the need for overhaul of The Landlord and Tenant Act that is valid. In certain aspects of it, I most heartily agree. However, I do differ from my colleague on the other side from Saskatoon-Riversdale (Mr. Romanow), in that he gives the impression in his remarks that he starts from the premise that the landlord is always wrong and the tenant is always right. I was happy to note that the Member from Regina North West (Mr. Whelan)

Who appears to have a had a good deal of practical experience in administering The Leasehold Regulation Act, that he could see, to a much greater extent, both sides of the story, and that about as many tenants were in the wrong as landlords. Probably the growth of high-rise apartments and apartments generally in the last ten years has focused attention on some revision of The Landlord and Tenant Act. I couldn't more heartily agree with my Hon. Members opposite that The Landlord and Tenant Act of this province — although I haven't checked it out fully — is as old as the province and was adopted almost wholly from the old English Act which has served England and perhaps in the Territories for many years in the 19th century. However, it has worked very well in the majority of cases and I agree with the Member for Regina North West (Mr. Whelan) that it is only in about five per cent of the cases on both sides where some revision is necessary to define the rights and obligations.

I think what the Member for Riversdale (Mr. Romanow) is trying to do — and I commend him for it — is to try to even up the process that is has been weighted a little bit heavily in a practical aspect on the side of the landlord. But I would like to remind him in his idealistic view that there are many landlords who are widows, senior citizens, and all sorts and manner of poor folk who depend on renting out a room, or renting out a small suite for part of their livelihood, and in many consideration of a new Landlord and Tenant Act, or a revision of the old one, these rights and obligations of the non-professional landlord must be taken into consideration. I think the main complaint is that the present Act doesn't take into consideration the high-rise apartments where the problem presents something new in our way of life. I couldn't more heartily agree that in any new legislation, and I am sure this legislation will be forthcoming at an early date. The overhaul of security deposits should get close scrutiny.

I won't comment anymore on the individual points in the Resolution because I have a good deal more to say about this at a later time and, therefore, Mr. Speaker, I beg leave to adjourn this debate.

Debate adjourned.

#### **RESOLUTION NO. 16 — BASIC HEARING AIDS TO BE INCLUDED IN SASKATCHEWAN MEDICAL INSURANCE PLAN**

Mr. G. T. Snyder (Moose Jaw North) moved, seconded by Mr. R. H. Wooff (Turtleford):

That this Assembly recommends to the consideration of the Government that action be taken immediately to broaden the coverage of the Saskatchewan Medical Insurance Plan to include a basic hearing aid for the hard of hearing as prescribed by a medical practitioner.

He said: This Resolution, Mr. Speaker, is similar in many respects to the one which I introduced to this Legislature a year ago, which was seconded by the Member for Turtleford (Mr. Wooff) who is to second my Resolution again this year. It is the hope of us on this side of the House, Mr. Speaker, and the hope of many more outside of these Chambers that the Government will

give recognition to this medical problem which has more significance for the over 70 age-group than any other single category of people.

Generally speaking, Mr. Speaker, hearing loss is one of the penalties of growing old and as such the financial burden is one which descends on the vast majority of people at a time when their earning power is at its most restricted level, I am afraid. It is a time when they are struck with declining income in retirement years, when other sicknesses and physical disabilities are likely to occur. I don't intend, Mr. Speaker, to repeat at great lengths arguments which I advanced a year ago. Members will recall that the Minister of Health (Mr. Grant) was the lone speaker I believe to enter the debate from the Government side of the House and after offering general agreement with the point of view expressed by the Member for Turtleford and myself, he amended the Resolution by wiping out the original intent and substituting therefor: "That this Assembly requests the Government when considering extensions of service under the Medical Insurance Act and having regard for other priorities, to consider also the inclusion of hearing aids as an insured service." Well, Mr. Speaker, as time passes that amendment has a more and more ominous ring about it. To suggest that Government will keep hearing aids in mind when it considers extensions of service under MCIC is tantamount to saying that the issue is almost dead and forgotten I am afraid, if the Government's record over the past number of years is to be a guide. In fact, Mr. Speaker, this Government has devoted itself to removing benefits and restricting services rather than looking for ways to improve and upgrade the most important of all services that governments provide to our people. The only exception that I am able to recall, Mr. Speaker, was the addition of the services of an optometrist which was a requirement for Saskatchewan's entry into the National Medical Care Plan, I understand, a plan which enriched our Provincial Treasury by around \$14 million the very first year. Since that time in spite of cost sharing from Ottawa, deterrent charges have been imposed on hospital beds and doctor's services, and the Plan has been eroded further, Mr. Speaker, by deterrent charges being levied for the services of a physiotherapist.

Now, under these circumstances, Mr. Speaker, it appears that the Minister (Mr. Grant) in moving his amendment a year ago to consider hearing aids when consideration of extending other services under MCIC was being contemplated, quite carefully and quite deliberately placed the whole matter in never, never land. I sincerely hope, Mr. Speaker, that I am wrong in this assumption and that the Minister is giving more than just his fleeting attention to a matter which is of real importance and real significance to large numbers of Saskatchewan people and particularly to Saskatchewan's senior citizens.

I believe, Mr. Speaker, if governments are to be responsible and respected by the electorate, it is necessary to define in precise terms the philosophy and the general intent with respect to services which are vital to all Saskatchewan citizens. The position of the New Democratic party is clear. I believe we have demonstrated by both words and action that we believe that the widest range of health services should be made available to all of our people at the most reasonable cost. The two decades between 1944 and 1964 saw the evolution of health regions in Saskatchewan; it saw the CCF government breathe the first breath of life into a cancer program which the former



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Liberal Government had paid tribute to by drafting legislation but failed to move when it was necessary to provide the necessary money to develop the program; it saw the development of a remarkable TB program, Mr. Speaker, in conjunction with the TB League and saw the development of a mental health program without its equal on the North American continent.

**Some Hon. Members:** — Hear, hear!

**Mr. Snyder:** — In 1947, Mr. Speaker, hospital care became an insured service for every Saskatchewan citizen and it operated without a penny of assistance from Ottawa for 10 years. Then in 1962, we saw the introduction of a medical care plan which provided the Saskatchewan Liberal party with the opportunity to mount a campaign of fear and distortion, some of which had a very lasting flavor about it, and no doubt had a part to play in the defeat of our Government in 1964. But be that as it may, Mr. Speaker, you may be sure that regardless of the political consequences if we had that decision to make again, Members on this side of the House, and all members of our political party would assume the same position that our Government assumed in 1962.

Now, Mr. Speaker, in contrast to the development of health services under those CCF years, we have seen a retrenchment in services, we have seen a deliberate shift in cost to the individual which is well known to all Saskatchewan people. The hostility of this Government to public programs appears to be so deep and so ingrained that the Minister of Health couldn't bear to see the new NDP Government in Manitoba under Premier Schreyer cut the per capita premium in half without registering his disapproval. The Moose Jaw Times Herald of September 6th, 1969 carries a news item which draws attention to Health Minister Grant's criticism of the Manitoba Government in reducing the combined premium for hospitalisation and medical care to \$99.60 from a high of \$204 for a family, and reducing it to \$49.80 from \$102 for a single person. The article quotes Saskatchewan's Health Minister as saying:

It seems to be unrealistic to shift a larger amount of the cost to some other sector of the population or simply bury still more of the cost of these health services in the general tax levy.

