

**Legislative Assembly of Saskatchewan
Third Session — Sixteenth legislature
41st Day**

Tuesday, April 14, 1970.

The Assembly met at 10:00 o'clock a.m.
On the Orders of the Day.

ADJOURNED DEBATES

RESOLUTIONS

RESOLUTION NO. 5 — REDUCTION OF HIGH LEVELS OF UNEMPLOYMENT

The Assembly resumed the adjourned debate on the proposed motion by Mr. W.G. Davies (Moose Jaw South):

That this Assembly urgently recommends to the consideration of the Government of Saskatchewan, action by which the present high, and anticipated higher, levels of unemployment in the Province may be substantially reduced through such means as (1) Publicly financed, or financially assisted, projects for low-cost housing, and to provide schools, hospitals, pollution control, parks and recreation expansion; (2) The improving of labour standards legislation, and the effecting of policies that would augment the buying power of thousands of people on low incomes, as well as to increase employment of many others in the community; (3) The maximum use of available special programs with respect to industrial development and the provision of technical and vocational training.

Hon. L.P. Coderre (Minister of Labour): — Mr. Speaker, in rising to take part in the proposed Resolution that the Assembly urges the recommendation for consideration of the Government of Saskatchewan, action by which the present high and anticipated higher levels of unemployment in the Province may be substantially reduced by such means and such other recommendations as the Hon. Member has made. I think it is evident that my Socialist friend from Moose Jaw has introduced a Resolution and has used his uncanny knack of attempting to distort or distorting the fact by saying that it is never enough, it's too late, it's too soon, it's too complicated, it's right and it's wrong. I view his antics possibly somewhat like the slight changed old German quotation, "They grow too soon cold, and too late smart."...No, I said, "cold." In fact they haven't even started to get smart! Then their fabrication to distort takes the cake in this Resolution, particularly when programs of a constructive nature are put forward. There have been good programs in this Budget so far in this Legislature to overcome some of the problems he says are evident. Boy, do they have a song and dance to distort things. You know, like the financial critic who has in the past yo-yoed about a lot of things, the Hon. Member from Moose Jaw (Mr. Davies) makes his song and dance. Like the Hon. Member for Regina North East (Mr. Smishek) he goes into his wild vociferous, arm-flailing antics. Referring to the Hon. Member for Moose Jaw South, he says he welcomes a new program, but he is cautious how he gives credit. Then he continues with his normally Socialist distortion of facts of how it should be done. He states that their terms of the Resolution are necessary. How can they be necessary

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when it has been stated inside and outside of this House about the Government proposals, a vastly expanded public works program and a work-generated program to assist those who are unemployed and to give the shot in the arm to the economy that it needs. Everybody knows...

Hon. D.G. Steuart (Provincial Treasurer): — . . . is a lie.

Mr. Coderre: — Oh, they don't want to listen because they don't like to know the facts.

Everybody knows what the economic situation in this province is, and it is there because of the farm economy. The farm people are just not selling their wheat. Surely if my hon. friends knew that at the Coast at the time that the grain handlers who at an inopportune time have always walked off their job, that they were the instruments of the loss of grain markets in the past, the situation as we have it today would not be like it is. The irony of it all of course was again a couple of weeks ago when the grain handlers did walk off. the wheat problem that we have today started out about a couple of years ago when an excessive number of wage losses and wage earners went off work, out on strike. If the NDP leadership at that time had taken the proper action, the situation that is prevalent in Saskatchewan today would definitely not be here. Where were they when that situation developed? Silent as usual. Not a word of encouragement for the men to go back to work. Not a word to the ill-advised leadership. Not a word to some of your cronies in that area.

We have in this Province Bill 2, which makes it possible for the working people to get back on the job without the unnecessary loss of wages in the essential services. I believe the terms of Bill 2 or similar legislation could be implemented in cases of handling grain. I believe that any stoppage of grain which is so vital a commodity should never be allowed. There should be machinery established for these problems. The Hon. Member for Moose Jaw South suggests that supply buildings are badly needed. You know, Mr. Speaker, there are none so blind as those who do not want to see, none so deaf as those who do not want to hear. This fits the Hon. Member for Moose Jaw South to the nth degree. Has he not noticed that in the Public Works Estimates that were brought forward, has he not noticed the announcement of various projects, — one in Moose Jaw of a major proportion — major projects which will generate new capital and will provide jobs for the unemployed. No, I think he thinks it best that he should distort the picture rather than encourage such programs.

Then another approach that he takes in some of his wildly thought-of-fabrications, or distortions, he says that the Saskatchewan minimum wage is below the weekly average. This really sounds good, Mr. Speaker, when you make such a statement. But does he not know that the minimum wages are always below the weekly average? He makes this statement in the House and it sounds good. Minimum wages are below the weekly average, have always been and will always be. I would like to say at this point, since taking office, we have increased the minimum wage on five different occasions and the Government is looking at these things from time to time and will review it as soon as necessary. Then he says that, if the minimum wage is raised,

this will provide additional purchasing power. Again a distortion of facts. It will provide additional purchasing power for a few, but it will not generate new capital and it will not generate new jobs. It may provide additional purchasing capital, as I said, for a few, but it won't generate new working capital into areas of job-generating programs as has been outlined by Members of the Government on several occasions. Of course he goes on to say that there were no basic changes since 1947 in the hours of work. How true. Can you imagine that from 1947 to 1964, seventeen long years, there were no changes. In the five short years we have been in, through the negotiation process, through the rights of labour and management at the bargaining table, the hours of work have been constantly reduced.

I would like to mention to this House that it is quite evident that the Hon. Member certainly is attempting in some way or the other to becloud all the issues. Not one constructive suggestion has come from his lips when he presented the Resolution. Then the most ridiculous of them all, he blames the hours of work for migration. A few of the more venturesome workers who would like to see whether the other side of the fence is greener elsewhere have left, yes, or those who are taking time off for a sojourn into the warmer climate of British Columbia or other such places. Then he mentions the great majority of the labour force is of grade eight or less and he says that the upgrading is necessary. He tries to paint a picture of gloom and that nothing is being done. Yet if the Hon. Member would only take the time to go to the educational classes for vocational eight, vocational ten, which makes it possible for working people to take advantage of the apprentice and vocational programs. Education and vocational technical upgrading courses are being offered in the centres of Broadview, La Ronge, Meadow Lake, Melfort, Moose Jaw — I have a whole list here — Regina, Prince Albert, Yorkton, Estevan, Lloydminster. In fact there are over 21 places where vocational and upgrading courses are being offered. The courses offered depend on the need and range from the illiterate on up to vocational grade ten, to trade and technical courses. The above is a joint project operated by the Department of Education and Canada Manpower Centre. Three groups of courses have cancelled training the electrical trade because of lack of trainees. This is what the apprenticeship program is trying to get more and more people.

But the significant factor, Mr. Speaker, is that in 1960-61 there were 1,013 apprentices who took training. The last year that the NDP were in power, there were only 994 apprentices who took training. In 1968-69, 2,126 apprentices took training, more than twice as many under the last year of the NDP Administration. Apprentices as you know are indentured to the employer, to the director, and where applicable, to a joint committee. This gives the opportunity for anyone in the trade to be indentured to one body or the other. In other words, they have definitely the advantage of taking the training.

Then our young gentleman from Regina North East (Mr. Smishek) in his usual vociferous, arm-flailing manner said that the Government is unwilling to act on the following: Housing he mention. When the Government assumed office in 1964, there were 234 subsidized housing units available for rent to families of low income. They were located in four centres. As of December 31, 1969, there were 1,243 subsidized units occupied, including the existing houses purchased for families of Indian ancestry.

These were located in 23 centres throughout the province. In addition, there were 175 units under construction in eight centres. The Estimates of the appropriate Department have revealed the housing program for 1970-71. The provisions in the Budget this year on page 64 of the Estimates make it quite clear. There is money in the Budget for the construction of a home at Porcupine Plains; money in the Budget for special-care beds in North Battleford; some plans for the increase to Pioneer Village in Regina. Yes, Mr. Speaker, they my Socialist friends are constantly making the efforts of bringing gloom to everyone, making those who possibly have no homes believe that this Government is doing nothing, while in fact it is an accelerated program which will provide more homes. It is indicative that well over six times the number of subsidized homes have been built in six short years by this Administration. Then he dares to bring in such a Resolution. Thank God, Mr. Speaker, people of Saskatchewan know that for the dark-clouds that these individuals across the way are bringing up, there is a silver lining, and it is moving ahead very fast, very quickly.

The object of it all, Mr. Speaker, of this accelerated public works housing program is to provide employment for those who are unemployed. It has been clearly indicated in the Estimates work is going to being on the Base Hospital, extension in regional parks, university facilities; some job-generating programs have been outlined by the Minister of Agriculture and some others have been outlined by the Minister of Education. There is a technical school facility, continuous expansion and greater utilization of existing plans. Sad indeed as we find multi-million dollar operations that were used only for three months of the year when the former Administration was in. We're getting greater utilization not just building castles which are not to be used. Seven years ago our instructors were idle for five to six months of the year. what a waste of public funds. that's what they call socialist planning, Mr. Speaker. Provisions are made for the building of high schools, and the Hon. Member knows this is a matter for school boards to make decisions. If they wish they can do so, they can participate in the assistance. Construction for rural schools was mentioned. With a shift of population from the strictly rural to the urban areas, Hon. Members know well that the days of the little red brick school house are probably out, and the trend is going into a more urbanized type of school in the small urban centres, providing a better education for all our people.

I would like to draw the attention of this House and of the Members opposite, particularly of the Members opposite, that the horse and buggy days are gone forever. Wake up, Bill, wake up to the new technologies, better education, better schools, better teachers, thanks to good sound economics and education planning by a Liberal Government, this Liberal Government.

Another far-fetched statement from the Hon. Member was the question of stopping the increments of the public servants. I believe it is only logical, every now and then, when certain policies or programs are brought into effect that they should be reviewed. The best way to review these programs, these policies is to assess the situation to just hold back for a while. But he is not aware that a directive has been sent out, probably does by now, and that the increments have been continued in the usual manner. This has given the Administration the opportunity to assess all facets of labour-management relations in these areas. The distortions of all the facts in his statements of treating

unemployment like statistics, the Hon. Member can bring all the tears, can bring all his acting, but he is not half as concerned about unemployment and loss of wages to the work force as he pretends to be. When the members of the Sherwood Compulsory-Operation LIFT or Estevan Coop were on strike, his wages, I am speaking of the Hon. Member from North East, his wages as a business agent continued at the same level, he wasn't cut off, he had nothing to lose. He puts on these tear-jerking antics.

Mr. Davies: — . . . I don't want to interrupt . . .

Mr. Coderre: — I don't want him to stand up and indicate to this House, Mr. Speaker, that he is not necessarily concerned. He shows concern with his tear-jerking antics that he does put on in order to garner some votes at the expense of those people who happen to be walking the picket line. He made no attempt, no hard earnest attempt to get it resolved. I would like to tell the Hon. Member that all he has to do is open his eyes and see that the objectives and programs of this Government are continuing at a maximum effort to see that new jobs are created and a more permanent type of employment is created for our work force.

The other day the unemployment figure of 30,000 was quoted in the Legislature. This does not in fact represent the unemployed persons in Saskatchewan. Rather it represents a total number of clients registered with Canada Manpower Centres in the Province, only about 18,000 of whom are reported as unemployed as of January 30, 1970. The Hon. Member knows full well that he can use all kinds of statistics. He has fabricated them to suit himself. the figures that have been used in the Department of Labour are those that have been gathered from DBS, or Manpower as the case may be.

Mr. Davies: — Mr. Speaker, I don't want to interrupt the Hon. Member, but on a point of order, I never in my speech used the figure 30,000 at any time, he is completely misinformed.

Mr. Coderre: — I did not indicate the figure was alleged to him. It has been mentioned by Members on the opposite side of the House, Mr. Speaker, — I am referring to statements from that side of the House — in fact, one person has gone so far as to indicate that the unemployment figure was higher than somewhere around 13 per cent. By doing a little bit of Socialist mathematics, they were able to distort the picture.

The Hon. Member from Moose Jaw knows of the deletion of Canada Manpower Centre figures from the Saskatchewan Department of Labour Annual Report — he's quoted them at some time. The reason for the deletion of this data from the 1968-69 Annual Report, is that Canada Manpower figures are not unemployment figures, and further are considered to be confidential. They are for internal reasons only. they are compiled for internal administrative purposes only. the only official measure on unemployment is a monthly estimate by DBS. The DBS estimate was adopted as the official measure by the Federal Interdepartmental Committee some years ago. The creation of employment through establishment of new industries or expansion of present industries has been clearly indicated by this Government. For

example, the Prince Albert pulp mill has approximately 400 persons employed in the mill, and approximately 2,000 additional jobs are direct or indirect results of the establishment of this industry. The potash mining industries employ approximately 3,000 persons who are directly employed in the mining operations. There are now nine mines capable of production and another group under construction with approximately 12,000 additional persons employed in the secondary and supporting industries associated with the potash industry operations. The annual payroll of the people actually involved in the industry is between \$30 and \$40 million, that is \$30 or \$40 million more earned by the working people of this province since this Government has been in power than when the Socialist Administration was bumbling about trying to get industries. While the total payroll of actual and support industries is in the neighbourhood of \$75 to \$100 million each year, that is nothing to sneeze at, that is a good job, but much more must be done. And it has been indicated in our Budget Speech and Throne Speech that this will be done. Other industries, examples of new industries, established in the past four years, with estimated employment figures and value of industry are indicated here, the Parkland Alfalfa Products, employing 30 new jobs; Pyramid Mobile Homes, North Battleford, employing 150 new people; Mid-Canada Plastics at Melville, employing 50 new people; Inter-provincial Cooperatives, Inter-continental packers, Saskatoon, expansion, large expansions, Inter-provincial Steel and Pipe, 100 new jobs again; McMillan Bloedel, 104 new jobs. You could go on and on down the list, a very, very impressive list. In view of what has been done by the hon. Members opposite when they were in the Treasury Benches, I think, this is a wonderful record. But we, as Liberals, are never satisfied, we as Liberals want to move forward and we are doing that. our programs as has been indicated in this House are indicating that we want to move forward, regardless of the adversities that may face the country.

Some Hon. Members: — Hear, hear!

Mr. Coderre: — The unemployment rate in Saskatchewan on January 18 was 5.5 per cent. This rate is based on a survey of households made monthly by the Dominion bureau of Statistics and is the official rate for the province. The manner of calculating the rate, for example, by expressing the number of unemployed persons as a percentage of the total labour force is also an official method which has been used by DBS for all provinces for many years. Information requested in the Legislature, the answers contained in Return No. 31 in this year's Session, is identical to that provided in last year's Session. When the Hon. Member was speaking on it he was indicating that we were changing our methods. He is the one that is changing his methods, he is the one that is always trying to change and to fabricate things to give a different picture. The information requested relates to time losses attributable to accidents, sickness and unemployment. Many of these answers are definitely not available and the Hon. Member knows that. there is no possible way to ever get the information on time-loss due to sickness, but he says that we should have this information. They are purely estimated figures for assistance to the Department, and that has been indicated on several occasions, but you consistently try to becloud the issue. This has been a Socialist trick for a great many years. Confuse the people, confuse everyone. The information that has been requested on accidents have been provided in the past by the Workmen's Compensation Board.

Mr. Speaker, I take exception to the fact that wild statements have been made by the Hon. Member when he presented his Resolution, to the effect that the Department is deliberately trying to omit information in the Department of Labour Annual Report. It doesn't matter what figures are used. I give notice to this House, Mr. Speaker, that — I must admit that I prepared this before — when the Estimates of the Department were presented to the House, the Hon. Member for Moose Jaw South, and the Hon. Member for Regina North East, tried in every possible way to refute every figure shown in the report. Every figure that was presented they tried to distort, tried to minimize or maximize them as the case may be. They tried to minimize actually the value at any cost. As I have indicated, it is only natural for them, Mr. Speaker, they have to confuse the issues. They have to get some political propaganda out of it. Any report of the Department of Labour is there for the use of all the people of Saskatchewan. There is no advantage for the Director of Research or the Research Department to change these figures. All figures that are presented in the annual report are brought in with the maximum information that we have available. As the Hon. Members know the DBS and Manpower figures are those that are used.

I would like to tell the Hon. Member as well on this occasion that there have been no answers denied on request to the Department of Labour for information requested for any accurate figure that the Department has in its possession. He went on the other day to indicate that the Department is denying information and will not provide information. It has been customary in the past to give the Estimates, but then whenever Estimates were brought in, he went on with his wild fabrications and distortions of the figures that were presented. Therefore, it has been deemed advisable not to estimate any figures in the future but to give the precise and actual figures that we have, because any time this House has ever had any type of figures estimated for departmental use only, the Hon. Member from Moose Jaw (Mr. Davies) has been in the forefront to try to distort these figures and use other sources.

So I would advise the hon. gentleman that if he wants to make his own estimates of any figures in the future, I will advise that he makes his own estimates and let you go ahead at that, but don't try to fabricate them. The figures that we give are real facts and facts alone.

Then the wildest accusation of them all is blaming the Government for lack of policy for wheat marketing. Now what has that got to do with Saskatchewan? Sure we have problems. But you know yourself that not a peep came from you, not a peep came from the Member from Regina North East (Mr. Smishek) or any Members opposite when the longshoremen walked off. This has caused uncertainty by the buyers as to the delivery, with the result that they are looking for stable markets. This is where you can be of assistance in the future, through your organization, jointly with all people of this country. but, no, you do nothing and stand idle and criticize.

In view of the information that the Hon. Member has brought in, I would like to move an amendment to the motion, Mr. Speaker, seconded by the Hon. Mr. Heald (Attorney General):

That all the words after the word "Assembly" in the first line be deleted and the following substituted therefore:

commends the Government of Saskatchewan for the consideration and action taken to prevent and reduce the present level of unemployment by (1) Publicly financed, or financially assisted, projects for low-cost housing, and to provide schools, hospital, pollution control, parks and recreation expansion; (2) The improving of labour standards legislation, and the effecting of policies that would augment the buying power of thousands of people on low incomes, as well as to increase employment of many others in the community; (3) The maximum use of available special programs with respect to industrial development and the provision of technical and vocational training.

It is quite evident, Mr. Speaker, by the Estimates that have been brought into this House, by the announcements that have been made by the various Ministers of expansion programs, that this indicates that the Government is conscious of the problems that are facing us and is moving forward and not drawing into the stagnation we had the last 20 years by the former Administration.

Some Hon. Members: — Hear, hear!

The debate continues concurrently on the motion and the amendment.

Mr. G.T. Snyder (Moose Jaw North): — Mr. Speaker, I don't want this opportunity to pass without adding a few words of my own to those which have already been spoken on a matter that has assumed some real significant proportions all over the province and one which has affected by own constituency in a very major way.