But what is the Health Minister really saying, Mr. Speaker? I suggest that this single statement alone says volumes about the principles and philosophies of the Government opposite. It is well known that personal premiums in Saskatchewan represent only about 20 per cent of the cost of providing these services. The remaining dollars necessary to finance the plan are gathered from tax sources which generally bear a greater relationship to the ability of the individual to pay for these services. It has been our position consistently, Mr. Speaker, that this is a principle which should and must be recognized. The Minister's criticisms of the actions of the Manitoba Government in cutting the premium in half indicates that his Government favors a much higher personal premium. Without doubt political considerations alone are responsible for the Government's hesitation in heaping more of the cost of hospital and medical services upon the shoulders of the individual. I am sincerely hopeful, Mr. Speaker, that the Minister of Health may have undergone some metamorphosis and that his change in character may allow him to

look more seriously at this Resolution than was the case a year ago.

When I was in the British Isles with the Commonwealth Parliamentary Association's course last spring, I visited the Royal Victoria Hospital in Belfast in May. I made it a particular point to spend some time with the technician who performs the tests and issues the hearing aids to patients who are referred to him by a medical practitioner. The Minister of Health indicated when he spoke a year ago on the hearing aid debate that he had ordered a hearing aid from overseas and that it has cost him \$33 for a single model. I am sure that it will be welcome news to hear that the cost to the hospital in Belfast, Northern Ireland, for the basic Medresco hearing aid was ten pounds or approximately \$26. So it appears that inflation and profits have not played a very large part in the operation at least in that part of the world. The unit in England, Northern Ireland and on the Isle of Man is provided free of cost to the individual and its repairs and batteries are also supplied free of cost.

It will be remembered, Mr. Speaker, that a similar resolution to the one under discussion brought a reply from the Saskatchewan Hearing Aid Association and the matter was debated on the floor of this Legislature last session. At that time a representative of the Association claimed that prices were indeed not excessive and to quote the statement by the Secretary Treasurer of that Association in the Leader Post a year ago:

In a free competitive economy competition regulates prices. If one company attempts to charge its customers excessive prices, others can take away the business with lower prices.

Well, Mr. Speaker, I hardly think it is necessary in these days of administered prices to point out to Members of this House the faulty reasoning that is involved in this basic premise. It has been demonstrated time after time, Mr. Speaker, in the case of farm machinery and in the case of automobiles, or in the competitive soap and detergent industry that competition and supply and demand in the standard free-enterprise jargon have really no bearing upon the cost of consumer products. In the final analysis, Mr. Speaker, the customer has little or no bargaining power in the market-place.

Just a brief reference, Mr. Speaker, to the British Columbia survey of 1966 into the hearing aid industry which showed that among five different firms a retail markup of from 49 to 306 per cent for the least expensive hearing aid was common. It showed that for the most expensive hearing aid the same five firms showed markups of from 97 per cent to 278 per cent. In the great majority of cases the markup was from 200 per cent to 300 per cent. Well, Mr. Speaker, without belabouring the matter it seems reasonable to expect that we could very well draw upon the experiences of others. In Great Britain the cost of the basic Madresco hearing aid is about one-tenth the cost of those being sold commercially. By bulk ordering of common essentials and by cutting out unnecessary retail profit margins very substantial economies have been realised.

With these facts in mind, Mr. Speaker, and remembering the additional costs that have been levied on the senior citizens by the Government opposite in recent years I hope that the

Minister of Health will lend his support to this very important Resolution and translate the intent of the motion into action very shortly.

**Mr. R. H. Wooff (Turtleford):** — Mr. Speaker, some of what I am about to say may sound a little repetitious from a year ago, but the problem of defective hearing is still with us and from the standpoint of both the number of people affected and the cost of hearing aids it has grown even worse. Perhaps many of us do not readily realize that noise pollution in our modern society is continually increasing and the number of people who find their hearing damaged are increasing correspondingly. It is not necessarily any particular age group although quite naturally the largest number are among those who are in their latter years and those who are constantly working with noisy equipment such as pneumatic hammers, riveters and a farmer with tractors and what have you. One could include in this day both TV and radio, especially when the advertisers start to shout. Because of the rise in the incidence of those afflicted more money is being spent year by year by hearing aid equipment, a great deal of this by people who have real difficulty in just living from day to day. As I pointed out a year ago too many people seeking hearing aids have too little independent information at hand as to the quality obtainable at given prices. I think this problem still prevails. Again I am speaking of information that should be available to those needing aid quite independent of the companies that manufacture and sell the equipment. The House may recall I pointed out an aid I had purchased here in Regina in 1966 along with the ear fitting cost me \$340. I priced these aids just the other day and I find an aid such as this is still \$325 but the newer model is up to \$350. I also find that this little plastic ear fitting molded to the individual's ear has gone up 25 per cent. I don't know whether you can see it across the floor of the House or not, but I paid \$12 for this one and the price I received the other day on the same fitting is not \$15. So this gives you some idea of the problems that many of our senior citizens are faced with at today's prices. The only reason for this ridiculous situation, that is the cost between here and Great Britain, and incidentally this particular model sells for half that price in Britain after paying the shipping costs. The only reason that there is this difference, Mr. Speaker, is, as my colleague has pointed out, hearing aids in Great Britain are received under the Health Plan. True, the aids that are procured through the Health Plan are not the sophisticated models that we see among the more affluent of our population, but from the standpoint of performance they are just as good, or in many cases, even better. In today's economy thousands of people have no choice between \$140 to \$700 models. It is a case of the cheapest they can get that gives any kind of performance, and this, Mr. Speaker, leaves them in a real need of assistance.

I take great pleasure in seconding the motion of my colleague from Moose Jaw North (Mr. Snyder) requesting coverage under the Saskatchewan Medical Care Insurance Plan to include a basic hearing aid model as prescribed by a medical practitioner. Such a service, Mr. Speaker, must and will eventually come. The pity is that many in the eventide of life need the service not tomorrow but today and find no relief for this difficulty and this cost squeeze that they are in. Surely, Mr. Speaker, out of a more than \$400 million Budget some help could be given many of these people.

**Some Hon. Members:** — Hear, hear!

Debate adjourned on the motion of Mr. Forsyth.

## MOTIONS

### HOUSE ADJOURNMENT

Hon. D.V. Heald: (Attorney General) moved, seconded by the Hon. Mr. Thatcher:

That when this House adjourns on Thursday, March 26, 1970, it do stand adjourned until Monday, March 30, 1970.

Motion agreed to.