I couldn't help but think this morning, Mr. Speaker, that the Minister of Labour (Mr. Coderre) had a bad case of wanderlust. He wandered back and forth through a whole raft of material. He dealt I thought, once again, with the Resolution that has already been passed — the notorious Hooker Resolution. He concentrated his efforts on work stoppages and on compulsory arbitration and the problems of the grain handlers and the longshoremen which, as near as I am able to ascertain, have very little to do with the Resolution that is before us.

I think that the Minister should bear in mind that there are fewer people in manufacturing today, than was the case in 1964, and yet the Minister has the audacity to tell us that this is a wonderful record, and he moves an amendment congratulating himself and congratulating the Department that he has responsibility for and congratulates the Government of which he is a Member.

I don't intend to repeat arguments, Mr. Speaker, which I used on a previous debate during this 1970 Session except to say again that the figures which the Dominion bureau of Statistics uses when they are tabulating the number of unemployed in our province tend to present a more favourable picture than actually exists in our province, because they assume, and they assume erroneously I suggest, that the heads of farm families are employed and are therefore not in the labour market.

I would venture a guess, Mr. Speaker, that there are in Saskatchewan today many thousands of farmers who would take a job immediately if there was a possibility of finding one. If all those who would like to work were included in the jobless total, the present unemployment figure would reach staggering proportions of our entire labour force. With agriculture in its present

depressed condition there are many farm families who face insolvency today and they would welcome the opportunity to supplement a farm income which has fallen short of meeting their current needs.

My own constituency of Moose Jaw North and that of my colleague of Moose Jaw South (Mr. Davies) have been accustomed to difficult times even in the more prosperous years. I think it suffice to say that over 1,000 jobs have disappeared with the development of the new technology in some industries and the disappearance of others. Construction in the area that I represent has ground almost to a halt and new housing starts are practically non-existent in that city.

I believe without question, Mr. Speaker, that our city has felt the impact to a greater degree than any other community in our province. In spite of this, though, Mr. Speaker, our city remains one of the finest places in Saskatchewan to live and to raise a family. It is one of our continuing regrets, however, that our young people are obliged to move to other centres for employment just as soon as they have completed their studies and venture out into the world of work. As a result, Moose Jaw has a relatively high proportion of senior citizens and herein lies the reason why I want to add my voice to that part of the Resolution which recommends to the Government that action be taken to provide not only jobs in the depressed construction industry in the building of publicly financed low-cost housing projects, but housing units for a large number of elderly people who are living on a limited income as well as other low-income families.

The Minister of Municipal Affairs (Mr. Estey), I believe, will recall one of his first official acts as the Minister of that Department, when, I believe in 1965, he had the opportunity to open a subsidized housing development on Moose Jaw's eastside. There is still a genuine need for more of these units to replace large numbers of substandard living accommodation in my city as well as many other communities that I visited in other parts of the province. The high component of senior citizens in the city of Moose Jaw makes it a natural candidate for additional senior citizens' housing of the type in operation and being enjoyed by the citizens of Pioneer Village in Moose Jaw.

In my travels about my constituency, Mr. Speaker, I have had occasion to visit large numbers of older people. Too often I find they are living in circumstances which cause me to question the values of our society when we have all kinds of money to subsidize Expo 67 to the tune of many millions of dollars, when we have an abundance of money for everything from arrow jot aircraft to Honest John rockets, both of which were obsolete, when the Government acquired them.

Surely, Mr. Speaker, we need a new sense of values which will allow us to provide needed jobs in areas of activity that have some real meaning in terms of better living conditions for our senior citizens and low-income people, more adequate educational facilities for our young, and more and better hospital accommodation for the sick.

It is recognized, Mr. Speaker, that money which is injected into the construction industry generates more activity than any other dollar that can be spent. The kind of housing to which I have referred has the immediate effect of putting the carpenter, the plumber, the bricklayer, the tinsmith and the electrician

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and a host of other tradesmen to work. During this past winter, Mr. Speaker, a qualified journeyman has experienced the slowest and the toughest season in memory. all over the province contractors have been obliged to lay off employees that they had considered as permanent employees for many, many years. These tradesmen, unfortunately, have left Saskatchewan in large numbers and the province is a poorer place as a result of the loss of these skilled people.

Needless to say, Mr. Speaker, it is too late for these people who have already left the province for jobs elsewhere, even if the Government does take some immediate action to do those things which this Resolution suggests, to get the wheels turning again. However, with the winter season behind us and spring having arrived already, Mr. Speaker, we have the opportunity now, I believe, to plan jobs for the summer which will reach a stage of completion by this coming fall in order that inside finishing work can be kept for tradesmen in order to keep them employed on a year-round basis.

Too often in the past, too little thought has been given for the planning and the organization of construction projects with that basic principle in mind. This kind of thoughtful planning has to be implemented if we are to escape the sharp seasonal unemployment which is characteristic of a country such as ours with the variations in weather.

I want also, Mr. Speaker, to say a few words in connection with that part of the Resolution which recommends Government activity with respect to pollution control, park and recreation expansion, as a means of creating jobs in a depressed economy in 1970. This suggestion has a great deal to recommend it and I want particularly to relate it to one of the potential situations which are to be found in the Moose Jaw River Valley. I had something to say when the Minister in charge of the Water Resources Commission was bringing his Estimates before the House last night. I think that it deserves further attention, Mr. Speaker.

I believe that Moose Jaw people in total have been very patient and very tolerant. We have seen Regina reap most of the rewards of having been designated as a seat of government with most of the major industry having gravitated there as a result of a decision that was made some 65 years ago. We continue, however, to see public money being spent lavishly on the Wascana Centre Project surrounding these buildings. It has amounted to a very substantial sum in recent years. It is a project which benefits the citizens of Regina, I suggest, more than any other group.

Mr. Speaker, we in the city of Moose Jaw don't object contributing to the tax base in order that Regina people can enjoy some of the fine park and recreation areas that have been developed here. But I believe that it is reasonable to expect at the same time that we should be receiving some consideration in the development of one of the finest park and recreation areas in the southern half of the Province of Saskatchewan. The Moose Jaw River originates in the yellow Grass flats and flows in a north-easterly direction to Moose Jaw and touches on the easterly point of Buffalo Pound Lake before it finds its way into the Qu'Appelle Valley.

This, Mr. Speaker, is one of the Province's most neglected areas, one of the most neglected water basins to be found in the

whole of Saskatchewan. It is being polluted, as the Water Resources Commission has indicated, by sewage from the Canadian Forces Base, by fuel oil and refuse from the Canadian Pacific Railway and the Gulf Oil Refinery, the UTLX Tank Repair Depot and the Husky Oil Refinery. Each spring, because of the complete lack of adequate flood control measures, millions of gallons of valuable fresh water pass through this waterway and during the remainder of the season the riverbed becomes stagnant and rank. I recall, Mr. Speaker, as a young person swimming in 10 feet of water in an area that is now full of silt and grown over with bulrushes. This, Mr. Speaker, is one of the natural beauty spots of the province. It is a watercourse which should represent a valued asset which belongs to the people of our province in the same way as all Saskatchewan people own a portion of Wascana Park in this city.

The flooding which took place just one year ago in this portion of the Moose Jaw River Valley which passes through the city of Moose Jaw need not have happened this past spring. It could not be described as an act of God, it has to be described as something else because it was an act of neglect, neglect of one of our most precious resources and the waste of one of our most valuable assets.

I believe, Mr. Speaker, that a reclamation project to place a series of small dams on this water course accompanied by a dredging program is an imaginative program which would be accepted most widely and it would be a job-creating program, as large a job-creating program as the Government could be involved in on this local basis. At the same time, Mr. Speaker, there are a good number of students seeking summer jobs who could be employed. In this way another problem which has been plaguing us for several summers could be lessened. Educational opportunities could be expanded for our young people in the provision of work for these people during the summer months.

In the past number of summers, Mr. Speaker, young people have found it either difficult or impossible to find work in order to save some money to contribute towards furthering their education. I would hope, Mr. Speaker, that the Government would give serious consideration to entering into discussions immediately with other organized bodies that have shown a deep interest and concern in the way in which this rich resource has been allowed to become desecrated by nature's erosion and polluted by the thoughtlessness and deliberate carelessness of man. It is my impression that the Water Resources Commission has somehow the over-riding and ultimate authority with regard to this precious resource of ours, and I hope that the opportunity will present itself to the Minister to do some of the things that are so glaringly needed in this connection.

I recall hearing in this debate which took place in part some days ago the Premier saying to this House that the Opposition have offered nothing new in the way of solutions to unemployment. I just want to point out to him that the Opposition has offered both short and long-term solutions and I would point out, too, Mr. Speaker, that before a doctor can successfully treat a patient he has to first diagnose the case. This apparently is what both the Federal and the Provincial Liberals have failed to do. Today unemployment is being deliberately created in a mistaken attempt to cure inflation without given consideration to what it was that caused inflation in the first place.

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I wonder if the Premier really believes that the billions of dollars in profits being siphoned out of our economy by multi-national and Canadian corporations are not inflationary. What was it that caused the immediate increase in prices just as soon as controls were lifted and the excess profits tax was abolished following World War II? Certainly, Mr. Speaker, it wasn't wage increases because industry was in too big a hurry to wait for wage increases, and instead the price of their commodities was increased almost immediately.

Today we are suffering from the down thrust of an outworn economic system that is overdue for replacement. The Premier in his assumed role of apologist for this profit system knows or he should know, that this deep-seated sickness will not be cured by the prediction of a few jobs to be created by some phantom industry that has largely failed to arrive since the Liberals assumed office.

I just want to suggest, Mr. Speaker, if private enterprise can make more profits by shipping our raw materials across the ocean to another land, bringing them back as farm machinery, that it feels no remorse if it creates unemployment or misery in Canada, while at the same time charging exorbitant prices for farm machinery and thus imposing an undue burden on agriculture. These concerns, Mr. Speaker, are basically interested in profit, not in people. If an oil company finds that it can make more profits by closing down the refinery in Moose Jaw and building one some place else, the fact that it creates some unemployment will receive little consideration because they are interested in profits and not particularly interested in people. We are often reminded of the need to subsidize new industries because they will provide employment, while in fact the matter of automating people out of employment is close to the top of the priority list of those companies which we are subsidizing to get into operation.

This, however, Mr. Speaker, is the good old free enterprise system so admired by the Premier. This economic system, dominated as it is today by giant corporations, leads to more inequality and more instability. I remind Members opposite that the problems facing us today are just not the problems that stem from the present wheat situation. I would like to point out, too, that our problems can't be blamed on the fanciful emotions of the weatherman, because the weatherman has been in a very lavish mood with respect to our agriculture industry in recent years. We have rich natural resources which the industrial world requires. We suffered no devastation from two World Wars, Mr. Speaker, and with all of these natural advantages, then one is inclined to ask just exactly what has gone wrong.

Well, Mr. Speaker, with one exception we have free enterprise Federal and Provincial Governments all across Canada, so that the Premier can hardly blame it on the Socialists. I hope that he will finally realize that there is at least one thing wrong with the economic system that he slavishly supports, and that is that it simply doesn't work. Perhaps it is too much to expect the Premier to get the message, or his colleagues to get the message, but today we see free enterprise governments implementing a plan that deliberately creates unemployment in a vain effort to cure inflation caused by the operation of this very system. Having failed to cure the patient, our free enterprise friends refuse to change the medicine.

Perhaps, Mr. Speaker, they could learn something from the little boy who couldn't get his hand out of the jar of cookies. The only way in which he could get his hand out was to let go of some of the cookies. I think that there is a lesson for Members opposite to learn here. The Premier is mistaken if he believes that he can send up enough smoke screens to prevent Saskatchewan and Canadian people from seeing the real picture.

Unemployment, Mr. Speaker, has been the natural outgrowth of a system that has ignored human needs and has placed the profit motive above all other considerations. There is a good deal more that could be said in support of the Resolution, Mr. Speaker, and I expect other Members to make their contributions to this debate. I think that it is a sound Resolution. I think it must be agreed that Opposition Members have not only offered short-term and long-term proposals, but they have given a precise analysis of the root causes of serious unemployment which we see in Canada today and which is faced all over the Dominion.

I hope that Hon. Members will give their support to this Resolution and vote down the amendment which was moved by the Minister of Labour (Mr. Coderre) in an attempt to cover up the inadequate efforts of the Government in terms of coming to grips with some of these problems of unemployment in our country today.

Mr. W.G. Davies (Moose Jaw South): — Mr. Speaker, I only have very few remarks to make with respect to the amendment. I may have some additional remarks to make with respect to the motion itself. Most of these are in reply to what the Minister had to say; so with your indulgence I would make my remarks on both sections at the same time in this debate.

I think I will commence by saying Mr. Speaker, that the defence of the Minister of Labour (Mr. Coderre) in this debate was the surest indication for the need of the implementation of the ideas conveyed in the Resolution. I think that it is fair to say that the address of the Minister was rambling, incoherent, irrelevant and feeble in almost all sections of the remarks he made.

I don't think that his observations have furnished enough conviction to convince a child in kindergarten that this Government has really done something in the sense that the Resolution has suggested. And to finish his remarks with an amendment that has the audacity to compliment the Government for its clear failure in the area of labour and employment policies is a fitting climax to an address which was the absolute ultimate in futility. In an attempt to evade the questions conveyed in the Resolution he even descended to a discussion of the Estevan hospital workers' strike. I don't know what occurs with the Minister. He should by now be acquainted with some of the aspects of the Saskatchewan union situation. but when he refers to myself as a business agent for the union, this surely must be the final word on this lack of understanding of what goes on. Just for the record, should this be necessary, I have nothing whatsoever to do with the Canadian Union of Public Employees. I receive no remuneration from them; I'm not employed by them in any way.

I simply cannot understand the Minister in his remarks in this debate, more so because as you may recall it, he sprinkled practically all his remarks with accusations about "fabrications" and "distortions" that I had made when I introduced this

Resolution. If he has anything to say about the actual remarks that I did make on that occasion I would welcome it. I do resent however, this irrelevant rambling discourse and his lack of attention to the facts of the debate itself. He was speaking about “my song and dance” and “my antics and my contortions.” Well, Mr. Speaker, all I can say is that this morning the Minister was sidestepping and twisting to evade questions involved in the Resolution like a cat on a hot tin roof. I have never, I don’t think, seen an occasion when he was less to the point and more removed from the question before the House.

I would like to say something, however, with regard to some of his more coherent references. One, of course, was his statement that the Government has in the current year provision for a number of matters that will, he says, improve the employment picture and, indeed, have already done exactly that. Well all I can say, Mr. Speaker, is that the proof of the pudding is in the eating. There is no sue for the Minister to talk about whether Manpower or DBS figures apply. Whether you take Manpower figures or DBS figures, the fact is that the unemployment situation on the Prairies today is such that Saskatchewan has the worst unemployment of the three Prairie provinces. It doesn’t matter what unemployment figures you take. In recent history the situation has never been worse. We have relatively the highest unemployment figures on the Prairies. That, I think, is what we are discussing.

None of the programs of the Government have effectively answered that situation. As a matter of fact, as I have pointed out frequently outside, and in the House, it is the labour and employment policies of this Government that have accelerated our bad unemployment position. Now it is the Minister himself who has suggested that, if we had some of the labour legislation fostered by this Government, we would have perhaps been able to settle unemployment in other parts of the country. I think that the record shows the opposite. He also at the same time in this reference was talking about the grain handlers having caused the difficult position for the farmers on the Prairies. I just wonder how the Minister can raise a question like that at this time. We have just yesterday had the Selkirk by-election. If this proved anything it proved that the farmers on the Prairies see where the difficulty has been with respect to farm grain prices and the sales of grain. They have blamed Federal Liberal policies for this. Their overwhelming vote for a New Democratic party candidate has proved this to the hilt.

Some Hon. Members: — Hear, hear!

Mr. Davies: — When the Minister weakly raises the question of grain handlers in relation to having caused unemployment, he had better look at yesterday’s by-election in Manitoba. He also had better look at his own Committee. He has till refused to give us a report on the Labour-Management Committee on the Construction Industry, but he has not denied the authenticity of the report in The Regina Leader Post of last Saturday. This report, Mr. Speaker, is a deep indictment of a Liberal labour policy in the Province of Saskatchewan because this report comes out strongly against compulsion of any kind in the bargaining process. To quote from the Committee’s report:

It is our conviction after nearly two years of review that there is no substitute for free collective bargaining.

There should be no Government compulsion in this process in the construction industry. Government has a role to play but that role during contract negotiations is to provide the parties with effective mediation machinery.

Throughout, the report, because I don't want to take the time of the House on this occasion, criticizes the idea that there should be compulsion in management-labour negotiations. And in another portion it says:

Furthermore we have reservations about whether the enactment of penalties and sanctions would achieve the objectives that proponents of this type of action desire.

So I say that the Government's own committee, after two years of study, have come out against the very proposition urged again this morning by the Minister of Labour (Mr. Coderre) who has told us that if we had some kind of a Bill 2 we wouldn't have had a grain handlers' strike; that we would have had a situation where the farmers would be better off and presumably we would have had and improved employment situation in this province. Its own tribunal (even as the commission of three years ago) has repudiated this stand which the Government, however, insists on following and insists on continuing as policy.

The Minister of Labour told us that the Resolution is faulty because the Government has increased the minimum wage five times. While the Government needed to increase the minimum wage during this period of escalation of costs, the point is, of course, that records show that with whatever increases the minimum wage of this province (which was once the highest single rate in Canada) has slipped to a point where Manitoba is higher, Alberta is higher, Ontario is higher, B.C. is higher, and some other provinces are higher in certain respects. I, of course, never suggested, Mr. Speaker, that the increase in the minimum wage would increase, and create, additional capital. I did say that it would create additional buying power. The creation of buying power would especially assist small businesses and would revitalize that section of the economy. Presumably this would bring about increased capital investment because of the increased business confidence produced.

It is pitiable that the Minister of labour cannot see what happens when the purchasing power of workers in this province is increased. Raising minimum wages is certainly one method by which it could be increased. This wouldn't result in one cent of increase in taxes. It wouldn't result in one-cent increase in Government costs.

Also, the Minister has taken that section of the Resolution that refers to hours of work and asks for betterment in the conditions of The Hours of work Act in this province. He has claimed that there have been some improvements made by the Liberals since 1964. He didn't tell us where and I'm at a loss to see where, Mr. Speaker. I can tell you this, however, that the base that was created by the previous CCF Government is still the existing base. There should have been a movement since 1964; if the New Democratic party had been the Government we would have seen that improvement. That improvement would go far to substantially eliminate unemployment in Saskatchewan. What bothers me very much is in spite of the fact that we have at this moment a bad unemployment picture in our province, the Minister of Labour passed a regulation or brought before the

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Cabinet a regulation which was approved, which resulted in all of the work done on the Canada Games site near Saskatoon being excluded from the Hours of work Act regulations. workmen can go 60 or 70 hours a week without any overtime. Instead of a greater number of workmen sharing because the hours of work are reduced, a small number of workers will make more money. The situation will not benefit as many workmen as would have resulted if the Minister had left, at least, the present hours of work restrictions in effect.