## ADJOURNED DEBATES

### SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by Hon. D. G. Steuart that Bill No. 39 — **An Act to amend The Fuel Petroleum Products Act** be now read a second time.

**Mr. A. E. Blakeney (Regina Centre):** — Mr. Speaker, this Bill contains a substantial number of minor changes in The Fuel Petroleum Products Act. Most of them can be discussed more conveniently in Committee and accordingly I will confine my remarks to three changes. Some of them are not all that momentous but I do want to comment on them.

Firstly, there are a series of amendments which generally change the fines and penalties throughout. Generally the finds and penalties imposed by this Bill are increased and may I recall, Mr. Speaker, an objection which I have made in this House a goodly number of times to bills which contain minimum fines. In this Bill there are a number of sections which say that there shall be a fine imposed of not less than \$50. Mr. Speaker, I object to these sorts of provisions because there are a number of occasions, there are always a number of occasions, when infractions may be of the purely nominal kind where a magistrate should have the discretion to impose a smaller fine than the minimum. I agree that there may well be a reason for putting in a minimum figure as a general guide to a magistrate of giving him some idea of the seriousness which the Legislature attaches to the infraction. All I am asking is that these changes also provide that the magistrate in his discretion might impose a fine lower than the minimum if he felt that the circumstances were exceptional.

Mr. Speaker, the next change is that the Bill increases the tax on ordinary gasoline from 17 cents a gallon to 19 cents a gallon and the tax on diesel fuel from 20 to 21 cents. The relationship between these two increases is in itself remarkable. It has the effect of decreasing the spread between the cost of gasoline and the cost of diesel fuel and it makes it, therefore, relatively cheaper to operate a diesel-operated vehicle than a gasoline-operated vehicle. This must proceed on the assumption that diesel-operated vehicles, mainly larger trucks, involve relatively less wear and tear on the highways than gasoline-operated vehicles. This is a remarkable conclusion and one which I think would not be justified by the facts. Historically there has been a larger spread between the cost of gasoline and the cost of diesel fuel than this Bill now provides and the larger spread was because it was thought that diesel vehicles travelled more miles per gallon and if you are actually levying a charge on road usage then you would have to put a higher tax

on diesel fuel than gasoline. At this time the Minister has decided to narrow the spread. I find that rather strange and I hope that there is an explanation forthcoming.

Turning now, Mr. Speaker, to the increase of two cents in gasoline. This is the third increase in gasoline taxes in the six budgets introduced by the Government opposite. This is an increase in tax of gasoline of five cents in six years at very nearly one cent a year. Now, Mr. Speaker, that can't long continue. As I recall it the increase in the 20 years of CCF Government would have been about five cents and in six years this Government opposite has increased gasoline taxes by five cents. At the rate of increase of approximately one cent a year the people of Saskatchewan can't long afford the Government opposite. Fortunately they won't long afford the Government opposite.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Mr. Speaker, I would suggest to the Provincial Treasurer (Mr. Steuart) and to the Minister of Highways (Mr. Boldt) that they might embark upon an economy drive and start building some highways primarily for Saskatchewan motorists and not primarily for potash companies or start building highways for motorists and not primarily for road contractors, start building highways for motorists and not primarily for pulp companies. And certainly I would suggest that they start building highways for motorists and not for moose as has been so frequently indicated by the Member for The Battlefords (Mr. Kramer).

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Mr. Speaker, I am sure that motorists in Saskatchewan would be prepared to pay a gasoline tax if they thought they were getting value for their highway dollars.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — But, Mr. Speaker, they are not getting value for their highway dollar. The people of Saskatchewan know they are not getting value for their highway dollar and accordingly they resent these increases in tax.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — The proof of the pudding is in the fact that the Minister of Highways (Mr. Boldt) has very conveniently changed the nature of his annual report. For years I used to look at the figures in the annual report to show the increases in unit costs of highways. How much does a unit of base coarse cost? How much does a unit of grading cost? How much does a unit of earth-moving cost? How much does a unit of paving cost? And for years we had these and then all of a sudden they were taken out and they were taken out for reasons which are not hard to find. It showed that costs were going up an average across the board, in two or three years of 67 per cent. It showed that in some cases the cost of some units of work had exceeded 100 per cent between 1964 and 1967. And the Minister of Highways did two things. First, he pulled all those figures out of his

report and next he came into the House and said, "Oh, but we've changed all that. Now the costs are increasing, in fact they are going down." If this were true, Mr. Speaker, if the Minister of Highways had figures which he could parade before this House showing that the unit costs of building highways were going down he would have included them in his annual report. But not a bit of it. He comes in here and gives us these figures but he very, very carefully doesn't put them out in published form where they could be analysed and attacked for the fraud that they are.

Mr. Speaker, I now turn to the tax on farm fuels. That amendment has already achieved distinction, the one that is brought in this year. It has been popularly called throughout Saskatchewan "the Kelvington amendment." Farmers across this province can give their thanks to the voters of Kelvington for forcing this frightened Liberal Government to remove the burden from their backs.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — In the days since the Second World War, Mr. Speaker, and probably further back than that there have been possibly no two years in the history of Saskatchewan agriculture when farmers have had a tougher time than between 1968 and 1970, during no two years since the war has the price of grain dropped in such a remarkable manner as during the years between 1968 and 1970. And during no two years has the price of things which the farmer has to buy gone up more sharply than they have between the two years of 1968 and 1970. During these two years the farmer was caught between the millstones of a new and North America-wide inflation and an international grains price-war with its serious effect on grain prices. And during these two years, Mr. Speaker, when the farmers have suffered the worst of the cost-price squeeze, during these two years the Government opposite decided that it was going to add to the cost-price squeeze. It was going to put an extra tax on the farmers. It was going to put a tax on farm fuels. Mr. Speaker, when that tax was put on 1968 it was fought and fought bitterly by those of us on this side of the House.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — And it was voted for by every Member opposite, voted for by every Member opposite. The Member for Maple Creek (Mr. Cameron) is very, very free with his accusations, very, very free with his calls upon us to say where we stand. Well, at least on this, Mr. Speaker, we know where we stand.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — And we stand on the same foot that we stood two years ago and that's more than Members opposite can say.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Mr. Speaker, the voters of Kelvington have given a little message to this Government. They have given a little message to this Government saying that we've got a lot of scores

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To settle with you. One of the scores is the tax on farm fuel. That one will be settled by this amendment but they have other scores and they will settle them.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Mr. Speaker, I was glad that the farmers of Kelvington spoke. I was glad that they spoke for the farm people of this province and that they spoke with such a decisive voice. And I am glad, frankly, that the Government opposite was scared. I am glad that it decided that it was in trouble and that it has reacted by taking this burden off the backs of the farmers. And I am glad that for once this Bill to take off the tax on farm fuels will have the support of Member on both sides of the House.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Since, Mr. Speaker, I want to record my support for the removal of this tax and my gratitude to the voters of Kelvington. I will be supporting this Bill. I will be supporting it even though it means that in one sense of the world I will be supporting a further increase on the cost of gasoline and I want now to record the reason why I support this Bill. It is because I have sympathy with the farmers of Kelvington and the farmers of Saskatchewan.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — And I want to express that sympathy to them.

I want to say, Mr. Speaker, that I am a little amused by the Provincial Treasurer's (Mr. Steuart) mathematics. He always puts forward these remarkable calculations. It is called, I think, the "Steuart method" of mathematics. We have heard of the "Cuisenaere method" but now we have a new method called the "Steuart method." It sort of works this way; if you are imposing a tax, calculate what that tax will be and divide by two, and that's the answer. However, if you are taking off the tax, calculate what the relief will be and multiply by two, and that's the answer.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Because this is how it seems to work, because you remember this tax on farm fuel was put on about two years ago. And when this tax was imposed in 1968, two cents per gallon, here is what the Provincial Treasurer said, "We estimate that the two-cent per gallon will yield #3.2 million in 1968-69. We estimate that the cost to the farmers will be about \$2.4 million." In 1968 these two cents were going to cost the farmers \$2.4 million. Now I admit that since 1968 the amount of farm fuel which farmers might use will have gone up fractionally but certainly not more than 5 per cent. But when the Provincial Treasurer is removing the tax, is he all of a sudden removing \$2.4 million? On, no! When he is removing a tax — the tax which he said was going to cost the farmers \$2 million and may now be \$2 million plus 5 per cent — he multiplies by two. He says in his Budget Speech this year, "We are eliminating the

tax on farm fuel at a saving of \$3.8 million.” This is tax escalation in a large way. The Steuart system of mathematics is interesting but I think it is as unlikely to find favor with students and teachers who are looking for accuracy and not fantasy. That method is not likely to find favor and these tax increases are not likely to find favor with the voters of Saskatchewan.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — We have hard lots about Alice in Wonderland, you know, but here we’ve got sort of a Mad Hatter of mathematics.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Well, Mr. Speaker, I think it is perfectly obvious that, while we object to the tax on gasoline, while we object to the tax on diesel fuel, while we don’t for one minute believe the Provincial Treasurer’s figures which he is trotting out this year on the tax relief which the two-cent removal of farm fuel tax will provide, we at least welcome the minimum level of tax relief which this Bill provides. We welcome this belated recognition on the part of the Government opposite that farmers do have problems. We welcome this fact that the message of Kelvington has got this far anyway.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — And we welcome the fact that when this Government opposite is removed after the next election there will be further opportunities to provide relief for farmers.

**Some Hon. Members:** — Hear, hear!

**Mr. N. E. Byers (Kelvington):** — Mr. Speaker, with respect to this Bill I want to comment only upon that part which is referred to as the “Kelvington amendment” — the section which repeals the two cents tax on farm fuel.

I am particularly glad, Mr. Speaker, that the Government has finally admitted that this tax was a bad tax from its very birth.

**Some Hon. Members:** — Hear, hear!

**Mr. Byers:** — I think that there was very little thinking done by the Government before this tax was imposed. I think it is an accepted fact that before a tax is imposed for any given purpose that it be a fair tax. I am sure the Provincial Treasurer (Mr. Steuart) wouldn’t want to impose a tax unless he thought it was fair, and that the taxpayer knew why he is paying the tax. I am not so sure that the farmers of Saskatchewan or the farmers in my constituency were really convinced why they were paying this particular tax in the first place.

The other thing about this tax that made it bad was that, when the Government moved to collect revenue from a new source, the amount of money collected from that source would be



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Sufficient to pay for the service for which it was collected. Now I don't think the Government ever really tried to establish or justify to the farmers why this particular tax was being levied. I think this is one of the reasons why the farmers found it objectionable. Furthermore, they found it objectionable because it was a tax levied on production costs and the farmers should not be forced to pay \$2.4 million up to \$3.8 million per year on this kind of production cost when they can least afford to do it.

I am glad that the Government has finally recognized the errors of its ways. I am sure that, as the Liberals travelled about our good constituency last spring it was whispered in their ears and maybe in the odd cases shouted in their ears what the true feelings of the people were with respect to this tax.

This is the tax that did add considerably to the production costs of the Saskatchewan farmer. For a farmer who bought 2,000 gallons worth of fuel per year, it would add up to \$40 to his production costs.

Well, I don't want to add much more to it than that. I know the opposition to this tax came from many, many places — from farm groups, from municipal groups — and I think that we are happy on this side that the Government is going to remove this tax. I am very glad that it has started to listen. I am sure the farmers in my constituency spoke not only for themselves, because they don't want good things only for themselves, but also that this was a fair measure of opinion of the farmers right across Saskatchewan. I don't think this Government would have had the courage to go to the country again with this tax still on the farmers' backs. I am very pleased to see that this tax will be removed.

**Some Hon. Members:** — Hear, hear!

**Mr. A. Matsalla (Canora):** — Mr. Speaker, I just want to make a few brief comments on this Bill and I want, of course, to make particular reference to the meal tax.

**Some Hon. Members:** — Hear, hear!

**Mr. Matsalla:** — I am sorry, Mr. Speaker...

**Some Hon. Members:** — Hear, hear!

**Mr. Matsalla:** — Mr. Speaker, I just want to remind the Members opposite that I will intend to speak on that Bill when the time comes.

**An Hon. Member:** — Just so many things you can't sort them all out.

**Mr. Matsalla:** — I want to say here that I am certainly pleased that this Bill provides reduction in the farm fuel tax, removes it completely.

**Some Hon. Members:** — Hear, hear!

**Mr. Matsalla:** — I note that the Members

opposite are admitting their mistake. It didn't take too long.

**Some Hon. Members:** — Hear, hear!

**Mr. Matsalla:** — The tax was a wrong tax in the first place and it was most unfair and it didn't take too long before they were able to have the feeling of the farmers out in the rural areas that this was an unfair tax to them.

**An Hon. Member:** — Kelvington, \$8 million later!

**Mr. Matsalla:** — I want to add too that the rural economy, as it was, certainly was in a desperate position even to be taxed two years ago. I am certainly very pleased that this tax has been removed and this is in all fairness to the farmers of Saskatchewan. Perhaps in another year they may be able to consider more tax removal and I suppose, too, this will come with an election.

I want to say that because of this section of the Act for removal of fuel tax particularly, I will be supporting the Bill.

**Some Hon. Members:** — Hear, hear!

**Mr. E. Whelan (Regina North West):** — Mr. Speaker, the Government's proposals to raise the gasoline tax two cents, and one cent for diesel fuel for commercial use are hardly fair to the vehicle owner when one looks back at the series of events since this Government took office. There was the increase in the vehicle fee from \$15 in 1963-64 to \$21 in 1970-71. There has been an increase to the motorists in the cost of the package policy, an increase in the compulsory insurance from \$12 million in 1964 to \$25 million in 1969. A \$25 surcharge introduced in 1968 cost the motorist \$610,000.