Here we have a Minister telling us that he has made improvements in the hours of work legislation over the past few years and at the same time confronting us with a situation in which he has fathered a regulation which has resulted in the total dissolution of any hours of work control in respect to construction going on with the Canada Games building near Saskatoon.

It is probably useless for me to provide the Minister with more facts on the number of workmen who have left Saskatchewan. The Press has been replete with instances of quotations from people who know, because of their position, (including Manpower officials) the immense loss of working people in this province because of the lack of employment in this province. And if he can't see these figures, I just simply refer him again to the people who have them. It doesn't matter what set of figures you take.

He dealt with the Government's defence with respect to that portion of the Resolution that deals with improving and advancing upgrading classes in the Province and all other kinds of training. He said that there has been a big increase. I can see that there has been some. I want to remind the Minister this was done because of the vast increase in Federal assistance. This never existed before the year 1964. I think that it is a total evasion for him to talk about three groups having to cancel classes because of lack of students. He well knows that this was not with respect to labour in general, but with regard to three designated trades. Some of the trades, of course, don't at times require as many people as do the others.

I say this that questions answered in his House positively show that people, hundreds of people, have applied for training and have been rejected by the Provincial technical institutes because there is no place for them. This is the matter that we wanted the Minister to speak about. Again he has totally failed to make any kind of an answer. And again he talks about, "We are going to have work on the Base Hospital, work on parks, and work on technical school facilities." Well if some of the money that had been cut from the Budget of this Government in former years had been applied last year for additional technical school have the present high level of unemployment in the province. About that there is no doubt.

Parks, for example, had its budget cut by \$800,000 last year. There was some money added this year restoring the amount of money in the capital budget for parks to where it was two years ago. Again this is in the nature of a sort of a deathbed repentance and is not undoing the damage that has been done by cutting programs that could have created much more unemployment.

I am surprised that the Minister should have the temerity to defend the holding back of increments in the Civil Service,

because I thought that in his position as Minister of Labour (Mr. Coderre) he would have been abashed about the whole attitude of the Government, because never before in the history of this Province, so far as I know, has a Saskatchewan Government said that the increments stated in the collective bargaining agreement and which by the Public Service Act are also really part of the commitment the Government makes to the employees, never before in the history of the Province has there been a situation where these increments were denied. This was done by the present Government. I think it was done with only one thing in mind, Mr. Speaker, and that was to intimidate employees of this Government, to drive them to a situation where they would accept the offer of the Government which could not continue negotiating in a true spirit of good faith. I say I am surprised at the Minister of Labour defending a proposition which has the universal execration, not only of labour, but of all fair-minded people in this province.

Now I don't think, Mr. Speaker, that it is necessary for me to say very much more about the Minister of Labour's very feeble defence of the Government's position. I want to refer before sitting down to his own reference to figures. He said something like this, that I had distorted the position of the Government with respect to figures on sickness and figures on unemployment in respect of the total number of man-days lost. Well, I categorically state again, Mr. Speaker, what every Member of the House can see for himself, that this year the Minister of Labour in his Annual Report has wholly excluded that table which used to provide in a graph the amounts of time that were lost due to sickness, by strikes, unemployment and accidents. These figures were provided by his own Research department. They reveal in this province the minimal time that is lost by strikes and the relatively enormous amount of time that is lost by sickness, unemployment and accidents. I can only come to this conclusion, that the Minister of Labour (Mr. Coderre) had that graph withdrawn from the Annual Report of the Department of Labour this year for one reason only, because it thoroughly exposed the kind of propaganda that he and his colleagues constantly repeat on unemployment and sickness losses in relation to strikes. I don't know what other reason there could be for it. I would like to ask the Minister of Labour — and I see that he hit and ran this morning after giving his speech. He ran out of the House, but I hope he'll read the record — to restore this table in the department of Labour Report because it provides a needed reference for citizens. Its deletion from the Report makes it a far poorer document. I remind the Minister again that the Report has been constantly contracted in recent years so that a great deal of valuable information that formerly was included has since been deleted.

I believe finally, Mr. Speaker, that the amendment that is offered us by the Minister substantially tries to ignore all of the proposals in the Resolution that I have placed before this House. But worse, it blatantly sets the Government up as an institution that has answered all of the problems that are stated in the Resolution I brought before the House. The commendation that is expressed in the amendment will be frowned upon by every right-thinking citizen in the Province of Saskatchewan, because everyone knows that with respect to all three points in the Resolution, this Government has failed miserably to provide answers either in this year or in recent years. An amendment which offers nothing more than compliments to the Government is hardly the kind of an amendment that should be

offered by responsible government at this time. I think that more than anything else speaks in justification of the Resolution and speaks in condemnation of the amendment that has been made to the Resolution.

Some Hon. Members: — Hear, hear!

Amendment agreed to on the following recorded division:

YEAS — 28

Thatcher	MacDougall	Leith
Howes	Grant	Radloff
McFarlane	Coderre	Weatherald
Boldt	Larochelle	Mitchell
Steuart	Estey	Gardner
Heald	Hooker	Coupland
McIsaac	Gallagher	McPherson
Guy	Heggie	Forsyth
Barrie	Breker	McIvor
Loken		

NAYS — 23

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

Motion as amended agreed to.

RESOLUTION NO. 10 — DEBT LEGISLATION

The Assembly resumed the adjourned debate on the proposed motion by Mr. E. Whelan (Regina North West):

That this Assembly, concerned with the economic conditions which prevent sincere debtors from meeting their obligation, recommends to the consideration of the Government of Saskatchewan the following immediate action:

- (a) Organize an information program to advise farmers of their legal rights and the avenues available to them when threatened with seizure or foreclosure;
- (b) Provide for free legal advisory service for urban and rural people confronted with financial problems;
- (c) Update legislation administered by the Provincial Mediation Board, and expand the staff to provide maximum assistance to hard-pressed debtors requiring extensions on mortgage payments, and other debts.
- (d) Introduce provincial moratorium legislation based on the provincial jurisdiction to enact laws with respect to property and civil rights.

- (e) Guarantee continuation of electrical power services to farmers unable to pay power bills because of their inability to sell stored grain.
- (f) Postpone payments on crown lease rental payments and on payments for land purchased from the crown.
- (g) Prevent seizures of farmers' production machinery.
- (h) Make immediate and strong representations to the Federal Government to:
 - (1) forestall business bankruptcies in rural communities;
 - (2) update and rewrite the Farmers Creditors Arrangements Act;
 - (3) provide protection for Saskatchewan people who have loans under the National Housing Act, Veterans Land Act, Farm Improvement Loan Act, and Farm Credit Corporation.

Hon. D.V. Heald (Attorney General): — Mr. Speaker, I would like to say a few words about this Resolution and I will try not to be too long.

First of all I would like to commend the Member for Regina North West (Mr. Whelan) for introducing this topic for discussion at this Session because I think it is a very timely matter and I think we should be talking about it. I always listen to the Member for Regina north West (Mr. Whelan) when he talks on this subject. I don't always listen to him when he talks on this subject. I don't always listen to him when he talks on other subjects. I listen to him when he talks on this subject because he is quite knowledgeable in this field. He spent a number of years with the Provincial Mediation Board and he has a very good background of information in this area.

Mr. Speaker, the Resolution states that this Assembly, concerned with the economic conditions which prevent sincere debtors from meeting their obligations, recommends to the consideration of the Government of Saskatchewan the following immediate action. I propose to deal with the various suggestions which are made in the Resolution, and I would like to discuss first of all the suggestions contained in sub-paragraphs (a) and (b) of the Resolution.

In a general way the Resolution suggests that the Government of Saskatchewan take action to organize an information program to advise farmers of their legal rights and the avenues available to them when threatened with seizure or foreclosure; and (b) provide for free legal advisory service for urban and rural people confronted with financial problems. Mr. Speaker, I dealt at some length in another debate this Session with the programs which are presently available to the people of our province in this area and I don't want to repeat what I said at that time. But I do want to remind all Hon. Members that we have in the province at the present time a Provincial Mediation Board throughout the province are the sheriffs in all of our judicial centres. They are situated strategically throughout the province and they are available to our people, to all of the people of the province for debt

counselling service. In addition to this The Orderly Payment of Debts Act was proclaimed in the Province last year and under The Orderly Payment of Debts Act the various court officials in all of our court houses throughout the province, the clerks of court are designated as the officers under The Orderly Payment of Debts Act, who are charged with the responsibility of debt counselling and advising members of the public who may have financial problems. The point that I am making, Mr. Speaker, is, that in my view and in the view of the Government we do have at the present time adequate advisory service so far as people with debt problems are concerned. Now what is the position of somebody who has difficulty meeting his obligations — as the Resolution indicates we are talking here about sincere debtors, we are not talking about people who are trying to evade their debts or people who have the means but don't want to pay their debts — what can they do? Well they can go to the Mediation Board offices either in Regina or Saskatoon or if that is too far for them to go they can go to the sheriff in the nearest judicial centre, Moose Jaw, Swift Current, North Battleford and so on, and obtain advice from these officials as to the workings of the Mediation Board Act. They can also obtain advice as to the workings of The Orderly Payment of Debts Act. As most Hon. Members know and certainly the mover of the Resolution knows, if they are able to make a reasonable payment out of their salary or if they make any reasonable provision at all the mediation Board will submit a proposal to the various creditors and suggest to the creditors that they accept the lesser amount during the period of crisis. In many, many cases, of course, the voluntary services of the Mediation Board do result in the consolidation of debts and in delay of debts to the point where the man is not garnisheed, he is not in danger of losing his job and so a very useful service is being performed through the Mediation Board.

Now The Orderly Payment of Debts Act provisions of the Bankruptcy Act which are in effect in Saskatchewan as I indicated earlier, and I think most s will agree, The Orderly Payment of Debts Act provisions of the Bankruptcy Act, has one very serious flaw in my view. The limitations of debts which can be brought under the Orderly Payment of Debts provisions are limited to \$1,000. In other words there is a ceiling of debts of \$1,000. I will give you an example to show you how in my opinion this is quite a weakness of these provisions. A man could have five debts of \$800 each and those debts would come under The Orderly Payment of Debts Act, but if he had one debt of \$4,000, he couldn't come under The Orderly Payment of Debts Act. Now to me that just doesn't make sense. I have made very strenuous representation to the Government of Canada, because it is Federal legislation to remove entirely the ceiling from The Orderly Payment of Debts Act. I think that if this is a good statute and if these are good provisions that you, a debtor, should be able to take all of your debts through The Orderly Payment of Debts Act. This is what I have been urging on Mr. Basford in the Federal Government and I hope that the other governments, particularly the governments of the Prairie Provincials, will stand together with us on this in petitioning the Federal Government to remove that ceiling. Mr. Basford is very sympathetic but I hope that the other Provincial Governments of Canada will stand with us urging in no uncertain terms that the Federal Government do remove that ceiling. If that ceiling were removed from The Orderly Payment of Debts Act then anybody who is in great financial difficulty could go through the courts and the court would have the power to protect this fellow in circumstances where he needs protection.

I am thinking now of everybody, of course, but I am thinking particularly of our farmers. If this ceiling was lifted from the Orderly Payment of Debts provisions of the Federal Act we would have more effective protection so far as our farmers are concerned in these times of cash crises. So I would agree that that is something which should be done. Before I sit down I am going to move an amendment to the Resolution which will reflect this request to the Government of Canada with respect to The Orderly Payment of Debts Act provision.

Now then we get down to (c) and the Resolution recommends updating legislation administered by the Provincial Mediation Board, and expanding the staff to provide maximum assistance to hard-pressed debtors requiring extensions on mortgage payments and other debts. Mr. Speaker, this area of updating legislation administered by the Provincial Mediation Board and expanding staff, I am not convinced at this point in time that the existing staff of the Provincial Mediation Board is not adequate to do the job. I think it is. We are updating legislation and I will have a word to say about that in a minute. We are introducing amendments at this Session to update the legislation but in my view the legislation within the Provincial competence within the jurisdiction of the Province of Saskatchewan is reasonably adequate. Now, I have a word to say later about some of the Federal legislation but so far as I am concerned within the legislative competence of the Province of Saskatchewan it is my opinion that our legislation is adequate.

Then there is a request here in sub-paragraph (d) to introduce Provincial moratorium legislation based on the Provincial jurisdiction to enact laws with respect to property and civil rights. I have had a number of opinions from the law officers of my Department and I have also consulted with an independent constitutional expert, Dr. Douglas Schmeiser from the University of Saskatchewan, and the opinion that I have received from Dr. Schmeiser is that there is very little, if any, area for Provincial moratorium legislation. It would be difficult if not impossible to enact Provincial moratorium legislation which would be effective. I am well aware of the judgment of the Supreme Court of Canada in which there was an obiter dicta to the effect that the Provinces do have certain residual capacities, but when this matter is further studied, as it has been, the opinion given to me is that we have very little power to pass effective Provincial moratorium legislation. I am also aware that there is a body of legal opinion in the Province that we do have this power. This is why I asked Dr. Schmeiser to research it out and the opinion I have from him is that we are not left with very much effective power to pass Provincial moratorium legislation.

Then the Resolution asks for guarantee of continuation of electrical power services to farmers unable to pay power bills. I have checked this with the Power Corporation and I am told that this policy is already in effect and that there is a policy of continuation of electrical power to farmers unable to pay power bills because of their inability to sell stored grain. I am informed that that is a fact and that is presently the policy of SPC.

Then sub-paragraph (f) asks for postponement of payments on Crown lease rental payments and payments for land purchased from the Crown. I have checked with the Department of Agriculture and I am likewise advised that this is the present policy of the Department of Agriculture with respect to lease rental payments

and with respect to payment on agreement for sale.

Then paragraph (g) asks for action to prevent seizures of farmers' production machinery. Mr. Speaker, there is before the Legislature at the present time for second reading amendments to The Limitation of Civil Right Act which will provide to our farmers a great deal more protection than they have at the present time. I dealt with this in another debate and I don't want to repeat what I said at that time except to remind all Hon. Members that this Act, or these amendments to The Limitation of Civil Rights Act will now be wide enough to include all farmers' machinery purchased on time. Before it was conditional sale agreements, now it is going to extended to include chattel mortgages. Also we have streamlined and improved the farmers' protection. There is a provision in there, as I explained earlier, for a thirty days' notice for intention to repossess. There is also provision for a thirty days' notice for intention to sell. We have streamlined and placed right into the Act the kind of form that is necessary. It is going to be a very simple form. All the farmer has to do when he receives the notice of repossession is tear off the bottom part of the form which he will send into the Clerk of the Court and Clerk of the Court will arrange for the hearing. He doesn't have to go to the Court House himself, he doesn't have to hire a lawyer if he doesn't want to. The Clerk of the Court will arrange with the Judge for the hearing and the interested parties will be given notice of the hearing. So we have, I suggest, Mr. Speaker, provided considerable more protection in these amendments which are before the House and put the farmer in a position where he will have knowledge of his legal rights under The Limitation of Civil Rights Act. Some of the problem before, Mr. Speaker, was that the farmer got this notice. It wasn't the kind of think that you readily could realize that your equity in the machine was in danger of jeopardy. I think many farmers probably ignored the notice or threw it in the wastepaper basket for the 20-day period and the result was that he lost his protection, as I pointed out to you in the earlier debates. So I suggest that we have strengthened the beneficial protective provisions of The Limitations of Civil Rights Act.

Then sub-paragraph (h) asks for immediate and strong representations to the Federal Government to forestall business bankruptcies in rural communities; update and rewrite the Farmers' Creditors Arrangement Act; provide protection for Saskatchewan people who have loans under the National Housing Act, Veterans Land Act, Farm Improvement Loan Act, and Farm Credit Corporation. Now we have taken steps along these lines which I have also dealt with in an earlier debate. I would remind Hon. Members, and I said this earlier, that we did raise this whole question of Federal moratorium legislation at the meeting of the Prairie Economic Council that was held here in Regina last September. At my suggestion the matter was placed on the agenda by Premier Thatcher. Premier Thatcher raised with his colleagues, Premier Schreyer and Premier Strom, this matter of a joint presentation to the Federal authorities with respect to amendments to the Farmers' Creditors Arrangement Act or perhaps new legislation, enabling legislation which would enable the Provinces of Western Canada to set up a moratorium board which could be administered on a Provincial basis. At that time there was not any interest expressed either by the Premier of Manitoba or the Premier of Alberta with respect to a joint approach to the Federal Government. Prior to that I had discussed the matter with the Hon. Mr. Basford and the Hon. Mr. Lang

and received assurances both at that time and since that time of their cooperation and interest in this matter. I say to the hon. Members opposite, and I have already said this privately to the mover of this Resolution, and I think he has written a letter to the Premier of Manitoba, that I would hope that you could help us persuade the Premier of Manitoba and perhaps the Premier of Alberta, if you have any influence with him, to take a more active interest in this whole question of improved moratorium legislation at the next meeting of the Prairie Economic Council which will be held very shortly. In fairness to the Premiers of both provinces I don't suppose the wheat crisis or the cash crisis as of September of last year had reached the proportions that it was reaching in this province. I think that perhaps now our plea for concerted action will perhaps fall on more attentive ears than it did last September. The fact of the matter is that we were concerned a year ago about this and, as I indicated in an earlier debate, I did speak to the Federal authorities when I was in Ottawa about a year ago and we have been pursuing this matter since that time. So far as I am concerned I think that we need Federal legislation on an enabling basis to enable the Province of Saskatchewan or any Province of Canada, if the circumstances warrant it and in an emergency situation, to set up a Provincial moratorium board. I am very anxious that this be done and I can assure the House and all of the people of Saskatchewan that so far as I am concerned this project or this problem has top priority.

Now, what is the situation, Mr. Speaker, so far as applications for foreclosure are concerned in the province? I think the House might be interested in the figures that I have had prepared in this regard. You all know that before there can be a foreclosure or a cancellation of an agreement for sale in the Province of Saskatchewan there has to be an application under The Land Contract (Actions) Act for leave to foreclose or cancel. So I thought that I should take two periods just to see whether we are really in a crisis situation at the present time. Now I know that everybody knows there is a real cash crisis, but how serious is the foreclosure situation? I asked for the figures for the number of applications under The Land Contract (Actions) Act for the period January 1, 1963 to December 31, 1963 and then I asked for the same figures for the period January 1, 1969 to February 13, 1970. You will note that the first period in 1963 was a 12-month period, the second period is for about 13 ½ months. In 1963 140 applications were granted for leave to cancel or foreclose — 140 in 1963 in a 12-month period. In the period of January 1, 1969 to February 13, there were 103 applications granted. So there were more applications granted in 1963, 140, than there were in the 13-month period just past. Now the number of applications in 1963 was 192 in the 12-month period and in the 13 ½-month period in 1969-70 there were 238 applications. Now what conclusions should we draw, Mr. Speaker, from these figures? I think we can draw two conclusions; first of all that the number of applications is about the same. If you balance off the longer period, I think you could reach the conclusion that the number of applications for leave to foreclose is about the same in the 1969 period as it was in the 1963 period. Perhaps a few more in the 1969 period. But the number of applications that were granted by the courts was considerably less in the 1970 period than it was in the 1963 period. What conclusion do we draw from that? Well we draw, of course, the conclusion that, when the full circumstances of the farmers' difficult cash position are drawn to the attention of the court that the court, of course, takes this into consideration. So it

is not correct to say, if anybody says, that the farmers do not have protection under existing legislation. These figures demonstrate very clearly that in very many cases where the circumstances of the farmer are explained to the judge and the evidence is placed before him, that the applications for leave by the creditor are refused. So I think a general comment would be to the effect that we have considerable debt protective legislation in the Province at the present time and it is working.

Mr. R. Romanow (Saskatoon-Riversdale): — Mr. Speaker, I wonder if the Hon. Member will permit a question?

Mr. Heald: — When I get through.

Mr. Romanow: — Actually it's about statistics to make the story complete. May I ask the question? What I want to know is whether or not your figures include cancellation and foreclosures. It's a small point.

Mr. Heald: — Yes.

Mr. Speaker: — Well if the Minister indicates that he wishes to receive the question he will take his seat. If he doesn't wish to receive the question he will remain standing and the question can't be put.

Mr. Heald: — Mr. Speaker, it's applications under The Land Contract Actions Act which covers both cancellations and foreclosures. I will table the documents when I am finished.

So the point I am making, Mr. Speaker, is that there is reasonably good debt protection legislation so far as cancellation and foreclosures in the province at the present time are concerned. As I said earlier, I do really feel that there is a good argument for enabling legislation which could be proclaimed by a particular province in the light of certain emergencies. That's the kind of legislation I think the Federal Government should propose.

Now, Mr. Speaker, I think those are the comments that I wanted to make. Accordingly I am going to move, seconded by the Hon. Minister of Natural Resources (Mr. Barrie):

That all the words after the word "obligations" in the second line be deleted and the following substituted therefore:

commends the Government of Saskatchewan for:

- (a) Taking action to provide advisory services through the Mediation Board, the Department of the Attorney General and through the Proclamation of the Orderly Payment of Debts provision of the Bankruptcy Act thus assisting people confronted with financial problems.
- (b) Urging the Government of Canada to remove the ceiling from said Orderly Debt provisions.

- (c) Up-dating, improving and streamlining Saskatchewan debt protection legislation.
- (d) Granting continuation of electrical power services to farmers unable to pay power bills because of their inability to sell stored grain.
- (e) Granting postponements of Crown rental and purchase payments in deserving cases.
- (f) Making arrangements with mortgage companies, finance companies, farm machine companies, oil companies, and Federal Crown Corporations to protect farmers and business from enforcement proceedings,

and urges the Government to take such further future steps as may be indicated by future circumstances so that adequate debt protection in time of crisis may continue.

I have only one further comment. We have had a great many interviews with companies and individuals, mortgage companies, finance companies, farm machine companies, oil companies and Federal Crown Corporations. I think as a result of representations made by us to at least one major oil company in the province we have been instrumental in a major change in their policy so far as COD deliveries of oil and gas for this spring are concerned. This is the kind of arrangements you can make if you sit down across the table and talk to these people and we have been quite successful. Now having said this I am not detracting one iota from what I think is necessary, namely Federal enabling legislation. Those are the amendments, Mr. Speaker, and you will note that I have said at the bottom: "Urges the Government to take such further future steps as may be indicated by future circumstances so that adequate debt protection in time of crisis may continue." I would be the first to admit that this situation bears very careful watching. It requires top priority on behalf of the Government, it requires top priority so far as I am concerned, and the officials of my Department are concerned. I give the House and the people of Saskatchewan the undertaking that it has and it will continue to receive the very top priority of my department in these very difficult times.

Some Hon. Members: — Hear, hear!

Mr. A.E. Blakeney (Regina Centre): — Mr. Speaker, before the Minister takes his seat, may I ask a simple question? Were the figures which he gave for applications under The Land Contract (Actions) Act all applications or those only relating to farmers?

Mr. Heald: — I have to assume, I asked for the figures of total applications and I am going to table it just as applications under The Land Contract (Actions) Act, so I assume it is all of them.

The debate continues concurrently on the motion and the amendment.

Mr. Blakeney: — Mr. Speaker, I wish to contribute a few thoughts to the debate. I think that many of us can agree with commending

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the Government for some of the steps that have been taken. Many of us will, however, think that some of the steps have been insufficient to meet that crisis which may well occur in the near future and is some sense in the course of occurring in rural Saskatchewan.

Now I first make a comment on the Minister's figures. I believe that the figures which he gave with respect to The Land Contracts (Actions) Act establish nothing. they relate to all applications under The Land Contract (Actions) Act whether urban or rural. I think that we would have been much better informed had he given us the figures not for applications but for foreclosures, not the figures for consent to foreclose which have been granted under The Land Contracts (Actions) Act but actually foreclosures under the law, because I think the Minister will know that a very, very large number of mortgages in Saskatchewan are no longer subject to the Land Contracts (Actions) Act and these types of mortgages, as a proportion of the whole, are growing every year. the Minister will know that mortgages under the National housing Act are not subject to The Land Contracts (Actions) Act, and I think we know that probably 90 per cent of the urban mortgages in Saskatchewan are mortgages granted — perhaps that's a high figure but 75 per cent at least — are under the National Housing Act — CMHC or other National Housing Act mortgages — all of which can be foreclosed without any application under The Land Contracts (Actions) Act. The number of urban mortgages under the National Housing Act as a percentage of all of the mortgages which can be foreclosed without reference to The Land Contracts (Actions) Act is obviously higher in 1969 than it was in 1963, because during that interval of six years there was a substantial amount of building and virtually all of it was NHA building. The same picture is true on the rural scene. One does not apply under The Land Contracts (Actions) Act to foreclose a mortgage granted by the Farm Credit Corporation. I suggest to you that a very large percentage of farm mortgages are granted by the Farm Credit Corporation. So a series of figures which tells us how many mortgages have been foreclosed in Saskatchewan which does not include any reference to NHA mortgages on the urban scene, or any reference to Farm Credit Corporation mortgages on the rural scene, tells us nothing. It may be, indeed, that foreclosures have not been any greater in 1969 than they were in 1963. I do not have the figures to take one position on that or the other. All I am saying is that the Minister's figures are almost irrelevant in assessing the number of foreclosures that there has been in Saskatchewan.

I want to make only one other point and that is with respect to moratorium legislation. The Minister may take the view that no moratorium legislation is within the legislative competence of the Province, and I admit it to be a difficult legal position. It may well be known that a distinguished Saskatoon lawyer, Mr. J.M. Goldenberg has expressed some views to the contrary. Mr. Goldenberg made his comments based upon the dictum in the In Represented Moratorium Act case referred to by the Attorney General which I had occasion to read a year or so ago. As I recall it, Mr. Justice Locke I believe it was, — at any rate one of the judges of the Supreme Court — appeared to leave the door open. I think it would be worthwhile also to observe that in the field of constitutional legislation there is, in my view, a definite swing to widening the field of legislative jurisdiction of the Provinces and narrowing that of the Federal Government in certain of the commercial fields. I am by no means sure that the Supreme

Court now would suggest that moratorium legislation on a Provincial scale, carefully drafted to avoid bankruptcy and insolvency and interest — and obviously some careful drafting is involved — would not be capable of being legislated. We, in effect, did this when we passed The Land Contracts (Actions) Act, because this undoubtedly prohibits creditors from realizing on their security and it does so in cases really of insolvency of the debtor, without saying so. So it seems to me that there is room to move here. I would like to have seen the Province have a try at legislating the sort of moratorium legislation which they think is required in the circumstances in which Saskatchewan finds itself today. I agree with him that Federal legislation would be better, and I agree with him that a Federal enabling Act would be as good an approach as any. I regret with him that the Federal Liberal Government is sufficiently insensitive to the problems of farmers that it is unwilling to legislate enabling legislation to allow the Province of Saskatchewan to enact moratorium legislation. I'm not at all surprised at this. I have seen no indication that the Liberal Government at Ottawa is aware in any real sense of the farm problems that confront Saskatchewan. Accordingly I am not surprised that, when faced with making a choice between the interests of the mortgage companies and the banks and of the farmers, it, as always, unerringly selects the mortgage companies and the banks. As I say, I am not surprised at that, but I am sorry that the hot-line which apparently operates direct from here to Ottawa and the regional desk which apparently operates at Ottawa have not been sufficiently influential to cause the Federal Government to move a muscle in the face of the Western farm crisis. I am sorry, as I say, that the Federal Government is so insensitive and I am sorry that the Provincial Liberal Government has such a small influence on that Federal Government.

I would like to see comments made on some of the other portions. I understand my colleagues on this side of the House are going to make comments on one or two other aspects of the amendment which, as I say, is not wholly bad, but is sufficiently laudatory in respect of actions which have been totally insufficient to meet the crisis, that I find myself unable to support it.

Some Hon. Members: — Hear, hear!

Mr. R. Romanow (Saskatoon-Riversdale): — Mr. Speaker, just a very few brief words to again support the words of my colleague from Regina Centre (Mr. Blakeney) and particularly as it relates to the observations made by the Hon. Attorney General (Mr. Heald) on moratorium legislation.

I have to reiterate that the colleague from Regina Centre has put his finger right on the argument with respect to the figures under The Land Contracts (Actions) Act. I don't think the Attorney General can use those figures to really support or negate one way or the other what's happening from an economic standpoint in the Province of Saskatchewan to these people who have troubles with their mortgages and agreements for sale. Like he has said, the whole variety of NHA and FCC and Federal legislation and monies advanced under the Federal legislation ought to be canvassed to see where the squeeze is really being placed. Respectfully, I think the Government opposite is adopting an overly legalistic approach to the problem when it says, 'We cannot enact moratorium legislation because it is not within our

field of competence.' What the Provincial Government seems to be saying in a strictly legalistic attitude toward the Constitution and its powers is this, that there may be an economic crisis, that there may be some urgency whereby the Government must act, but that we are stopped by the Constitution. I don't think that is the right approach to take. I think we ought to be, and this Government opposite out to be, taking a thorough and comprehensive survey much beyond applications under The Land Contracts (Actions) Act to determine in fact how extreme the economic crisis is. the Hon. Attorney General himself, in his remarks, admitted that there was an economic crisis but then tried to mitigate it by saying, 'But look at the applications under The Land Contracts (Actions) Act.' My own personal view, not having had the number of years of experience at the bar of my colleague from Regina Centre or my friend the Hon. Attorney General, is that to measure social and economic conditions by virtue of legal applications before a Court of Law is even under the best circumstances very, very faulty and inappropriate. There are many very difficult situations and hardships that exist that haven't shown themselves up in court applications. I think as my colleague from Regina Centre says this question of going generally bankrupt isn't something that happens overnight. It is a gradual squeeze that is coming into play on the residents of Saskatchewan. Do we have the problem solved, for six months from now, nine months from now or a year from now that wheat sales are further stopped? I think the answer to that is, No. the legislation the Attorney General is talking about is worthwhile and meritorious. The proposed amendments to The Limitation of Civil Rights Act are worthwhile and we will be supporting them. But in two instances, I think, the argument of the Government opposite fails.

Firstly, it hasn't taken into account by properly assessing the true economic and social picture as it is, namely, the figures put forth by the Hon. Attorney General (Mr. Heald) are not truly comprehensive and a complete picture.

Secondly, I think it is hiding behind a legalistic approach to the question of moratorium legislation. I think if the crisis exists, as I feel that it does, we ought to be acting with moratorium legislation. We ought to be fighting for the interests of those who are going to be protected by that moratorium legislation, right up to the Supreme Court of Canada, if necessary, in advancing the arguments that my colleague from Regina says with respect to Provinces increasing their jurisdiction and their powers. If the need is great, the law and the advancement of the arguments of the law could be pushed right to the highest court of the land and, I'm confident, equally as favourable as Dr. Schmeiser or other legal authorities say that it would be unfavourable. But at least the people of Saskatchewan would know that the Government and we as the legislators are behind them one hundred per cent in giving some direct protection.

So, I am in the same position as I think all of us on this side are. There are many aspects of the amendment that are worthwhile but the commendation put of it is just not good enough. We cannot commend the Government in a crisis of this nature. I cannot commend the Government when it says, 'Behind the legalistic approach to the Constitution may not permit us to take this action.' I know of far too many instances of impending economic crises that are honest and the time is now for us to act.

Some Hon. Members: — Hear, hear!

Mr. W.J. Berezowsky (Prince Albert East-Cumberland): — Just a few words, Mr. Speaker, as a farmer I can't commend the Government for what it has done because, when we look at our original motion, it has been recommended that farmers would benefit from moratorium legislation benefits along those lines. We've had some talk before and we've heard more today. The fact remains that this Government has done nothing in that particular field, so when I think of people whom I represent, who are endangered by foreclosures and some by bankruptcy it seems to me that what this Government should have done for the people of Saskatchewan, at least for this and the next year until things straighten out, is to declare a moratorium on interest rates and a moratorium on payments.

I am speaking for farmers in my part of the country where they have power services unpaid and where pressure has been exerted on them to pay for power services. I ask you: how are they going to pay when they haven't got incomes? They just can't do it, Mr. Speaker. I suggest to this Government that it should do something about this problem and give them a chance, at least try to get something done. Instead it wants us to commend them for things that it hasn't done. This is impossible for me to do in spite of all the good things that the Hon. Attorney General has said are being done.

I think the Government could postpone payments on Crown leases and this is what is suggested. But it says, "Commend us for what we have done." Yet I do know that Crown leases are terminated for many farmers.

Let's take a look at the recommendations to the Federal Government. We have a situation where farmers have less income — there is no argument about that — they have had lower incomes this past year than they've ever had before and yet the Farm Improvement Loan interest has gone up. Interest rates in the banks have gone up. Farm Credit Corporation interest rates have gone up. But has this Government done anything about making representations to Ottawa on behalf of people I represent, or tell Ottawa that it could either discontinue collecting interest altogether or keep the interest rates down to a level that is reasonable? No, it has not! Interest rates used to a lot more reasonable than they are now. When I take a look at banks for example, I see they have increased their assets from \$1.5 billion a year ago to over \$2 billion this year, so as a citizen of this country it irks me when this Government wants me to commend it for the things it hasn't done. These are some of the things it could have said to Ottawa. It could have said to Ottawa, when it proposed a surplus of a quarter of a billion dollars, it could have said to Ottawa, "Cut down the interest rates, do something for the people who are in need because this industry is suffering." But this Government doesn't even want to talk about interest rates. There is nothing in its brief. These are the kinds of things that bother me and so for me to commend the Government — I would like to commend it for things it has done. Of course I would. Everything it has done may not be wrong, but certainly I can't support this amended Resolution. I can't commend this Government and I have to vote against the amended Resolution.

Some Hon. Members: — Hear, hear!

Amendment agreed to on the following recorded division:

YEAS — 28

Thatcher	MacDougall	Leith
Howes	Grant	Radloff
McFarlane	Coderre	Weatherald
Boldt	Larochelle	Mitchell
Steuart	Estey	Gardner
Heald	Hooker	Coupland
McIsaac	Gallagher	McPherson
Guy	Heggie	Forsyth
Barrie	Breker	McIvor
Loken		

NAYS — 20

Lloyd	Meakes	Matsalla
Kramer	Berezowsky	Wooff
Messer	Smishek	Willis
Wood	Thibault	Kwasnica
Blakeney	Whelan	Kowalchuk
Romanow	Brockelbank	Byers
Dewhurst	Pepper	

The debate continues on the motion as amended.

Mr. E. Whelan (Regina North West): — Mr. Speaker, I wish to thank the Attorney General for the kind reference he made to me regarding my activities as chairman of the Provincial Mediation Board. The Attorney General said, and he is correct, that the Mediation Board still operates and functions in its capacity as a mediator of debts, but its staff has been reduced to three people. Certainly they are excellent people, experience, very knowledgeable in this field. The three persons are the board chairman, an accountant and a secretary. There is no lawyer to provide legal assistance to a debtor. The staff has been reduced to a point where it cannot possibly give service to the public. At one time there were as many as 30 people in the Provincial Mediation Board dealing with debt consolidations, negotiations, tax enforcement, and the other activities of the Board.

Certainly the sheriffs in the judicial districts are representatives of the Board, but in many instances they are recent and fairly new appointments and are not thoroughly informed on debt legislation. The number of sheriffs has been reduced and therefore they do not have the time and it is not possible for them to work on debt negotiations or arrange debt consolidations. Those seeking advice regarding the Orderly Payment of Debt provisions under the Bankruptcy Act have discovered that the sheriffs are not acquainted with the procedure. Who could expect them to be acquainted? It takes 20 or more forms to complete an application for one debt and the maximum figures if \$1,000.

I asked for an Order for Return for the number of cases that had been settled under this procedure during a one-year period. If my memory serves me correctly, the number of settlements was seven. You could hardly expect the sheriffs to know this involved procedure or to have the time to complete 20 or more forms for such a small debts. The need for an information

service or pamphlet explaining the procedure to follow when faced with debt problems is obvious. Most people in debt today are a new generation; in my riding those seeking relief from debts have never heard of the Mediation Board, and know nothing of the procedures. If they do discover the Mediation board, there is no lawyer on hand to provide them with legal advice.

In glowing terms the Attorney General spoke of the procedures under the Bankruptcy Act. It is limited to \$1,000. In my estimation, Mr. Speaker, no debtor in this day of credit purchasing is in debt when he owes only \$1,000.

With all that has been said, Mr. Speaker, there is not adequate staff, adequate information, or updated legislation to take care of debtors in trouble. We have urged the Hon. Minister to update the legislation. He is not convinced of the necessity to do so. When will he be convinced? When the entire population is in debt trouble? I suggest then it will be too late.

The House recessed from 12:30 until 2:30 p.m.

Mr. Whelan: — Mr. Speaker, when we adjourned at 12:30 I was talking about the Orderly Payment of Debts procedure used by the Provincial Mediation Board and I said that I had asked for a Return in the House and had received copies of the forms. I have them with me now and I'm sure the House would be interested. I've counted them. Let's see there are 26 forms to make one application for one debt in the amount of \$1,000. I also checked the Return when I asked how many the Board had dealt with and discovered that I was wrong when I said seven. They had actually dealt with eight, so I stand corrected. For one period — one year — they had dealt with exactly eight applications under the Orderly Payment of Debts procedure.

I was pleased to hear The Hon. the Attorney General (Mr. Heald) state that there would be no disconnection of electricity for farmers who have grain stored. That was not the case in Kelvington. I'm very pleased to note that there is an improvement in that respect and I'm sure Members on both sides of the House will appreciate this policy. One of the Members on our side of the House says we should express our sincere thanks to the Hon. Member for Kelvington (Mr. Byers).

Some Hon. Members: — Hear, hear!