**Mr. B. D. Gallagher (Yorkton):** — On a point of order, Mr. Speaker.

**Mr. Whelan:** — The tax on package policies and the tax on ...

**Mr. Speaker:** — Point of order!

**Mr. Gallagher:** — On a point of order, Mr. Speaker, I think on second reading on the adjourned debate here that he is not supposed to be talking about all taxes that have ever been collection. He is supposed to be talking about this Bill.

**Mr. Whelan:** — Mr. Speaker, the Hon. Member for Yorkton doesn't like to hear what is happening to the motorist, but I intend to prove that this particular Bill before us is loading the motorist up with more taxes. Just one more, and in order to draw to your attention what's happening, and since you are a rebel in the group and probably the only one, the Hon. Member from Yorkton, I want you to get up and tell what is happening to the motorist when I have finished. I challenge you to get on your feet and tell them. Give them some facts because if you

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are so anxious to be a rebel on behalf of the farmers on estates and this sort of thing, now is the time. Never was there a better time.

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — I challenge you after I have listed some of the taxes against the motorist, to get up and vote with us.

**An Hon. Member:** — Where do you stand?

**Hon. D. G. Steuart (Provincial Treasurer):** — How are you going to vote?

**Mr. Whelan:** — Speak against the two cent tax on gasoline because I'm going to do that. There has been an increase in the package policies, an increase in compulsory insurance — just 108 per cent, you know, just from \$12 million to \$25 million.

**An Hon. Member:** — Oh, shame!

**Mr. Whelan:** — \$25 surcharge introduced in package policies and the tax on compulsory insurance \$844,000. From 460,000 vehicles look at...

**Mr. Speaker:** — I must draw to the attention of the Hon. Member the fact that package policies are rather a long way from the gasoline taxes.

**Mr. Whelan:** — Mr. Speaker, the principle of taxation on a motor vehicle is what I am talking about and this, Mr. Speaker, is two cents more that is being loaded on this motor vehicle. I am going to list all of the taxes that are on this motor vehicle to prove this is an impossible burden that is being added, and I cannot do it without listing these taxes because it is just unbelievable. I must remind the house, I must remind the people of Saskatchewan, what is happening to the motor vehicle owner in this province. I think it is my duty to do so.

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — Just look at one other area. 460,000 vehicles. These charges represent millions of dollars, you know, because they have already had one increase in the gasoline tax. We have already had one increase and the owner is going to pay. In addition you pay the education and hospital tax on your automobile when you buy it and that's gone up, you know. It went up from 4 to 5 per cent.

**Hon. C.P. MacDonald (Minister of Welfare):** — Just back where it was in 1964.

**Mr. Whelan:** — The vehicle owner is being asked to assume a fantastic burden, a burden that has become so heavy that the people of the rural population are unable to purchase automobiles,

licence plates, and operate a vehicle the year round. And this was evident in Kelvington. Instead of getting something for the money that has been paid, if we were getting some of this back as vehicle owners, this would be fine, but instead of getting something, another dollar to cover the cost of the reflectorized plates, something like the \$460,000 has been added. According to a brief submitted to the Legislative Committee on Highway Traffic and Safety these things can be produced for about 30 cents a set. So there you have another \$300,000. And \$295,000 added this year for the Treasury Board for producing the compulsory automobile insurance. Another \$295,000 has been loaded unto the motorist along with the two-cent gasoline tax.

Mr. Speaker, when you start looking at this two-cent tax on gasoline, there is the fact that parents are asked to pay a greater share of the cost of driver training, and if the student fails and repeats the test the fee is repeated as well. If we were getting something for this two cents, but we aren't. We are getting it early and often! Let's just look at this again. All of this is just set up to fill the coffers of the Provincial Government. Let's look at it: increased cost in driving training; the surcharge for those 25 and under; all the taxes on insurance; package policy compulsory insurance set up. And this \$460,000 or so for the reflectorized licence plates, that's the final straw. Now we see a two-cent tax on gasoline. When will it stop? I say for goodness sake, stop.

You know most people need their vehicles to drive to work or drive to market or to obtain groceries and supplies. And to these people, this two-cent tax only means one thing — Liberal times are hard times.

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — That's what it means to these people! In a recent survey in my constituency, I said people have to pay more taxes if they want more services. How do you think you should pay these taxes? And I gave them a choice of about 12 items. Right at the top of the list, 77 per cent of them said that there should be an increase in corporation taxes. Eight per cent said an increase in sales tax and six per cent that wanted an increase in the gasoline tax.

Mr. Speaker, I want to look for a moment at the reduction of the two-cent tax on farm fuel. This section of the Bill when it is finally written will be known as the Kelvington amendment. I don't think there is any doubt about it.

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — Up and down the length of this province it won't be the Provincial Treasurer (Mr. Steuart) or the Premier (Mr. Thatcher) or the Cabinet or any back bencher on that side of the House, but the people of Kelvington who dictated the working of this Bill and this Section. And in the honor of the representative that they chose, I think they should call this amendment, The Kelvington Amendment, and specific reference to farm fuels, the Neil Byers Subsection.

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Someone in this House said that, when I campaigned in Kelvington and found someone opposed to the tax on the sick, I said that Neil Byers would remove the deterrent fees if he got elected. They were only half right. I also said that he would remove the tax on farm fuels if he got elected. Let's not kid ourselves, he did remove the tax on farm fuels. Neil Byers did!

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — And I want to tell you something else, Neil Byers will remove the tax not only on farm fuel but also the tax on the sick and on the dying and the told and young if we are elected. And furthermore the Members opposite may one day regret not removing the tax on the sick. One can be sure that the tax on farm fuel or the tax on the sick did not elect their candidate. You can be sure of that.

You know, noisy speeches are not nearly as effective as the almost silent sound of a ballot dropping into the ballot box. The ballots from Kelvington that wrote the Kelvington amendment and Neil Byers subsection said, in the loudest terms without doubt and without challenge, that the Provincial Treasurer who put this tax on in the first place was without discretion, without judgment and without sympathy for those enduring economic hardship in the rural communities.

**Mr. Romanow:** — Heartless, absolutely heartless.

**Mr. Whelan:** — I congratulate the people of Kelvington. I commend them for writing the Section of the Bill that removed the tax on farm fuel.

**Some Hon. Members:** — Hear, hear!

**Mr. G.T. Snyder (Moose Jaw North):** — Mr. Speaker, I want to only add a few words in connection with the Bill that is before us on a second reading. I was a little disappointed that that my colleague who just took his seat, (Mr. Whelan) didn't include also another impost that has been placed upon the shoulders of Saskatchewan people — the independent taxi driver. This is the one that I want to make special reference to because I have had calls from a number of these people who indicated to me that in 1968 the price that they paid for plate and insurance was \$343. By 1969 it has risen to \$389 and in 1970 to \$406. In addition to this they tell me that they are placed in a position where at the existing gas tax they are contributing about \$600 a year to your Treasury on an individual basis, Mr. Provincial Treasurer. And that this additional two-cent tax is just another nail in their coffin and it is another indication of the kind of consideration that this Government has for small businessmen of any description, Mr. Speaker.