Mr. Whelan: — I appreciate too, Mr. Speaker, that amendments are being introduced to The Limitation of the Civil Rights Act and they are commendable. I think I've pointed this out when I introduced the Resolution initially. But a good portion of the machinery purchased is purchased under Federal legislation and I question the jurisdiction of Provincial legislation to deal with this particular problem. And as I pointed out — I'm looking back at the original remarks I made when the Resolution was introduced — the farmer is in a very bad debt position, a dilemma created, not because he cannot purchase and not because he cannot produce, but because he cannot market grain. Grain deliveries are lower. There has been no final payment on the overall farm debt and Canada's has risen from \$1,558,000,000 in 1960 to \$3,859,000,000 in 1967. Interest on the debt alone amounted to \$250 million in the year 1968.

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Mr. Speaker, there is no prospect for anything at the moment except for more debt trouble and the need for debt legislation because income is down, interest rates have gone up, grain deliveries have been cut to a minimum, and the evidence of economic hardship all around us, Yes the evidence is all around us.

Mr. Speaker, when I served on the Provincial Mediation Board — reference was made to this by the Hon. Attorney General (Mr. Heald) — the chairman was a Conservative and one board member was an ardent supporter of the Government opposite and I was the third member of the Board. The problems of debts and the understanding of the economic situation are well known and for solutions and adequate protection for the debtor in our particular situation has been recognized for years by different types of Provincial governments. Let me say again, the need is here and now, not by just calling on the Federal Government, not by calling on the Manitoba Government, not by urging united action by the three Provincial Prairie Governments. To prove, Mr. Speaker, that we mean what we say, the Government opposite must initiate action in writing, I suggest, with legislation.

Some Hon. Members: — Hear, hear!

Mr. Whelan: — If it is prepared to do so immediately Members on this side of the House are prepared to cooperate every step of the way. The Hon. Attorney General and I have discussed the possibility of assistance in getting the Provincial of Manitoba to influence the Federal Government. Mr. Speaker, after looking at the results of the by-election and what happened, I am sure that the Hon. the Attorney General is on the right track because you have to admit that the Premier of Manitoba has considerable influence.

Some Hon. Members: — Hear, hear!

Mr. Whelan: — Maybe this is the way to get to the Federal Government. But I suggest what happened to the Liberal candidate in that particular scuffle will get to the Federal Government a lot quicker. But I also want to point out to this House, and I want to emphasize this, only when legislation is written here in Saskatchewan and only when it is on the Statute Books, only then can we go to the Federal Government and say, 'This is what we need, this is what the people of Saskatchewan want.' Perhaps the big financial interests would challenge the legislation. They've done this before. I say let them do that but let us not go cap in hand to them. Let us not refrain from passing legislation because the Federal Government or some other government is not acting. Let us represent the people of Saskatchewan, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Whelan: — Let us put the legislation on the Statute Book that this Resolution calls for. Even now, Mr. Speaker, the hour is late, but let us do it and let us prove that we mean what we say. let us prove it, Mr. Speaker, in writing. To argue that we should not try Provincial debt moratorium legislation is to refuse to attempt to help solve the situation that demands immediate and urgent attention. by putting the legislation on the Statute Books even if it is challenged, we would say to the farmers and to the

working people, to everyone who is in debt trouble in this province, we understand your problem and we have done everything that we could. I suggest to the Hon. Attorney General, and I hope not politically, that if the economic hurricane hits us before we sit again, his amendment to this Resolution will mock him and haunt him and would be difficult to explain. I just cannot commend the Government. Mr. Speaker, I cannot support the motion as amended.

Some Hon. Members: — Hear, hear!

Motion as amended agreed to.

RESOLUTION NO. 15 — DISAPPROVAL OF MODIFICATION OF THE SASKATCHEWAN HOSPITAL SERVICES PLAN.

The Assembly resumed the adjourned debate on the proposed motion by Mr. W.E. Smishek (Regina North East):

That this Assembly strongly disapproves of the successive modifications to the Saskatchewan Hospital Services Plan which have changed it from a plan which paid all hospital operating costs for insured services, to a plan which pays grants toward operating costs, leaving the balance to be paid partly by those requiring hospital care and partly my municipalities or religious orders; and further that this Assembly calls on the Government to consider restoring the Plan to its original intent by abandoning deterrent fees and by abandoning its attempts to shift part of the hospital operating costs onto local ratepayers.

Mr. A.E. Blakeney (Regina Centre): — Mr. Speaker, I rise to speak in support of the motion by my colleague from Regina North East (Mr. Smishek). The Resolution is on a matter dealing with health. It deals particularly with hospitals. I want to advise Hon. Members that I am the Member for Regina Centre and anticipate being a candidate in the new constituency of Regina Centre and I therefore feel that in the field of hospitals I am perhaps the provincial expert. If indeed I am elected to represent the new riding of Regina Centre I will have the distinction of having not one, Mr. Speaker, and not tow, Mr. Speaker, not three Mr. Speaker, but four hospitals within my riding. That I think will be something of a distinction, I will have not only the maternity hospitals operated by the Salvation Army and by Martha House, which I think are registered hospitals, but also, the Regina General Hospital and the Regina Grey Nuns' Hospital. This represents a hospital complement of from 1,200 or 1,300 beds which will be more than any two or three other ridings in the province combined. Accordingly I think it behoves me to address myself to some extent to the problems of hospitals and to those particularly which are outlined by the Member for Regina North East (Mr. Smishek).

The Government has, in past sessions, attempted to deal with escalating health costs and it has attempted to deal with them in the way that a government often attempts to deal with problems. It has attempted to analyse the problem, isolate those parts of the problem which should be dealt with by someone else and urge that these are the most important parts of the problem. I am, in assessing the activities and the posture of the Government opposite, reminded of a statement made by the Director of Hospital Administration for the University of Ottawa in assessing this sort of problem. He states it this way: "It is my belief

that there is a tendency in health administration thinking and possibly in the thinking of other types of administrators to search and give priority to the solution which can only be implemented by somebody else. There is a tendency to look a problem, note that a part of it could be resolved by somebody else and then complain that they are not doing something that they should. People in my opinion don't work hard enough in identifying the part of the problem which is in their jurisdiction or control and there therefore is not enough energy expended on doing what can be done without outside help. Partial solutions are usually all we get anyhow so why not solve our own part first." That strikes me as eminently good advice to address to the Government opposite. but instead, Mr. Speaker, of addressing its attention to those parts of the problem which are more or less within the competence of the Government opposite, it has addressed itself to the problems which lie within the jurisdiction of hospital boards, which lie within the jurisdiction of doctors, and which lie within the jurisdiction of patients.

Let's look at the Resolution. We note that it is in three parts. I think I can discuss part 1 and part 3 together conveniently. The Resolution asks that the present practise of the Government, apparent practice of the Government, in saying to hospitals that their budget is strictly limited and that if they overspend their budget they can go to their local taxpayers or sponsors and pick up the deficit, be done away with. It asks that the Government abandon its attempt to shift part of the costs of operating hospitals onto local taxpayers.

Now the Government will say that this isn't its policy. But I suggest that anyone who has discussed this problem with hospital boards and with people who are intimately concerned with the operating of hospitals, will reach the conclusion that that indeed is what the Government appears to be trying to do. The Government has set arbitrary limits on hospital budgets and it has said that, if these limits are exceeded, the hospital is to ask its sponsors or the municipality, or the religious order, to pick up the difference.

The Government will say that every Government that has operated the Saskatchewan Hospital Services Plan has set budgets and in so setting a budget has set a limit. But I suggest that there is a difference in what the Government has been doing in the last couple of years compared with what it did in its previous four or five years and what the Government before it did in the previous 20 years or so.

The Government is now setting standards which to hospital boards appear to be very arbitrary indeed. It is discussing these standards or the principle behind the budget in a very inadequate way with hospitals. I have heard hospital board members complain to me that they have been given a budget by SHSP and they are unable to get the SHSP officials to discuss with them the point by point provisions in the budget, to discuss with them just how SHSP would say a particular department in a particular hospital ought to be operated within that budget limitation.

It has been represented to me that, for example, the Regina General Hospital might say that in the intensive care unit it needs X number of nurses. SHSP says, "You don't need that number of nurses." The hospital says, "Well look we can show you, we can show you that the unit cannot be operated with any less

number of nurses.”

I am advised that the SHSP officials say, “Well, we don’t really want to go into every detail with you. We won’t really discuss with you just precisely how you are going to operate your department. That is your business, but operate it with Y number of nurses.”

Mr. Speaker, if this practice is not so I am sure the Minister will deny it. I didn’t say, Mr. Speaker, that if it is so he will deny it. I said if it wasn’t so he would deny it. The other may follow but I am not saying it. I am saying that, if this is so, then this is a very arbitrary attitude on the part of SHSP. The hospitals complain about another thing. They say that in years past in the early 1960s we had something called global budgeting, that the hospitals were permitted to have an increase in costs of X per cent and that, if they made a saving, let us say in dietary, they could transfer that saving over to, let us say, nursing staff. I am now advised that SHSP will not permit those transfers. I am now advised that at least in the least budgetary year SHSP has taken the position that, if a hospital made a saving in laundry or dietary or nursing, it could not transfer that saving to another branch of the hospital where there might be an over-expenditure.

Surely, Mr. Speaker, this is a very arbitrary attitude on the part of SHSP. It is an attitude which must necessarily result in very substantial increases in the deficits of hospitals. Now it may be that SHSP will come along and pick up some of these deficits. But I suggest to the Minister — and again he can correct me if I am wrong — that in the last year, in the year 1969, before any budgetary adjustments by SHSP, the deficits experienced by the major general hospitals in this province, were the largest on record, that the deficits experienced by the hospitals in attempting to operate with the budget provided by the Minister in the initial phase were larger than at any time in the history of the Province and substantially larger.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — This is not true only of the Regina General Hospital. It is equally true of the Grey Nuns’ Hospital, equally true of the City Hospital at Saskatoon, and so on. I am not sufficiently familiar with the situation with respect to smaller hospitals to assert that is equally true there. I do say, Mr. Minister, that the budget set by your Department, before any negotiations were entered into with respect to picking up deficits, were the most niggardly in the history of the hospital plan in terms of the services which the hospitals were required to render of the patient loads and of the recognized costs of operating general hospitals.

Mr. Speaker, I want to talk a little bit to the initial point that I made in my remarks, that the Minister in approaching the problems of health costs has directed his attention to those parts which, in his words, could be controlled by more responsible actions on the part of patients or on the part of doctors, or on the part of hospital boards, but has directed very little of his attention to those savings which would accrue from more responsible activity on the part of the Department of Health.

I acknowledge that the problem of health costs is a serious

one. there are a number of fields of governmental activity where costs are rising sharply and undoubtedly the field of health is one of them. I suggest, Mr. Speaker, that we are not going to find the principal savings in the field of medical care. I suggest to you, Mr. Speaker, that it is not going to be found possible to lower the amount of medical care delivered to the people of this province, or the people of any province, by any substantial amount.

I am not saying that there is not over-utilization or over-servicing. there is obviously some of both. But there is with respect to any pattern of health care, be it insured privately, insured by government or delivered on a completely so-called free enterprise basis. Probably there is some over-utilization. There are hypochondriacs in any society and I suggest that the over-utilization by hypochondriacs is no greater where there is a government insurance program than when there is a private insurance program. It is not substantially greater where there is any kind of insurance program than when there is no insurance program.

Doctors will tell you that they have always had people whose problems were primarily of the mind and not of the body. And, indeed, doctors are coming to admit that these people are perhaps not hypochondriacs. It is just that they need a different type of treatment than that which they think they need. It is not their back which is paining, but in fact it is their head which is in disarray.

And, Mr. Speaker, there is probably over-servicing. I am sure of this. Anyone who studies the surgery rates as they vary from province to province or from city to city or from area to area within this province, will reach the conclusion that there is some over-servicing in surgery. They will also reach the conclusion that there is some over-servicing with respect to lab and x-ray tests. But there is no easy and simple solution to these problems. This will require very, very careful working out of the problem with the health professions.

So I don't look for any substantial amount of saving in the field of lowering the volume of medical care delivered. the situation may well be different with respect to hospital care. I think that the field of hospital care represents the greatest single opportunity for us to decrease health costs without substantially decreasing the quality of health care. And when I say that, Mr. Speaker, I am not thinking that we are likely to lower the costs of operating a hospital bed for a day. I don't look for any lowering of the bed-day costs of general hospitals. I think that those costs have gone up and will continue to go up. Indeed the cost of operating a hospital bed in Saskatchewan, a so-called cute care hospital, is already among the lowest in Canada.

This perhaps does not reflect to our credit. It reflects the fact that the wages paid to our hospital employees are depressingly low and it reflects the fact that we, in Saskatchewan, call acute hospital beds some beds which really render a service which cannot be called acute hospital care by the current definition. So our figures look pretty good in this area. But I think that when we operate hospitals, like the Regina General Hospital or the new Base Hospital or some of the other first-class hospitals in the province, and as we introduce the new and elaborate methods of treatment, we are going to have increases in patient-day costs, not increases.

I don't think that we should bemoan this fact. There are new surgical techniques which are very expensive. I don't suppose that we are going to get into the field of organ transplants in Regina, but we are going to get into and already are into some fields which are very complicated. Any type of cardiac or vascular surgery is very complicated, requiring expensive equipment —pacemakers, heart-lung machines and the rest which not only requires expensive equipment but which, in order to perform a single operation, requires hours and hours of skilled staff time. This is not a simple appendectomy where the skilled staff time might be all of an hour, fifteen or twenty minutes of a surgeon's time, the time of a couple of operating nurses and fifteen or twenty minutes of an anaesthetist's time. This isn't the operation. We have four and five and six doctors teams doing three, four and five hour operations with a battery of para-medical staff. This is going to continue. We are getting into these areas of health care and I think it is not a matter of regret that we are.

In addition to this, Mr. Speaker, quite apart from this advance in technology we have had what amounts to an escalation in public expectation. There was a time when people were resigned to the fact that some people were going to die. We seem to have moved into a society where we never accept the fact that a patient is mortally ill until we have performed every known medical procedure on that person. There is something to be said on both sides of that argument, but all I can say is that there has been what one can describe as an increase in the public expectation of the sanctity of life.

There is an increase in demand for the best in surgery and the best in care, even though the patient and his relatives know that it is a very long shot in believing that this would bring about a recovery.

In quite another way, Mr. Speaker, there has been a rise in public expectations. People are no longer willing to accept hazards. They expect hospitals to be equipped to deal with all manner of emergency. They don't want to go to a hospital that doesn't have oxygen, they don't want to go to a hospital that doesn't have an intensive-care unit that could look after an emergency. And doctors don't want to put patients into those hospitals. And so we have what amounts to an increase in the public expectation of what a hospital ought to be in terms of being able to cope with any emergency.

There is also, and this is perhaps the same point that I made earlier although it affects my argument in a different way, a much greater reliance on the technical aspects of medicine. Doctors now order almost routinely a series of lab test, x-ray tests, ECG and EEG tests, physiotherapy, and occupational therapy and all the rest. And perhaps there is a wastage of service here. But there is undoubtedly a very much higher level of expectation in the minds of both the patient and the physician than there was a short time ago as ten years ago.

So we are not really, Mr. Speaker, going to save a great deal of money by trying to lower the bed-day costs. If we are going to save any substantial sums of money in the area of hospital care we are going to do it by attempting to control the utilization rates of hospitals. We are going to have to find any number of ways on controlling hospital use. I am sorry, Mr. Speaker, that the Minister in dealing with the matters in the

field of health during the course of this Session, has not addressed himself to this matter and informed the House of just what was being done in many of these areas because of the very, very unusual patterns of hospital care in his province. May I give a couple of simple examples?

In Regina and Saskatoon the bed utilization for 1,000 people is 1,433. I am leaving out newborns for the moment. About 1,400 bed-days per 1,000. What is the rate in Moose Jaw? The rate in Moose Jaw is not 1,400 and it is not 1,500 and it is not 1,600 but it is 2,622. The number of bed-days rendered to people in Moose Jaw is almost twice the per capita rate in Regina and Saskatoon. Surely that is a remarkable figure. Some of it is undoubtedly due to age distribution. Some of it is undoubtedly due to that. It is probable that the average age of the citizens of Moose Jaw is higher than the average age of citizens of Regina and Saskatoon. But I would very much like to see the Minister give us a bit of an analysis of this. I would like to see him give us a figure for utilization in Moose Jaw, corrected for the age distribution, corrected if at all for the sex distribution, and then explain to us the difference.

I think the difference would be very startling. I think that here the Minister has available to him, if he could bring the Moose Jaw utilization down to the Regina utilization rate, savings of some millions of dollars. Some millions! The same argument could be used with respect to other centres in Saskatchewan. I use the situation in Moose Jaw and Regina because it is so dramatic. If indeed the Moose Jaw rate could be lowered to the Prince Albert rate there would be many of hundreds of thousands of dollars saved. I would wish that the Minister would address himself to this problem.

I then look at the next problem and I think this isn't so hard to explain, the utilization rate of people whose homes are on Indian reserves. I have already said that the utilization rate in Regina is roughly 1,400 per 1,000. In rural Saskatchewan — places under 1,000 is the definition of 'rural' — the utilization rate is about 1,600 per 1,000 people. So you will see it is not a great deal different in the rural areas than it is in Saskatoon or Regina. I have told you that Moose Jaw is 2,600 which raises in my mind a great number of question marks. When I tell you that the rate for people who come from reserves is not 2,600 but 4,600, you will realize that something is wrong with the health of those people who live on reserves. If we could bring their rate down even to the provincial average, we would have a saving of many millions of dollars.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — As I say, Mr. Speaker, it is perhaps not so difficult to explain the situation with respect to Indian reserves. We know that general health standards on the reserves are poor. We know that the housing conditions on the reserves are poor, and many physicians are reluctant to discharge people from hospitals to return to a home on the reserve where it will be difficult to give a proper standard of convalescent care. This we know, but I think here is an area where very, very fruitful savings could be made if we could combine the efforts of the Minister of Health and the Minister of the Indian and Métis Departments and of the Federal Government, so that we could look at this problem and see if we could get a hospital utilization pattern such as already exists in Regina and Saskatoon.

And for the rural areas of this province we would have very, very impressive savings. I wish the Minister would address himself to the questions which I raised in the House a couple of years ago with respect to the inordinately high, the almost astronomically high, use of hospitals which was demonstrated by the Hospital Survey Committee Report of 1962 and 1963 with respect to a few of the hospitals in the province. One thing of hospitals in the Shaunavon constituency and the Maple Creek constituency particularly hospital rates with admissions not of 140 per 1,000 but of 400 per 1,000, admission rates two and three times the rates of other cities and towns in Saskatchewan. However, these rates are not on the same basis as the figures I quoted above for Regina and Moose Jaw, which are bed-day rates. The Minister should examine situations in towns like Birch Hills and Kinistino where the admission rate in one town was twice that of another. Those are remarkable figures. There might, in any given year, be an explanation. But the burden of my remarks, Mr. Speaker, is that here is an area that the Minister can do something about. Here is an area where he doesn't need to pile the burden on hospital boards. Here is something that doesn't really depend upon the patients of the province. It doesn't depend upon all of the doctors of the province. It depends upon pinpoint analysis by the Minister. And he has given us no analysis. He has given us no results of analysis.