So this is just another nail in the coffin of the small independent taxi operator who is struggling for an existence and making only a bare wage. Some of them will perhaps realize a wage of between \$350 and \$400 a month after they have paid all their expenses and allowed for depreciation on the taxi cab.

I just suggest that, in your benevolence and in your astute political manoeuvring in taking this two cents off farm fuel and placing it in other areas, you have added another very substantial burden to another group of people who can ill-afford to pay the kind of tax levies that this Government has been heaping on Saskatchewan people for quite a number of years.

I don't intend to belabor the issue, Mr. Speaker, except to indicate that I have had a call from a large number of these people who find that this is just another Liberal burden and it is getting pretty difficult to bear.

**Some Hon. Members:** — Hear, hear!

**Hon. G.D. Steuart (Provincial Treasurer):** — You know, Mr. Speaker, it is very enjoyable to watch the Members opposite wiggling and wagging. And I must say I enjoy it.

**Some Hon. Members:** — Hear, hear!

**Mr. Steuart:** — Well, I am going to watch how you vote. Our friend, wiggle, wiggle little Al, you are not the farmer's pal — as someone dubbed him back here — went through this Bill from top to bottom and really scalded it and then finished up kind of lamely, and said, "But I am going to vote for it."

You know when I listened to the Member for Regina North West (Mr. Whelan) — really I feel like resigning from the Irish race.

**Mr. Blakeney:** — Wrong gerrymander, it is Regina Centre.

**Mr. Steuart:** — No, no. I am talking about him. You are not an Irishman. By God if you were an Irishmen I'd really quit.

**Mr. Blakeney:** — Still wrong gerrymander, it is North West.

**Mr. Steuart:** — Anyway, Mr. Whelan.

**Some Hon. Members:** — Hear, hear!

**Mr. Steuart:** — Mr. Speaker, I sometimes think that may be those Protestants over in Ireland really have something. But the highlight was the Member for Canora (Mr. Matsalla). He had real trouble with his hot-dog speech. First he got his petition in on the wrong day and then he made his speech on the wrong day. I don't think he knows a hot-dog from a gallon of purple gas and I don't think he knows much more about the farmers.

The Member for Regina Centre (Mr. Blakeney) says that he regrets the necessity of raising the minimum fine and we regret it too. I think that this is good coming from a lawyer, because the reason we regret it and the reason that we find it necessary more and more to put these minimums on, is because of the judges. You look around at the record of the courts and you will find that the minimum fine in all these cases

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Becomes the fine. It is the maximum fine. So if the course would show that they would use some discretion I don't think we would have to do this, but unfortunately we have to do it. I regret it too, but it is just a fact of life.

Now let me say that this tax increase is tied to our great highway program. We have built more highways and spent more money on highways in the six years that we have been the Government than any 10 years that the Opposition were in. And it amuses me that they say the people of Saskatchewan don't like it. Well it is an amazing thing that if they don't like it, we are over here and you are over there. I suggest that by your present performance you won't be over there, you won't be over here, you will be out there somewhere. You had better keep your eye on those Tories.

Let me just tell you what we have done with this money, and what you are voting against, and what you are really talking against. You are talking against snow clearance. You people talk about us putting some taxes on the gas tax. We have put some tax on the gas we admit. Let's take a look at what we have done with it. Snow clearance, gravelling of streets, the greatest road building program in the history of this province. The proof that the people are satisfied is what they did in the last election. The by-election in Kelvington, a forgivable error, a slight forgivable error which I am confident the people of Kelvington will rectify at the next election. In fact I almost guarantee it.

**Some Hon. Members:** — Hear, hear!

**Mr. Steuart:** — The Members of the Opposition at that time claimed that it would cost the farmers double what I said. And you know they have made a boob here. For the first time in history they were right. They were right. It did cost double. We have got the figures. We admit it, because now I say when we take it off we are going to save about \$4 million. But the first time you were right in a long time and you blew it by coming out and showing your ignorance.

Let's look at the Socialist record for a minute, at what they did for the farmers. You know for years when we were in the Opposition we pleaded with the Opposition to take off the mineral tax on farm lands. A tax on farm land — it didn't matter whether they had any minerals or not — but did they take it off? No. Year after year, after year, they refused to take it off. The first thing when we became the Government we took off the tax and left it where it belonged just on the big corporations. We are supposed to be friends of the corporations. They are supposed to be the friends of the farmers. We don't talk about being the friends of the farmers. We act.

**Some Hon. Members:** — Hear, hear!

**Mr. Steuart:** — What about the biggest thing? The tax on purple gas. How many years did we pass resolution after resolution asking the former Government to let the farmers burn purple gas in their farm operations. Never mind two cents. It was 12 and 14 cents you used to charge them. Time after time they refused and so we became the Government; and that is one of the first things we did. Some of them even had the nerve — Mr. Thibault and a few more — to vote against it but most of them

after wiggling and waggling voted for it and that is another step we took to help the farmers.

What else did they fail to do for the farmers? No home-owner grant when they were the Government, no help to the towns for gravelling, no help to the grid roads for snow clearance. Somebody talked about a Driver Training Program. They didn't have a Driver Training Program. You never had a Driver Training Program that amounted to anything when you were the Government. We have the best Driver Training Program in Canada, right now.

**Some Hon. Members:** — Hear, hear!

**Mr. Steuart:** — But you know what really shows the hypocrisy of the Opposition — I want to know how many people are going to vote against this Bill.

**An Hon. Member:** — None.

**Mr. Steuart:** — Well, Mr. Blakeney isn't. I don't know that any farmers are.

**An Hon. Member:** — Call a vote!

**Mr. Steuart:** — We'll call a vote but it is the usual old Socialist hypocrisy. They talk one way but when the chips are down they vote another way. I predict that most of them will vote for this Bill. Maybe the odd fellow in the city will have the nerve to get up and vote his convictions. I don't know. Maybe Mr. Whelan will. Mr. Blakeney has already announced that he is wiggling and waggling and waffling and he will vote for it. I don't know how the Member from Shellbrook (Mr. Bowerman) will vote. I don't know how these people will vote. The Member from Saskatoon, is he going to vote in favor of the farmers?

**An Hon. Member:** — Always!

**Mr. Steuart:** — Always. What about the people in the city that have to pay that extra tax that your Member moaned about? What about those taxi drivers? Are you going to vote against it? If you are really worried about the taxi drivers, then have the guts to get up and vote against this Bill. I don't think you will have. Mr. Speaker, I predict that every Member over there will show that they will stand up like little mice. They will stand up like little sheep and they will vote in favor of it because they haven't got the intestinal fortitude to vote against it. It is a good Bill. It helps the farmers. The money we will raise, the little bit of extra money that we will raise, that and twice as much will be spent on feeder roads, on grid roads, on help to our farmers, on help to our rural communities, and for the first time in the history of this province, help for the streets, for street clearing and police protection for our cities.