Mr. Speaker, the situation has even more aspects of hope than that which I have already suggested, because I have based my remarks upon the proposition that the Regina rates and the Saskatoon rates are pretty well rock bottom. But they are anything but rock bottom. Rates of 1,400 per 1,000 are still very much higher than could be achieved. I won't take the time of the House to outline in detail what has been achieved in relatively controlled studies by way of reducing hospital utilization by getting a whole series of para-medical services attached to medical clinics.

The Minister knows those figures. The Minister of national Health and Welfare knows those figures. The Task Force on Health which just reported to the Hon. John Munroe knows those figures. And they indicate that under some conditions, and we have yet to know whether they will prevail for all conditions, but under some conditions it would be possible to cut utilization rates in half. In half, Mr. Speaker! We are talking Mr. Speaker, about savings of \$15 million, \$20 million, \$25 million a year. These are savings which will allow us to operate our hospitals, top-notch hospitals, well-equipped hospitals, providing top-notch care and still have enough money to provide a complete range of para-medical services.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: é Now these, Mr. Speaker, are activities to which the Minister could address himself. These are activities which he and his Department could carry on. These are activities which he could carry on in place of his present techniques of cost control, his present techniques of arbitrarily controlling hospital boards, of arbitrarily shutting out patients by applying deterrent fees, of arbitrarily making it difficult for doctors to treat patients by deterrent fees.

Mr. Speaker, this Resolution also addresses itself to deterrent fees. I don't intend to repeat in this House all of

the arguments which I have given against the deterrent fees. They are absolutely indefensible either as a deterrent for health care or as a method of financing health care. We all know that if deterrent fees are in fact deterrent fees they deter the wrong people. If in fact they are utilization fees they extract money from the wrong people. And just how wrong these fees are I think needs to be stated time and time again. Again I don't want to take a lengthy time in the House to recap the arguments which I have used before. But just let me give a couple of brief figures. In the field of medical deterrent fees the figures, both before the time these fees were imposed and after the time these fees were imposed, show that the burden of deterrent fees falls three times as heavily, three times as heavily, Mr. Speaker, on people over 75 as it does on people in the 30-year-old bracket. Three times as hard on our oldsters as on people in the 30-year-old bracket. And, Mr. Speaker, that's for medical deterrent fees. If the Minister will look at his own SHSP report on page 55, he will see that the hospital deterrent fee picture is even worse. He will see that for people in the 35-39-year-old bracket the utilization rate for hospitals is 1,000, but for people from the 75-79-year old bracket, it is 8,192, five times as much. He is saying that people between 75 and 80 should pay five times as much in deterrent fees as people in their 30s. He is saying that this is the way to control health costs. He is saying that we should control health costs by applying deterrent fees against oldsters and people who are chronically ill so they can't go to the doctor. He is saying we should do this, so that these patients will stay out of hospital. He is saying that we should control hospital boards by applying arbitrary limits. I am saying that all of these methods are wrong. He should take to heart the words of the director of hospital services of the University of Ottawa. He should start looking to those things which he can do something about. He should start looking at the gigantic savings which I suggest are available by analysis of our hospital service pattern. If he would do that, Mr. Speaker, there would be no need to apply these arbitrary standards on hospital boards, there would be no need to apply deterrent fees against our chronically ill and old people, there would be no need to burden the cost of health on those least able to pay.

Mr. Speaker, I hope that the Minister will follow me and I hope he will address himself to these problems. I hope he will tell the House what he is doing about pursuing the savings which I suggest are there, what he is doing to find money for additional health programs and more particularly what he is doing to find money, so that he will be able to remove from the backs of the people of Saskatchewan, the iniquitous deterrent fees.

Hon. G.B. Grant (Minister of Public Health): — Mr. Speaker, I hadn't planned on speaking at too great a length. I wanted to aid and abet the cause and get this House wound up, but after the last speaker, I am afraid I am going to have to impose on your time a little bit. Like the Hon. Member for Riversdale (Mr. Romanow) I'll keep looking at the clock and hoping that I am not keeping you too long.

Once again, we have heard a wonderful Socialist talk about the never, never land, where you give everybody everything and in some mysterious manner you find the money. I gather he was suggesting we should increase the head tax, that is about the only place I know to find all these additional funds that he is

suggesting we need. I'll try and cover his points. If he is an expert because he has four hospitals in his new constituency, I am a bit surprised because I really didn't learn anything new as a result of his acquisition of four hospitals. I feel that if he has anything to say worthwhile, it is because of his former portfolio. I respect him for this and the contributions he made as Minister. I look on him as somewhat of an authority, but not because he has four hospitals in Regina Centre. I have no intention of going to the University of Ottawa for advice, because I get advice from 25 people opposite me, and 34 on this side, and the medical profession as well. The basic principles of the hospital scheme have not been changed, contrary to what the Hon. Member has made out. True we are exercising a bit of a firm hand that should have been exercised years ago. We do meet with the hospital representatives and I would like to have any hospital representative say that they have not had an opportunity to meet with our people. We don't dictate the mix of staff, as he indicated. He said I would say this, and I am saying it, we don't dictate the mix of staff.

He said that during the 1960s they had a global budget period. He was inferring that since that time we no longer let them transfer savings, we limit their increased costs, and as a result they now have large deficits, the highest in years. He ends up almost by saying, well, there is really nothing you can do about it. These costs are going to keep on spiralling and there is nothing you can do about it. To me this is a pretty defeatist attitude to take. I know it is a tough job but we must try every means possible.

Now touching for a minute on his remark about the downward financial change, the detrimental change that has been made and he has accused us of. Just let me read the circular that goes out to all hospitals about this very point.

After the year-end financial statements are received, there is a review made and calculations are made as to the actual experience.

This is the method that goes to the hospitals.

One of the features of this review is that a genuine saving in one budget area may be used to offset an over-expenditure in another area,...

He said this couldn't be done.

...or may be kept by the hospital if no over-expenditure has been made. For example, if a net cost of \$1.25 per patient day is approved for drugs, medical and surgical supplies and the hospital is able to reduce the cost of \$1.10, the level of payment for this item is not reduced. If the hospital provided 10,000 patient days during the year, a saving of \$1,500 would be available to meet deficiencies in some other area and is applied to over-expenditures which SHSP normally might not meet.

In a subsequent rate adjustment, of course, the saving is not continued ad infinitum and the rate would be reduced to \$1.10 per patient days.

Now let us look at the other area. He left the impression that it was a shame that these under-expenditures weren't allowed to be transferred to other categories. Can you imagine, just

because a hospital made a saving because it didn't spend money on wages or some other thing, we approved the transfer of these savings to other categories? There is no doubt in my mind that it would be very simple for a hospital to make such savings and possibly lower the standard of care, for reasons other than efficiency in operation. I am sure the Hon. Member is not really serious when he says that this type of saving should be transferable to another category. These are the directions that go out to the hospitals and I would be glad to give him a copy of them. I think it refutes what he has indicated there.

He suggested that we should be looking at possible savings that could total \$15 million — I was interrupted at that point — but I expect that he was making reference to the Community Clinic Plan of delivering of self-services. I'll repeat for about the fourth time that we have given the Community Clinics good receptions and good hearings. Under Professor Anderson from the University of British Columbia and sponsored by the Federal Government, there is a study being made of the Community clinic method of delivery of services. I don't think he can honestly say that we are not taking some action in this regard. This cannot be considered in isolation. It must be considered in relation to the utilization of medical services as well as hospital care and this is the approach that they are taking.

I have to agree with the Hon. Member that our per diem costs in Saskatchewan are one of the lowest in Canada. Like him, I regret this, I think it would be far better for the people of Saskatchewan if they were considerably higher. Contrary to his views, I do not agree that this is because of the low pay level in Saskatchewan, and I am sure he knows better than this. The reason is that we are utilizing hospital beds about 25 per cent more than the rest of Canada. We have more beds per thousand than any place in the North American continent. If you divide these beds plus the patients in them into the dollars we are spending, you are bound to get a low rate of per diem costs. I think if you compare the first-class hospital costs you will see that they will compare very well with other hospital costs in other provinces.

There has certainly been an escalation in public expectation. They do expect the best of care and we are striving to provide the best of services and the best of care. In fact I could take excerpts from what the Hon. Member said and make use of them in refuting arguments that the number of hospitals in this province shouldn't be reduced. This is one of the reasons why the quality of care in Saskatchewan is not as good as we would like to see it. We are spreading our hospital dollars over too many buildings and too many beds.

I can't without some study, give the real explanation for the difference in the utilization between Saskatoon and Moose Jaw, but I am confident that there is an adequate answer to this. I do know that we have made efforts in many areas where the utilization was high. He is as aware as I am of some of the instances. He referred to one area in the western part of the province and I think of Prelate particularly, where the utilization was 600 per thousand. The reason for this in my opinion was doctor-oriented. We are not idle in other areas that he made reference to, namely, lab costs and x-ray. Activities are underway now to make better use of our dollars and our equipment in this area. While he says I have not pin-pointed analysis, I don't think that we can enumerate every instance where we are

moving in this direction. We can assure you that it is being done particularly in the larger centres of Regina and Saskatoon.

I would like to comment about the remarks of the Hon. Member from Regina North East (Mr. Smishek). Once again his observations were loaded with inaccuracies. First, in introducing the motion Mr. Smishek said the Government's declared policy will increase costs and not reduce them and lower the quality of care. Well, if that is true, there are a lot of people who know a lot more about health programs than the Hon. Member who have been misled. This includes Federal health experts and Provincial people as well, and I think it is a reflection on the judgment of these people in this regard. His next inaccuracy was his reference to the deficit of the Grey Nuns', as \$310,000. The deficit has not been declared as yet, but it will be considerably less than that figure. He said the Regina General deficit was \$561,000. I haven't heard that figure since last July. I think the final figure was \$400,000 and we picked up about \$200,000 leaving \$205,000 of a balance there. There were three glaring inaccuracies. the last was when Mr. Smishek said that the Government established a commission to examine the health programs as the Opposition had urged during the 1969 session. I am not sure what commission he is referring to, there is no commission that I know of that is studying these programs. There is a set of Task Forces set up by the Federal Government and this is the reason we did not take his advice in 1969 because we knew it would be a duplication, and they in that manner hoped to get some credit as a result of their suggestion.

Mr. Speaker, I think I can sum up by saying that we have demonstrated that the Saskatchewan Hospital Services Plan has never, has never, and I emphasize that, recognized all costs. Figures I gave in this House some time ago indicated that back in 1960 there were deficits of \$653,000 left with the hospitals. In 1961, \$162,000; in 1962, \$386,000; and Leader of the Opposition and behold, the year before the election, 1963, the Hon. Members opposite left \$627,000 with the local authorities to pick up. We are not the ones who started this business of leaving deficits with local municipalities. The Members on your left are the ones who started it, Mr. Speaker. Granted we have continued, but let us place the original sin where it belongs. Other provincial governments have recognized that it is not possible to pick up all operating costs. Our two wealthy provinces to the West of us, British Columbia and Alberta, have left no doubt in anyone's mind that they have no intention of picking up all the operating costs of their hospitals. They have conveyed messages to all and sundry that, if the hospitals do not stay within their budgets, they must look to other sources and to local authorities for picking up the cost.

I think that a firm hand is necessary. I think Saskatoon City, St. Paul's, Grey Nuns', picking three large hospitals, have indicated what can be done when they exercise good judgment and a little bit of a firm hand themselves. I think all these hospitals are operating in a surplus position at the present time and dare say that by the end of 1970, there will be very few of them in a deficit position because they now realize the facts of life.

The Federal Government has recognized the impossibility of continuing open-ended programs. I think this is an indication that governments cannot just give blank cheques to either other levels of government or hospital boards, and that is what is

being suggested when they suggest we pick up all the costs.

I am a little amazed when the Hon. Member takes a strong exception to utilization fees. I am beginning to realize now why the Hon. Leader of the Opposition has submitted his resignation or a retirement announcement. I gather that he has never been able to get his way since July 23, 1960, when he advocated deterrent fees for the Medicare Plan in Saskatoon. At that time, the Hon. Woodrow Lloyd, recently appointed as Provincial Treasurer, spoke in favour of the proposal and said the suggested fee would be called a compulsory-insurance fee, a method whereby a person would pay a small payment to make him eligible for medical coverage. This fee will deter people from claiming services not necessary and will be one of the ways to provide money necessary to pay for the plan. It is odd that back in 1960 the Leader of the Opposition thought that this was a pretty good scheme. In fact they carried it though to some degree, because when the Medicare Act was introduced in 1962, provision was made in that Act for so-called deterrent or utilization fees. All we had to do was pass an Order in Council. Let us not be too taken in by the holier-than-thou attitude over there, displayed by the Hon. Member from Regina Centre. They were going to deter these people from getting medical services. Possibly the Hon. Leader of the Opposition, Provincial Treasurer at that time, was more realistic as Province Treasurer than the Hon. Member from Regina Centre was as Minister of Health, as to the problems of financing the plan. He was going to deter unnecessary services and said it would be a means of paying for the plan. Let us also remember that the Province of Alberta still has a utilization fee. They changed it, granted, but they still have an entrance fee of \$5, and I believe British Columbia also has fees.

Mr. Speaker, I think that the motion as suggested by the Hon. Member from Regina North East cannot have our support. I think we have demonstrated in the last few years a realistic attitude to the financing of our health plan. We have recognized the necessity of holding a firm line, not with the expectation of reducing the cost of hospitalisation, but with the hope of slowing down the escalation of it. Let us not forget that Sweden, that great welfare state, is entering a new era on July 1, they are going to have utilization fees. I think that Great Britain has also demonstrated the folly of open-ended programs with no participation on a financial level by the people.

Mr. Speaker, with those remarks, I would like to move seconded by the hon. Mr. Boldt in amendment thereto:

That all the words after the word "Assembly" in the first line be deleted and the following substituted therefore:

commends the Government of Saskatchewan for recognizing the risk that unless rapidly rising costs of hospital services are brought into line with the general growth of the province's economy, such costs could jeopardize the hospital plan program; and having recognized this risk, has introduced a modest utilization fee program which encourages the responsible use of benefits under the hospital plan.

Furthermore this Assembly commends the government for offering a financial incentive program in the form of global budgeting to the boards of large hospitals which could result in economies thereby decreasing the possibility

of their requiring funds additional to those provided from utilization fees and by the Saskatchewan Hospital Services Plan.

Mr. R. Romanow (Saskatoon-Riversdale): — Mr. Speaker, I don't know how many times all Members have gotten up in the Legislature in the last couple of days and have said they did not intend to get into the debate, but let me reiterate that again with respect to my intentions this afternoon on this Resolution.

I am prompted to enter the debate because of the Resolution which is now before us and an amendment that has been proposed by the Minister of Health, because that amendment deals particularly with the question of utilization fee programs and because of the Minister of Health's comments respecting a press clipping some ten years ago, back on July 23, 1960, attributed to the now Leader of the Opposition, Mr. Lloyd. What is significant about the remarks of the Minister of Health and by the proposed amendment is that to this very day the Liberal Government still hasn't recognized that the utilization fee program with respect to hospital usage and with respect to medicare is causing an undue hardship on untold hundreds of thousands of people in the Province of Saskatchewan, as my colleague from Regina Centre (Mr. Blakeney) has pointed out. What the Member from Regina South, the Minister of Health, says about the July 23, 1960, clipping is this. The then Minister of Treasury, the Hon. Woodrow Lloyd talked about utilization fees. He said that was back in 1960, so that makes it okay for the Liberal Government in 1968 to put it on. But I need not remind the Minister of Health, and the Liberal Government, and the people of the Province of Saskatchewan, that medicare was introduced in 1962 when Mr. Lloyd did become the Premier of the Province of Saskatchewan, and at no time were utilization fees on medicare or hospitalisation put on the people of the Province of Saskatchewan.

Some Hon. Members: — Hear, hear!

Mr. Romanow: — Now the Minister of Health trots out with this little clipping from time to time and he tries to leave the implication that there was a dark devious scheme to implement utilization fees in 1960. The hospitalisation program was in effect. He knows full well that his argument is hollow and of the most irresponsible kind that any responsible Minister of the Crown can advance.

Now here is a debate going on in 1960, debates about financing of hospitals, hospitalisation, debates about the impending medicare program, the question of utilization fees and the like, comments being made, quotations being made, but the proof of the pudding, I repeat again, Mr. Speaker, and I put on the record for the people of Saskatchewan and the Members of this House, is the fact that no CCF or New Democratic Government put utilization fees on. The Leader of the Opposition did not put utilization fees on, but you, the Minister of Public Health, and your Liberal Government have saddled the Province of Saskatchewan with these utilizations fees, which are going to be your downfall come the next election, whenever you call it later on this fall or next year. Now you see, they are still not repentant about these utilization fees. I recall very vividly how the Minister of Health got up and introduced utilization fees. He said utilization fees are a darned good thing. He is sticking by that

argument today. He said they are a darn good thing. you know why? It helps to remind the people that they are participating in their own recovery. That's the Minister of Public Health. He said when a person is suffering from influenza or is dying or is flat on his back on hospitalisation he is welcome and is comforted in the fact that he knows he is participating in his own recovery. That's what the Minister of Public Health said when it came to the introduction of utilization fees. The logic sort of escapes me. Much of the logic of the Liberal party. How when one is ill in varying degrees, or slightly ill, that a payment of \$2.50 is somehow helping this person to recover? I don't know how the Liberal logic really applies. But they are still not repentant. They still don't see the errors of their ways. Here comes the amendment now as the Minister of Health introduces. He says this, "having recognized this risk" — they now change the argument somewhat — the amendment continues, "has introduced a modest utilization fee program which encourages" — mark these words, Mr. Speaker, — "encourages the use of benefits under the hospital plan." That's what his amendment says. "Encourages the use," now I have never heard any more patent nonsense than that amendment. I have never heard it suggested that the hospital costs and more responsible use of hospital use is determined by utilization fees. You know why the argument is shallow. It is very simple, because the utilization fee falls directly on the patient. If it is thought that the patient is using irresponsibly the hospital, then the \$2.50 might have — forgetting about the moral argument — might have some justification. But, Mr. Minister of Health, the decision of who uses hospitals is not made by the patient. It is made by the physician who is attending the patient. The patient has no say about whether or not he goes to the hospital. If there is any irresponsibility of use, Mr. Speaker, with respect to hospitals in the Province of Saskatchewan, that irresponsibility of use lies directly on the doorsteps of the physicians and surgeons of the Province of Saskatchewan and not the people of the Province of Saskatchewan.

If the Minister of Public Health sincerely suggests that there has been irresponsible use, then I invite him to start producing to the Members of the House and to the Province of Saskatchewan just exactly what the admittance practices and procedures are of the doctors of the Province of Saskatchewan. Are they overusing beds with respect to hospitals? I know as a patient that no one person has a direct say as to whether or not he goes into a hospital. It is all determined by the doctor of the day. So if there is irresponsible use, I say to the Minister of Public Health, the duty is on you to table and show evidence that the doctors of this province have been misusing hospital beds. Is that the argument the Liberal Government is advancing? Is that the argument the Liberal Government is advancing when it talks about the irresponsible use with respect to utilization fees? Mr. Speaker, I don't know if there is anything that more vividly contrasts the interests and the concerns of the two parties that are in this Legislature than the amendment that has been introduced by the Minister of Health.

Here the Hon. me from Regina Centre (Mr. Blakeney) documented factually and right from the Minister of Health's own report about the use of utilization fees and the fact that five times as much as being paid in utilization fees by what the Member from Regina Centre calls the oldsters. He has made the argument that irrevocably the utilization fees have no single effect whatsoever with respect to hospitalisation use and here

we come like night like day following the stark difference with this amendment put forward by the Minister of Health.

You know this amendment reveals once again by this Liberal Government that it really doesn't care for the sick people of the Province of Saskatchewan.

Some Hon. Members: — Hear, hear!

Mr. Romanow: — What this amendment reiterates again is what we were telling them back when the Resolution was first introduced in 1968, that you are placing a tax on the sick and the unfortunate and all of the people on whom the tax ought not to be placed.

Some Hon. Members: — Hear, hear!

Mr. Romanow: — What this amendment has again confirmed is the Government opposite's paucity and its barrenness of any ideas and new schemes of keeping down hospital costs. It is the old Liberal trick of protecting their own corporate friends, of protecting the fellows who have the money but saddling it on the old age pensioner when it comes to paying utilization fees. It is the old Liberal trick of having no concern for the average person in the Province of Saskatchewan but putting on utilization fees, one after the other burdening this hospital plan. You know I think the Hon. me, the Minister of Health, really shows confusion with respect to the Government's administration of his Department of Public Health. I know of at least three questions the Member from Regina Centre put to him to answer in this debate, not the least of which was this. The Member from Regina Centre said that one important aspect of cutting down hospital costs was embarking on a program of preventive health care. He argued very strongly, by citing the Saskatoon figures and the Prince Albert figures and contrasting them with the Moose Jaw figures, that preventive health and a program of preventive health was a major factor in keeping down hospital costs. And he invited the Member from Regina South, the Minister of Health, to come forward and give his opinions on this. And what did the Minister of Health say? He said, "We have always given the community clinics a good hearing." That was his answer. "We have always given the community clinics of Regina and Saskatoon a good hearing." He didn't say whether or not the principle of preventive health cut down health costs. He made no comment about that whatsoever. He didn't dispute any of the community health clinic figures or any of the arguments advanced by the Member from Regina Centre, not whatsoever. All he said was that, "We give them a good hearing," when they come to him and I am not even so sure of that.

Well, I have to conclude by saying with respect to this amendment by the Liberal Government and the Minister of Health, Liberals opposite from time to time will come to you in the corridor and they will say, "You know, we can live with the 2 cent tax that we put on and now we've taken it off, and we can live with a few other indiscretions that we've committed here and there as a Government," he said. "But the one thing that we don't have to worry about is utilization fees." He said, "You know in the country utilization fees are being accepted," We know how they were accepted in the Kelvington by-election, Mr. Minister of Public Health. They keep on coming around and they say, "You know I think you people are really barking up the

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wrong tree politically when you are talking about utilization fees,” as if we were solely concerned about the political aspect in this area. Well, I say to the Minister of Health and to the Liberal Government that when the Premier has the courage to call the election and you want to make utilization fees the issue of the Province of Saskatchewan, we will see then where the people of the province stand on utilization fees.

Some Hon. Members: — Hear, hear!

Mr. Romanow: — Your amendment is hollow. It is meaningless. It doesn't even get to the basic roots of the problem as put forward by the main motion by my colleague from Regina. It is a sham and it is a disgrace on the Province of Saskatchewan and cannot be supported.

Amendment agreed to on the following recorded division:

YEAS — 30

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

NAYS — 23

Lloyd	Dewhurst	Baker
Bowerman	Berezowsky	Pepper
Kramer	Smishek	Matsalla
Messer	Thibault	Wooff
Wood	Whelan	Kwasnica
Blakeney	Snyder	Kowalchuk
Davies	Michayluk	Byers
Romanow	Brockelbank	

The debate continues on the motion as amended.

Mr. W.E. Smishek (Regina North East): — Mr. Speaker, I must oppose the amendment as it was introduced by the Minister of Health. The Minister in his amendment talks about the Government recognizing the rising costs in hospital care. It is not significant to recognize the...

Some Hon. Members: — Hear, hear!

Mr. Speaker: — Order, order! What's the problem? We have had a concurrent debate in which the motion and the amendment were debated concurrently. The Member didn't speak to the amendment. He could have done so but he didn't choose to but that's neither here nor there. The fact of the matter is that the House is now debating the motion as amended and he is closing the debate. He

is closing the debate on the motion as amended.

Some Hon. Members: — Hear, hear!

Mr. Speaker: — Now had this not been a concurrent debate the situation might have been somewhat different. But the fact of the matter is this was a concurrent debate and he is exercising his right to conclude the debate as the mover of the main motion. He is now and indeed must, therefore, speak to the motion as amended.

Mr. Smishek: — Thank you, Mr. Speaker. As I was saying it is not important to take recognition of costs. The important thing is what the Liberals have done to the Hospital Care Plan, not the recognition of rising costs.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — The amendment states that these costs would jeopardize the hospital plan. It is not the rising costs that have jeopardized the hospital plan. It is the Liberals that have jeopardized the hospital plan, Mr. Speaker, not the rising costs.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — It is also important, Mr. Speaker, to take note of what has really happened. Apparently the Minister was not listening when I spoke on the original motion. Let me recap what has happened and where the money has come and why it was unnecessary to introduce deterrent fees. Let me point out that in 1964 out of Federal funds the Provincial Government received \$21.4 million to help finance the hospital plan. There was no money received towards the financing of the Medicare Plan. This year the Provincial Government shows that it will receive \$54.4 million towards medical care and for hospital care - \$44 million more, Mr. Speaker. In addition, let us also take note that the Liberals increased the tax by \$5 million directly to the individuals, in addition it imposed \$10 million of deterrent fees. This was unnecessary.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Mr. Speaker, the Minister referred to the Medical Care Plan and the discussion that took place at one of our conventions in regard to the possibility of introducing utilization or deterrent fees. It is true that during our convention that kind of a debate took place. but, Mr. Speaker, let us remember that it was the NDP Government that introduced the Medical Care Plan. It was the Leader of the Opposition who led the way to ensure that we established a medical care plan. It was the Leader of the Opposition who gave the necessary leadership in this country and made possible for all Canadians to be covered by a universal public Medical Care Plan. And where were the Liberals? They fought, they organized KODs, they were kicking at the door, they were trying to prevent the introduction of the Medical Care Plan.

Some Hon. Members: — Hear, hear!

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Mr. Smishek: — Not only did it try to prevent the introduction of the Medical Care Plan, it has done everything possible to scuttle the Medical Care Plans since it has come into office.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Well, Mr. Speaker, let us also take note of the shifting of the costs and the way it is really misrepresenting the facts of the rising costs. Mr. Speaker, during the Estimates — let me remind this House — the Minister pointed out that it loaded \$3.6 million onto the Medical Care Plan by shifting the program I and program II to people and has not provided the funds under the MSD as used to be the case. It is true that the cost has increased but it is unfair and unjust to say that the Plan has increased by this amount because really what we have done is not provide money under MSD and shifted it all onto the case of Medicare. The same thing applies in the case of the Hospitalisation Plan. Here the cost has perhaps doubled. The Minister says he doesn't have the figures. I am not opposed, Mr. Speaker, to placing the program I and program II to people under the Medicare Plan and the Hospitalisation Plan, but let's tell the people the truth, the reason why the cost has gone up.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Let's not try to blame the individuals for over-utilization and by this method try to justify the introduction of utilization fees. Mr. Speaker, let us also take note that under program I, and program II in 1966, there were 28,00 people. The estimate now is that there will be 58,000 people. The other interesting thing is that under the MSD the Department will be paying about \$1 million in deterrent fees. So these are some of the reasons for the increase in costs.

Mr. Speaker, the Minister tries to argue that there used to be deficits. It is true. There used to be deficits but as I have pointed out before that at year end when there were deficits they were picked up the following year under the Plan.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — I will also admit, Mr. Minister, that in regard to depreciation there was never the recognition for the deficits. It wasn't the case before, it isn't the case now. But in case of the operating costs the fact was that the former Administration did pick up the bulk of the administration costs in the following year. Now, Mr. Minister, let me point out to the reference of the \$620,000 deficit. Let me also remind you, Mr. Minister, you tried to justify the hospital revenue tax that you imposed on the people to take care of that deficit. And again I am not opposed to that but this was your justification. But what is the story this year or rather what was the story last year, Mr. Speaker? The deficits as admitted by the Minister were in excess of \$1 ¼ million that were not picked up. These are the operating deficits that you did not pick up, not depreciation deficits. This was conceded by yourself during the Estimates.

Mr. Speaker, the Minister made reference during the Estimates

that Saskatchewan cost is the second lowest per hospital bed in the Dominion of Canada. Only Prince Edward Island is lower than Saskatchewan. Let me also point out that on a per capita basis, Saskatchewan, according to the Minister, is the fourth lowest.

Mr. Grant: — ...highest.

Mr. Smishek: — Highest, well, fine all right but let us not panic over the question that somehow Saskatchewan people are misusing the Plan and are treating the Plans recklessly.

Mr. Minister, let me point out to you some of the situations that exist. Least night I had reason to visit a person who is in a desperate situation in this city and living in my constituency. Here is what you have done to this person. Here is a young man who is no longer able to work because of a physical condition that he developed. He was in the hospital in July of 1968 for a period of almost two months, he was in the hospital again in December of 1968 to January, 1969, had to be readmitted for a month or more in May of 1969, he stayed in the hospital for 30 some days, in October 1969 he was hospitalised again for a period of two weeks and in January of 1970 had to be admitted to the hospital again and again in February he had to go to the hospital. This man has paid hundreds of dollars in deterrent fees. Hundreds of dollars in deterrent fees and he is not being subjected by collection agencies trying to collect the deterrent fees. This is what you have created. Prior to that, Mr. Minister, people were not subjected to this kind of abuse under the Hospital Plan as we had it.

Mr. Speaker, and Mr. Minister, the proposal that you put forward is not a good proposal. It is not a solution to the plan at all. He refers to the global budgeting as some kind of a solution. Yet the Minister admits that not a single hospital in the Province of Saskatchewan has accepted global budgeting as the answer to financing the Hospital Plan.

Now I am not opposing global budgeting but I think we should go about it slowly and easily. I think it is worthwhile to experiment with global budgeting, but let us not suggest that global budgeting is going to present an absolute solution because it will not. The truth is that the Provincial Government has a responsibility to maintain the Plan as it was established in 1947 and to carry it on as it was administered under the NDP Government, which was in fact a Plan, not a program of grants as this present Government is trying to establish.

There is no question about it, Mr. Minister, that the Liberal Government is trying to shift the financing of the Plan onto the individuals and onto the ratepayers. This the Minister has admitted. This he proposes to continue and the truth of the situation is that our hospitals will be facing larger deficits in 1970 than they did in 1969. The truth of the story is that the Liberals are trying to wreck the Medical Care Plan and the Hospital Plan that were established by the NDP Government.

Some Hon. Members: — Hear, hear!

Motion as amended agreed to.

**RESOLUTION NO. 18 — ESTABLISHMENT OF COMMITTEE ON
FEDERAL-PROVINCIAL RELATIONS.**

The Assembly resumed the adjourned debate on the proposed motion by Mr. R. Romanow (Saskatoon-Riversdale):

That the Legislature recommend to the consideration of the Government the establishment of a standing committee of the Legislature on Federal-Provincial relations, whose jurisdiction would be the entire matter of Federal-Provincial relations, including finance and constitution, with powers to meet inter-sessionally, receive briefs, summon witnesses and documents, with power to add from time to time representatives from such organizations as the Saskatchewan urban municipal Association and the Saskatchewan Association of Rural Municipalities.

Hon. D. Heald (Attorney General): — Mr. Speaker, I have a very few brief remarks to make in connection with this Resolution. I think it is useful that the Member for Saskatoon-Riversdale did introduce this matter for discussion at this sitting of the Legislature. The matter of Dominion-Provincial relations and the matter of review of the Constitution is of necessity occupying a great deal of the attention of this Government as well as all other governments in this country, so I think it is useful and desirable that we do have a discussion concerning these matters.

I am not able to support the Resolution that is before the Legislature moved by the Member for Saskatoon-Riversdale. I have four or five objections to the proposal contained in the Resolution and I will try to briefly give to the House the reasons why I do not find myself able to support this Resolution.

First of all the Resolution suggests the establishing of a standing committee of this Legislature on Federal-Provincial relations and the jurisdiction of this standing inter-sessional committee would be the entire matter of Federal-Provincial relations including financial matters and constitutional matters with power to meet inter-sessionally, receive briefs, summon witnesses and documents, with power to add from time to time representatives from such organizations as the SUMA, the Urban Municipal Association, and SARM.

I doubt whether this sort of a proposal is practical. I have thought about it a bit. First of all I would suggest that this kind of a committee would involve the Government being bound by what a legislative committee decides. And I question that principle as a principle of government. Most of us know there is the matter of division of responsibility between the executive branch of government and the legislative branch of government. And I think that under our constitutional set-up in this country the responsibility of the executive is clear. The responsibility of the executive is to make these kind of executive decisions. Having said that, of course, I must hasten to add that under our parliamentary system, the British Parliamentary system, the executive — unlike the system in the United States — the executive here is responsible to the Legislature. But what I am saying is that, if this kind of a committee were set people, I think the Government might find itself in a position where it would be bound by the decision of the majority of the legislative committee, and I question the viability or practicability of that kind of a proposal. So I have a reservation there.

My second reservation is that the committee as contemplated in the Resolution would have the power to call witnesses and I wonder whom they could call as witnesses. They could call anyone they wanted to. They could call civil servants, for example, civil servants who are involved with the Government in the preparation of Government positions for Federal-Provincial Constitutional Conferences. They could question them on the tactics of the Government or the position of the Government on a particular Federal-Provincial meeting. This I would suggest might put the Government delegation going to a Federal-Provincial Conference or meeting in a very difficult position and I wonder whether this would be helpful or whether it might under some circumstances be rather obstructive. So I have reservations from that point of view.

Another point I would make is that many Federal-Provincial meetings are confidential. I hasten to point out that this is not the judgment of the Government of Saskatchewan necessarily, but it is the decision of the Federal Government. In many cases if the meetings are going to be confidential and in camera, the documents which are pre-distributed for these confidential meetings are also confidential. You might find yourself in a position where this legislative committee would be deciding on the policy of the Government of Saskatchewan without knowing what was going to be before the conference. I can see this happening. The last meeting was a confidential meeting. I could see a legislative committee being put in a position where they wouldn't be in possession of all of the facts. They wouldn't know what had been decided at the last in camera meeting. They wouldn't know what was going to be discussed at the next in camera meeting and so I see real practical problems about the effectiveness of the efficacy of this kind of a committee. So that is another reservation I have.

Then I have an additional reservation. I think that this kind of legislative committee, I see this kind of legislative committee, as placing into our structure a fifth level of government and I wonder about this. Mr. Speaker, we have, I think, it is now accepted, four levels of government in this country. We have the Federal Government, the Provincial Government, the municipal governments, and many people have said that we already have a fourth level which is the continuing Federal Provincial committees. That is four, if you accept that argument. If you accept this Resolution you have five, a legislative committee of the Province of Saskatchewan. Maybe you would have legislative committees in all of the other province, constitutional matters and presumably all dealing with financial matters. There is a Federal Government, a Provincial Government, municipal governments, continuing Federal-Provincial committees and the legislative committees of the ten provinces.

Now to complicate the matter even further, under the continuing Federal-Provincial Committee at the present time you have no less than five ministerial committees and five committees of officials and I will name them and there may be more. There is the present ministerial committee on official languages. This is the Federal Minister and ten Provincial Ministers. You have the ministerial committee on an entrenched Bill of Rights — Federal Minister and ten Provincial Ministers. You have a ministerial committee on the judiciary. You have the ministerial committee on the Senate and you have the ministerial committee on tax structure and finance.

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All I am saying Mr. Speaker, and to Hon. Members, is that I have grave concern about the advisability of superimposing on our existing structure an additional legislative committee. I know that the Member for Riversdale (Mr. Romanow) when he proposed the Resolution had the best motives in the world, but I wonder really about getting more committees and more sub-committees involved in this dialogue between the Federal and Provincial Governments.

Now the suggestion is that the committee would have power to receive briefs from various organizations and that there would be representation from SUNA and SARM. I think that he perhaps used those two by means of example, by way of illustration, rather than by stating it as being exclusive.

I would point out that the Government of this Province and all other provinces hear briefs from countless of dozens and dozens of interested groups of citizens over a 12-month period. We do, of course, receive briefs from SUMA, SARM, the various trade unions, the various other organizations of the province, and quite often in the last three or four years we have received briefs or suggestions on various aspects of the Constitution. So I would submit at this time, Mr. Speaker, that there is now ample opportunity for interested groups in the province to make submissions to the Government with respect to this whole question of constitutional review. As I say we have received many, many suggestions, some of which have been most useful indeed.

In summarizing, Mr. Speaker, I am going to have to vote against this Resolution for the five or six reasons that I have indicated. I question — summing up, my position is and the position of the Government is that we question the practicability and the viability of this proposal— but we don't at any time dismiss the value of dialogue and we invite any and all groups to make submissions to the Government with respect to the matters of finance and constitutional review. Of course the Members of the Legislature to whom we as the Government are responsible have ample opportunity. I know that the Member for Riversdale (Mr. Romanow) and I are going to have a very good discussion on my estimates on the entrenched Bill of Rights and I think we are going to disagree on the approach, but he is going to have ample opportunity to make known to myself as a Member of that Dominion Provincial Committee his views on whether or not the Bill of Rights should be entrenched. I suggest that at the present time within the present vehicles there is ample opportunity for all interested groups and parties to make known their views to the Government.

Mr. R. Romanow (Saskatoon-Riversdale): — Thank you, Mr. Speaker. Mr. Speaker, and Members of the House, I will attempt to very briefly refute the arguments advanced by the Attorney General against the proposals.

As I gather the argument of the Attorney General, he says five things. He says firstly, that he is afraid that this would mean that the Federal-Provincial Committee of the Legislature would put the Government in the position of being bound by committee and that we would really be having a form of rule or government by committee and he disagreed with this.

Secondly, he worried about who would be called by the committee and particularly related that worry to civil servants

and the possibility of an embarrassing position being revealed, that was obtained or received by the civil servants in a confidential capacity.

The third argument against it was that the meetings that are now being held at Ottawa, Federally and Provincially, are confidential and this would make it very difficult to incorporate the proposed committee.

Fourthly, he argued that this would be a new level of government. And fifthly, he stated that the Government is open and does in fact receive briefs on this matter from time to time.