**Some Hon. Members:** — Hear, hear!

Motion agreed to on the following recorded division:



Yeas — 52

Thatcher	Heggie	Romanow
McFarlane	Breker	Dewhurst
Boldt	Radloff	Meakes
Steuart	Weatherald	Berezowsky
Heald	Mitchell	Smishek
McIsaac	Gardner	Thibault
Guy	McPherson	Whelan
Barrie	Charlebois	Snyder
Loken	Forsyth	Michayluk
MacDougall	McIvor	Brockelbank
Grant	Schmeiser	Baker
Coderre	Lloyd	Pepper
Larochelle	Bowerman	Matsalla
MacDonald	Kramer	Wooff
Estey	Messer	Kwasnica
Hooker	Wood	Kowalchuk
Gallagher	Blakeney	Byers
MacLennan		

Nays — Nil

Motion Agreed to and Bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion of the Hon. D. T. McFarlane that Bill No. 31 — **An Act to amend the Conservation and Development Act** be now read a second time.

**Mr. J. Messer (Kelsey):** — Mr. Speaker, this Act to amend the Conservation and Development Act has a number of changes such as the increasing of the number of petitioners to establish a conservation and development area from 51 per cent to two-thirds, from one to another, amalgamations of two or more conservation development areas, and so on. It is generally, I believe, an improvement on the present Act that we have and, due to the fact that most of the comment that I would like to make can be made better in Committee of the Whole, I will then deal with it at that time.

Motion agreed to and Bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion of the Hon. D. T. McFarlane that Bill No. 64 — **An Act to amend the Agricultural Implements Act, 1968** be now read a second time.

**Mr. Messer:** — Mr. Speaker, we are in support of this Bill in principle and I am sure that all machine dealers in the Province of Saskatchewan will welcome such a Bill. I know that there have been a great many instances in the past because of the lack of such legislation, of considerable amounts of hardship when machine dealers were closed out due to bankruptcy or death of the owner of the businesses, because large volumes of parts would be in stock at that particular time and the supplying companies were reluctant to give them a fair reimbursement of those parts when they were sent it. It is unfortunate that a large number of the farmers in the Province of Saskatchewan

under the present economic circumstances will have to be taking advantage of such a Bill, but it does give them some relief in regard to returning some of the monies that they have invested in regard to machinery and parts. I believe that there are some problems; the lack of some initiative in some areas of this Bill. I know the dealers in the Province were asking for some control or some consideration given to them in regard to the interest rates that the supplying companies assessed them on parts and machinery when they do have accounts receivable to them. I notice that it doesn't stipulate the length of time that the machine dealers may have these parts of machines in stock before the supplying company takes them off their price list, meaning that they may not be eligible for a given time. Because I think some of these areas could be dealt with better in the Committee of the Whole, I will then also deal with those at that time.

**Mr. P. Schmeiser (Watrous):** — Mr. Speaker, I am very happy to see this Bill come before the Legislature. It is a Bill that will have far-reaching effects of the farmers and dealers of this province. The Bill will make it possible for dealers on termination to return new parts and new machines to the companies. IT will also be of great benefit to the family of a dealer who has died as there will be no misunderstanding on what can be returned.

Under the previous arrangements dealers were reluctant to increase their parts inventory because they knew that, should they decide to go out of business or in case of death, they could only return a percentage of parts.

Mr. Speaker, this Bill will make it easier to obtain new dealers in towns where they are no machine agencies and young men will be more anxious to start a business because they will know that they will be in a position to sell and choose a different line of work at any time. The most important result of this Bill is the advantage to the farmers. As dealers will be in a position to stock more parts the —f will not have to drive as great a distance to obtain them. Dealers and farmers most surely would have welcomed a Bill like this years ago because in many towns — and some of them fair in size — they do not have a farm machinery dealer left. The farmers are not pleased when this happens and, although modern transport and roads make travel to nearby towns relatively easy, it is still very frustrating to have to drive 80 miles for a small part in the middle of harvest.

There are many other gripes and frustrations by farmers and they are echoed throughout the province. A farmer will buy a tractor or other piece of equipment from the only dealer left in town. Although he may not have any other equipment in that line he did this only to patronize local business and to be reasonably sure he could get parts and service in a hurry. Then the dealer closes and the farmer is left with a machine and no service.

Mr. Speaker, many farmers are experiencing difficulties in obtaining warranties on new machines. They are sometimes forced to go to other dealers to obtain this and sometimes have to go directly to the head office of the company, wherever it is located in the province. Some farmers end up having to load the machine on a truck and take it to the nearest dealer in the

next town. When there is a local dealer and the farmer has a problem, the dealer generally comes out to take a look at the machine and recommends what should be done or he will send a mechanic out. These are some of the hardships that occur when dealerships close in a town. Having to deal with a distant dealership or a city-branch office is not the same as doing business with a local man whom you know personally. For one thing there is a time element and for another you naturally do not get the same attention to the problem.

Disappearance of the local dealer is a bad thing and this Act will help to make it possible for dealers to stay. I have had farmers tell me that they now have to drive up to 100 miles for repair parts. A small breakdown can cost the farmer the loss of a whole day and sometimes more, plus many miles of driving and telephone calls, and he just cannot afford this. As an alternative many farmers are keeping a lot of parts on hand themselves and this kind of expense does not endear the implement dealer to the farm community.

Mr. Speaker, dealers throughout the province have had a tough time in the past few years and I do not believe that the companies have given them as much support as they could have. The only support many dealers get from their companies comes in the forms of threats of losing the agency if they don't sell more. This is not much help when farmers are faced with lack of grain sales and tight money. Many companies have tried to free themselves from all responsibility for sales in the field and push it on to the dealers. I think it is completely ridiculous that any good-sized town cannot support one machine dealership. Mr. Speaker, when there is a disappearance of dealers from a town it has quite an effect on other business as well. The person who ran into town for parts is also likely to pick up things at the grocery store and items for his family. Now that he has to go to a different centre for his parts, he will more than likely pick up his family requirements there as well.

I know that this Bill will help dealers stay in business and this in turn will provide better services to farmers of our communities. It will also help to keep our smaller centres alive.

I am very happy to support this Bill.

**Some Hon. Members:** — Hear, hear!

Motion agreed to and Bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. J. C. McIsaac that Bill No. 28 — **An Act to amend The Secondary Education Act** be now read a second time.

**Mr. J. Kowalchuk (Melville):** — Mr. Speaker, when I adjourned debate on Bill 28 — An Act to amend The Secondary Education Act the other day, I said that I would have more to say about this Bill.

The inclusion of Section 69, paragraph 2, whereby attendance records are part of the additional duties of a teacher is of minor nature and I think quite acceptable. The same can be said for (b) part of subsection (1) of Section 30 in respect to insurance benefits.

The Section of this Bill that I object to, Mr. Speaker, is subsection (1) of Section 30 whereby, I think, the bureaucratic fingers of the Department of Education dig deeper and deeper leaving little or nothing for the good common sense and jurisdiction of local boards. The Section which I object to, and the Trustees' Association has voiced strong opposition to, is that area where it says:

And to transmit to the Department annual and semi-annual returns respecting budgets to be perused and dealt with by the Minister.

Mr. Speaker, as I have said before in dealing with many of the education bill during the last two sessions, the erosion of local autonomy of the boards is evident in nearly every education bill introduced in this House, from small ones to important ones and lesser ones. The school boards have been told through many of the bills in the last two years that the Department shall have jurisdiction as to where the school is going to be built, how it shall be financed, and, this last year in times of difficulty, forcing many of them to spend almost their last cent; forcing boards to pay 10 per cent out of current revenue or surplus on new capital expenditures. It says what kind of a school shall be built, what size, etc. etc. It says by doing this that they, the Department, determine the physical make-up of the school and thus they determine the programs that go into this school. Anyone who has had anything to do with education knows once you build the physical features, once you build the physical parts of a building, the program that does in it goes in according to the kind of a building. They even tell you now how much money you have to spend for your building in dollars and cents. For the first time in history, that I can recall, we have been told that you are allowed either \$60,000 for four classrooms or \$40,000 or whatever the price is. And in fact I know in a couple of cases where we were told you had better cut some from \$85,000 to \$60,000. You are told how many teachers you can have, how many children you are to put into each room and so forth. You are being told in no uncertain terms what you can do and many I say, Mr. Speaker, that in many cases what powers you have, are not too much.

This Bill 28 places other restrictions on boards. Among the restrictions is one that school boards covered by this Act must present the half yearly and yearly budgets. Mr. Speaker, we have done that this very thing this year, as many other boards have done. As a trustee who has had quite a bit of experience as a member of a local board I want to place a defence of the school boards across Saskatchewan, in rural areas as well as in cities and towns. I base this upon what I consider a pretty good record of the Melville school unit. I agree many school boards made errors. If these boards like ours, especially when it came to building comprehensive schools, were only given more guidance! We took great pains to consult people in different departments at different times, but again and again we got little or incomplete answers and sometimes none at all. I don't blame the Department, Mr. Speaker, they just didn't have the information and many times the information was not there to be given. There are a number of good examples of this kind of thing when boards go into building comprehensive schools. Many questions have to be asked and no answers are to be gotten. What technical course is the one to pursue; what to include or not to include? What vocational areas to include or not to

include? A thousand questions, Mr. Speaker, about the usefulness of a certain area. Really, Mr. Speaker, many times there were no answers. Now this Government who initiated the comprehensive school program has had no answers in many area. Now it is asking the local Trustees' Association to research some of the aspects of the comprehensive school program, the cost again to the local taxpayers, asking them to find some answers. I think, Mr. Speaker, as has well been expressed in this House before, because of some of the things that have gone wrong with this kind of construction, all this criticism is a little bit too late. It is no wonder that Yorkton and Estevan are being accused of overdoing something there and something elsewhere. Where were they to go for their questions to be answered?

This Government should have initiated a research program into the comprehensive school program, a total research task force on this and other aspects of education in general, as was suggested last year as I recall by my colleague from Saskatoon-Riversdale (Mr. Romanow). In fact many of these questions should have been researched and spoken about quite a number of years ago. Comprehensive schools are proceeding with the buildings today and really, Mr. Speaker, some of them do not know where they are going. I say, Mr. Speaker that this Government through the Department should be researching educational trends and guiding school boards and not eliminating their powers.

I say, Mr. Speaker, that, if this Government is out to do away with the school boards like I felt it is doing, then do it openly and honestly. Tell them that they are not needed, instead of paring and cutting and emasculating their powers to the point where they are of little or no useful value expect to serve as figure heads. I still maintain that local boards in spite of their failings are closer to the local scene and know more readily what is needed in the education field. They know more than any group of appointed people far removed from the real humanity of local education dependent upon cold hard facts and figures worked out by a computer. Some of the people in the Department today, Mr. Speaker, I maintain, who may be, as I said once before, good enough bolt and nut salesmen and maybe good enough policemen but they do not fit into the education picture, Mr. Speaker. Their training is not the kind that is conducive to making conscientious and human decisions regarding the welfare and education of our youth. I know that the Minister of Education (Mr. McIsaac) will say that the budget reviews are really nothing but reviews, that they are suggestions but there are some pretty tough regulations that go along with them. If you don't do this and you don't do that, then of course, you are going to be penalized, if they don't heed the Department's suggestions. Our unit board found the Budget review a bit offensive in places if I may say so. I know that little insignificant items — and I think they are insignificant — such as a \$600 repair truck operation being questioned, the phone bill and even the number of meetings being held by the unit boards. Now personally I thought that the questions were a bit picayune, Mr. Speaker. I say, Sir, leave some concrete decisions to school boards. Leave some body and soul to the school board's significance. I hope that they Minister and all Members of this House see the need for leaving some local board autonomy instead of putting more and more power into the Government's hands. I say too much power there can be dangerous. I also ask, Mr. Speaker, where does it all

end. Universities have been hemmed in, the hospitals have felt the iron fist of this Government! Are rural municipalities next on the list for budget reviews, Mr. Speaker? I want to say to the Minister and this Government that, if you want to do away with school boards, then do it in the open. Let this Government tell the people in honesty and sincerity that they are not needed. That's what they are driving at. We as school board members don't like to be lackeys to anybody. I say, Mr. Speaker, this isn't just good enough. Who is there really that can say that Government Departments can do a better job of local affairs than people close at hand?

**Some Hon. Members:** — Hear, hear!

**Mr. Kowalchuk:** — Yes, Mr. Minister, the Department of Education certainly should be involved, should give guidance, should leave some powers of running a school to the school boards. If we continue to take away autonomy of school boards there will be no incentive to creating larger regional boards, Mr. Speaker, because I say they are coming and as I've said before, the boards will be left with nobody and no real decision-making powers. They will simply be a sounding board for the Department with some policy-making powers left, yes, but even then they will be curtailed by the inevitable forces of the ever-growing bureaucratic Department.

**Some Hon. Members:** — Hear, hear!

**Hon. J.C. McIsaac (Minister of Education):** — Mr. Speaker, I will only take a moment or two to comment on some of the remarks made by the Member from Melville (Mr. Kowalchuk). He took exception to Section 2 of Bill 28 which really, if he would compare it to the previous section which has been there for many years, there is very, very little difference. He mentioned a number of points that really are not relevant to the subject and the principle of this Bill and I will deal with them later. But this section ensures that the Department of Education has authority to call in budgets for review and analysis by Department officials. I would point out that the SSTA, the official School Trustees' Association does not oppose this legislation in principle; the taxpayer does support it, both in Melville and all over this province; and the only real reason I can think why the Member for Melville opposes this is because his unit was the last unit board to submit their budget for review and it was one of the worst prepared.

**Some Hon. Members:** — Hear, hear!

Motion agreed to and Bill read a second time.

The Assembly adjourned at 5:40 o'clock p.m.