Mr. Speaker, I cannot respectfully accept the arguments of the Attorney General and the Government. I think the most telling argument against this proposition has been made by the House of Commons and the Liberal Government at Ottawa itself. It has only recently itself instituted a Standing Inter-Sessional Committee, of course, they meet there all year round now anyway, of all parties which are concerning themselves with the constitution.

I want to remind the Members again that the Province of Quebec in fact does have a legislative standing committee on the Constitution. Now if you keep those two things in mind — I am now just going to make one or two brief remarks respecting each point that was advanced by the at.

firstly, the Government is bound by what the committee decides. I think we all know from our own experiences that in committees of this nature the committee will have to be represented in majority by members who represent or support government philosophy, the Government of the day. I do not see this as a necessarily difficult concept to live with. If the policies that are advanced in the proposed committee are in conflict with the policies of the Government of the day, the majority by virtue of appointment by the Government of the day would carry. I do not think that that is a valid argument.

Secondly, with respect to whom it would call. It is correct that civil servants could conceivably be called but I am concerned more with calling experts in constitutional matters. There are many lawyers in Canada whose services, I am sure, the Provincial Government does not now have access to, whose views on constitutional development and growth would be of extreme importance to the Government in guiding it in forming the policy for the future.

I think, particularly, in the field of Federal-Provincial finances where there are very complicated and intricate formulas introduced from time to time, expertise is of more importance perhaps now than ever has been in the past. And although you do run the risk of civil servants I think with certain privileges and explanations by the Minister who would be serving on this committee, that problem would be mitigated and the advantage of having experts in the legal and financial and other aspects that I have talked about would far outweigh the disadvantage raised by the Minister.

Thirdly, the Attorney General said that present meetings at Ottawa are confidential. Some of them. I can't quarrel with that that they are confidential. But I do disagree with the principle of having confidential meetings in Federal-Provincial affairs. I agree that it is not the Provincial Government's

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decision. but I do think that provincial governments ought to be adopting a position when they go to these Federal-Provincial Conferences, that these meetings are open and should be exposed to the public of Canada. Furthermore, I think we ought to be in the position of trusting any committee that this House sets up, a legislative committee. When we set up a committee on Crown Corporations or Public Accounts, the Public Accounts is perhaps the best example, we are reviewing and cross-examining and looking at documents of extreme relevancy and importance and in certain degrees confidentiality. We trust the Public Accounts Committee and I think similarly we should so trust the legislative committee on Federal-Provincial affairs in this area.

I want to reiterate in respect to this argument, all facts relating to Federal-Provincial affairs should be made open. In my view, far too many of the present problems are the direct result of closed decisions, and behind closed door deals, if I can say that and I am not accusing the present, but over the years in the history in the development of Canada.

There is a need to publicize the demands of Quebec and the demands of Western Canada in alienation. We have to talk it over and to debate it. To make it confidential and to argue because of confidentiality, there may be a lack of liaison somehow is wrong. This standing committee can be brought into the confidence of the Government and should be made fully aware of the opportunities. So, on that point I disagree with the argument advanced by the Attorney General.

On the fourth argument, he said that we question now the need for a fifth level of government and with that I agree. I think there are far too many governments in some forms of bureaucracy from time to time that we encounter. but may I say again that one of the prime reasons for introducing this Resolution was my belief, and I am sure the belief of my colleagues on this side, that in fact what we have developed here is a brand new level of government making, namely, the Federal-Provincial Conference, with no relation back to the various Parliaments or Legislatures of Canada. This, in fact, may create a new fifth level of government. I am not worried about the bureaucracy of the creation of that fifth level, as much as I am worried about the fact that there are decisions being made about financial relations and constitutional decisions and language and culture and Bill of Rights, that are not being reported back to this House, that we, as legislators, do not have a say on. It is true that we can wrangle in Estimates on the matter, but I think that from time to time it is of utmost importance that we lay right on the floor of this House and on the table, and dissect in frankness and candour discretion of Federal-Provincial relations and where Canada is going in the next ten years.

So, I reiterate that as far as I am concerned and as far as the growing number of people are concerned, we are not worried about a fifth level of government arising. What we are worried about is that a fourth level that has arisen and has made decisions that affect our lives without any reference back to the elected Members of this Legislature.

The fifth argument is the receipt of briefs. The Government is all for briefs, the Attorney General states. I am sure that the Government does in fact receive these briefs and

does listen to them. But I feel again that we have to look at something more than just receiving briefs whenever contacted or requested to do so by a group that might be interested. What we have to do is to get out in the country, to the people and listen to what they are talking about when they talk about the demands of French Canada. What we have to do is to listen to the ethnic groups and the various economic groups, trade unions and Chambers of Commerce and the like. What we have to do is to show the people that there is a committee that will on a regular basis, whether it is a yearly basis or semi-annually or once every two years, go out and listen where the people are about their views on Federal-Provincial relations.

This attitude that is reflected in this Resolution is, I think, getting to be less and less relevant in the future with respect to government.

I think there is a strong case to be made out, to use Prime Minister Trudeau's phrase and I think it is a good one, for a participatory democracy of which in my mind one aspect is the question of promotion of committees and listening to ideas that are advanced by groups of people. It is true that this Government receives briefs. I am not even so sure that they do that very often, Mr. Speaker, or all too favourably from time to time according to the press report. I have never presented a brief to the Premier. But that is not the point. The point here is that we should listen to Western alienation, where the people are voicing those complaints.

So there are the five reasons that the Hon. Attorney General has advanced against this proposal. I think I have refuted them. At least I have attempted to refute and rebut them. I repeat again my concern that we are letting this question of Federal-Provincial relations slide by default into a very serious crisis in Canada. I regret very much that we cannot follow the lead of the Province of Alberta, for example, and in another area where they have set up a Department on Federal-Provincial Relations, or are proposing to set up such a department. If we can't follow the lead of the House of Commons to be a direct link with them, if we cannot follow the lead of the Province of Quebec, that we cannot have here a permanent, precedent-making voice, a people-listening committee, so that we can shape up a strong policy for the future growth of Canada, I am very sorry that the Government cannot see fit to support this Resolution.

Some Hon. Members: — Hear, hear!

Motion negatived.

**RESOLUTION NO. 19 — JUDICIAL INQUIRY RESPECTING RELEASES
AND FOLLOW-UP CARE OF MENTALLY ILL PATIENTS.**

The Assembly resumed the adjourned debate on the proposed motion by Mr. Kramer (The Battlefords):

That this Assembly recommend to the consideration of the Government the establishment of a judicial inquiry into the programs and policies respecting releases and follow-up care of patients known to be potentially dangerous from Saskatchewan mental hospitals and other institutions.

Mr. Heald (Attorney General): — Mr. Speaker, I indicated when I adjourned debate that

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I had a few words to say on this Resolution.

I discussed the gist of the Resolution with the Hon. Member for The Battlefords (Mr. Kramer) who introduced it. I think that it is a very thoughtful Resolution. I think this whole question of the matter of releases and follow-up care of patients from our mental institutions is something which must challenge the ingenuity and the initiative of all of us and must have a very high priority in our thoughts and actions because this is a very difficult area.

I would like to give a bit of the background if I might and deal with the situation as it is in the Province at the present time. I would like to deal first of all with those persons who have been charged with a criminal offence and found either not fit to stand trial by the court or not guilty on account of insanity under the Criminal code. In either of these cases the person is committed by an Order in Council, usually to a mental hospital and kept there until otherwise ordered by Order in Council.

Mr. Speaker, at one time all across Canada these people were left in the institution until such time as pressure from the family on the hospital staff brought on a consideration of the case. Saskatchewan, I think, was the first Province to set up a Board of Review to consider these cases on a regular basis. This Board of Review was first set up in 1946 and has continued since that time. The Board of Review is composed of five members, of which a district court judge is the chairman. The others are a director of psychiatric services, the superintendent of the hospital involved and his senior psychiatrist and a representative of the Attorney General's Department.

The representative from my Department for about the last eight years, has been Mr. Kujawa, our director of Prosecutions. Prior to that it was Mr. D.A. Todd who is now practising downtown in Regina. The representative from the Department of the Attorney General has always been a person involved full time in criminal work, because he is directly involved in this type of case on a day-to-day basis.

This Board of Review, Mr. Speaker, meets usually on an annual basis to deal with applicants and at this meeting the history both legal and medical, of the applicant is reviewed. The applicant is brought before the Board and given a full opportunity to state his case and each member of the Board has the full opportunity to ask questions of the applicant. If the applicant wishes to have relatives or a solicitor present this has never been denied.

If the Board unanimously recommends the patient's release the matter is referred to the Attorney General to be taken up further with the view to accepting or rejecting the recommendation of release. I would like to add that in our opinion, and I have this from Mr. Kujawa, who has been on the Board for about eight years, that each member of this Board takes his duties very seriously. I think they are fully aware that the liberty of an individual of the subject, that is involved and also on the other hand the welfare of society, and perhaps the security and safety of society are at stake.

Mr. Speaker, as most Hon. Members will know, the new amendments to the Criminal code permit each Province to set up a

Review Board, much along the lines of the Review Board that we have had in Saskatchewan for the last number of years. I think, perhaps, the recommendation in the Code may have been patterned to some extent, the procedure set out in the Code, on the makeup of the Board that we have had in Saskatchewan because in Saskatchewan we have had this combination of psychiatrist, the judiciary and the bar. The matter is not left entirely in the hands of the psychiatrist and I think this is maybe because psychiatry is an extremely inexact science and besides psychiatrists tend to view the case as purely a medical problem. The presence of non-medical persons on the Board is justified by the fact that they represent society generally. I think that they are on the panel to reflect society's views. This is certainly my position and certainly the position of Mr. Kujawa who represents my Department on this Board.

I think, Mr. Speaker, that the House might be interested in some figures in connection with this matter. From 1946 to the end of 1969 there have been 58 applicants for release and a total of 29 have been released by Order in Council. Four of these were detained at the hospital because of old age and physical inability to look after themselves. The reason for the change was it gave the hospital a freer hand to look after them at the institution if they weren't under Order in Council.

I think these are interesting figures and I think that the people of Saskatchewan should look at these figures. I think that everybody in this House should look at them. Of the 29 that were released we have no record of anyone of them committing serious offences and only one has been represented-admitted as a patient, he, however, not having committed an offence prior to represented-admission. If you are interested in a further breakdown of the 29 — in the period 1946 to 1954 — 16 were released; from 1955 to 1964 — six were released; and from 1965 to 1969, seven were released.

Mr. Speaker, these people are not released from the hospital until reasonable preparation for the release has been made and accommodations have been found. When this is done there isn't a detailed procedure to follow but we do have liaison with the eight psychiatric facilities in the eight different regions in Saskatchewan. We do our best to be informed of any criminal activity in the area and I would say that the practical co-operation between the police and psychiatric services has been excellent.

Mr. Speaker, it seems to me that with proper study and care at the Board of Review level and caution thereafter, the procedure for release followed in this Province has been and is on the safe and reasonable side. Because we are dealing with people who have committed violent offences, society does deserve and must have a continuance of this kind of procedure. I think that it is true, however, that there is a natural fear by the general public of mentally ill people. The statistics would seem to indicate that perhaps this fear is ill founded. For example, extensive studies in the United States show that persons suffering from mental disease are only 25 per cent as likely to commit crimes as the population in general. However, the Member for The Battlefords (Mr. Kramer) put his finger on it the other day I think when he said that the most troublesome area is in connection with the aggressive psychopath who is not mentally ill, cannot be treated, and at best must wait until middle age to begin to outgrow his complete irresponsibility

I think that it is true also to say that most jails contain a large percentage of psychopaths. It would almost be impossible to keep them in hospital =, and until some treatment is found it would perhaps be a waste of time to do so.

It is not possible for me, Mr. Speaker, to suggest a ready or obvious solution for the problem with psychopaths, because I suppose the only one that will work is incarceration and a lengthy incarceration would not be for what the man did but for what he is very likely to continue to do. I think that we have to do more in this area. I know that the Minister of Health (Mr. Grant) and I have been having meetings, and our officials have been having meetings. I think perhaps that we have to obtain fuller psychiatric reports on these people. I think perhaps the reports have to be referred to the courts when they do come before the courts for sentencing. But I really don't think that the recommendation in the Resolution, Mr. Speaker, for a judicial inquiry into the programs and policies respecting releases and follow-up care of patients is a desirable procedure. I don't think that it is necessary. I think there is pretty good liaison between the people in my Department and the people in the Department of Public Health. I would feel that this liaison and compulsory-operation should continue and if it does continue there would be no need for a judicial inquiry.

I know the Hon. Member said when he moved the Resolution that he was not fastened to the idea of a judicial inquiry. I think I can give him the assurance of myself and the assurance of the Government and the assurance of the Minister of Health, that we will certainly look at this liaison. My officials tell me that the liaison is good at this point in time, but if it needs tightening up and it needs improving, we will certainly take whatever steps we can to insure that it does improve in the future.

I would point out that the procedures that we have so far as the release of the people is concerned is probably the tightest procedure in Canada at the present time. The compulsory-operation between psychiatric services and the law enforcement people, I am told, is at a very high level and therefore I can't see the need at this time for a judicial inquiry and I would vote against the motion.

Mr. G.T. Snyder (Moose Jaw North): — Mr. Speaker, I don't want to add a great deal to the debate except to say that I think the motion was moved with a feeling of genuine concern that has been expressed, not only in this House, from many quarters of the province by people, I suppose, who are directly connected with the psychiatric work that goes on in connection with released patients. I think it has been a concern that has been generally shared by all people and this doesn't necessarily have to be an argument on political lines. I have talked to many people of a variety of political faiths and they all express concern over the fact that in too many instances in recent years, discharged mental patients have committed misdemeanours and have caused problems for the law enforcement agencies and have caused untold difficulties for the people who have been directly affected.

I don't think it is really good enough for the Attorney General (Mr. Heald) to say that out of 58 applicants for release, 29 were released and the record was generally very good and that only one was returned. I think this was generally the point of

view that he projected. I think it doesn't have to necessarily mean that great numbers must be involved in misdemeanours to make it a matter that needs the attention of government. It seems to me when there are misdemeanours they have been very spectacular ones that have caused untold hardships and difficulties. I am thinking particularly of ones that I am sure will occur to all Members of this House, the Archie LaRoche incident at Willow Bunch, a person who had a background of mental illness and a case of another chap, a George Voytko, another 1967 incident, a chap who was released from prison after 18 years on a charge of rape and was under psychiatric care just prior to August 11, 1967, when he raped a 12-year old girl and was again sentenced to three years in prison. I could go on and on involving some of the really desperate cases — the Hoffman incident and a number of others. I'm not saying that the judicial inquiry provides the complete answer, but what I was hopeful for was some viable alternative that the Attorney General or perhaps the Minister of Health might suggest if in their wisdom they decided that a judicial inquiry was not the answer to this kind of a problem. We have received nothing in the way of an assurance that anything more than just more of the same is going to be forthcoming as far as the Department of Health is concerned. Certainly I hope that the comments that have been made on this debate will not in any way be regarded as a reflection on psychiatric people throughout the province, because I think they have done a rather remarkable job in spite of some very severe difficulties in recent years. I would urge that Members support the motion that is before us because of the fact that the Government has failed to provide anything as a viable alternative to a judicial inquiry, to perhaps give us a clear insight into just what kind of action should be taken with respect to discharged mental patients who are in the community, patients who have been discharged from a correctional institution as a result of having been convicted of misdemeanours that relate to mental illness. I think that the Resolution is a good one, it deserves the attention of the Government and I would hope that all Members would support it.

Some Hon. Members: — Hear, hear!

Mr. J.A. Pepper (Weyburn): — Mr. Speaker, I rise to add just a few words to support this Resolution that was introduced by my colleague from The Battlefords (Mr. Kramer). I suppose, perhaps because we who live in an area where these institutions are situated, we have perhaps a better opportunity to observe the operations of such an institution. Very often, I would say, we are more conscious and sensitive of the programs that are carried out. I do not think at any time either an individual, an organization, or a government should ever get to the stage where they could be complacent about their work and they should never feel that their efforts could not be improved. When one feels this way, I think very often something occurs, Mr. Speaker, that changes our trends of thought. Sometimes this is a very sad and rude awakening. When you are dealing with patients known to have been potentially dangerous but through treatment and proper care it has been possible to release them from the institution in which they have been kept, I feel then that the follow-up program for these patients is of the utmost importance.

I know that you will agree, Mr. Speaker, that some of the unfortunate occurrences or mishaps that have happened within our province in the last few years have proven and substantiated this

to be very true. Some of these are closer to home. I believe that this is an area in our psychiatric and mental health program that is recognized by the Government as one of the most difficult to administer, and to know when sufficient follow-up care and precaution is taken, to make safe and to give assurance to our people that their lives are not endangered by an act that these patients might commit.

Having said this, I feel that if there is any evidence available that we as Government or Members are not aware of and that a judicial inquiry might prove to be of greater assistance on this follow-up program, we owe it to society and to the people of Saskatchewan to rectify this situation at the earliest time possible and at any added expense. Because, might I remind you, Mr. Speaker, that we are dealing with health and the lives of the people, in many cases, are in danger. This calls for every precaution to be taken and adhered to. For this reason, Mr. Speaker,, I urge all Members to support this Resolution.

Some Hon. Members: — Hear, hear!

Mr. A.E. Blakeney (Regina Centre): — Mr. Speaker, I just want to add a few words to the debate. I think many of us were interested in the Attorney General's (Mr. Heald) figures. They appeared, however, to be directed to a particular group of patients, those patients who were confined to mental hospitals because they had, in effect, been confined there by court order. Perhaps that's a poor way to put it. In effect these figures dealt with patients who were one of two classes. They were either not guilty on grounds of insanity or in the alternative they were in a penal institution where they were found by the officials of the institution to be in need of care and were transferred by Order in Council to the mental institution. I think that our procedures for those people who have been so identified, are praiseworthy — I am not saying they can't be improved — but they are among the best in Canada as I think the Attorney General mentioned.

There are two other classes of patients, which I would particularly like to direct the Government's attention to. Firstly, that are patients in mental hospitals who have never been found guilty by any court of a crime, but who have been observed by the staff of the mental hospital to have violent tendencies and who have been released. Many of the cases mentioned by my colleague from Moose Jaw North (Mr. Snyder) I think fall into that category. The question then arises as to the degree to which the violent tendencies of these released patients are made known to mental health staff and perhaps even to a law enforcement staff in the community where these patients are likely to go. If I might capsule that group, I am talking about the people who are released from mental hospitals who have discernible violent tendencies perhaps when they are off their drugs, or for any other reason, and the question then is the extent to which the Department of Public Health field staff or law enforcement officers are tipped off to the fact that there may be a potential problem here. The second class of person I want to direct attention to are people who are in some sense similar, people who have been convicted of a crime and are in a penal institution and who have been observed there to be violent in their tendencies. Indeed they may well have been convicted of a crime basically because of their mental instability, which instability didn't amount to a sufficient instability to make them not guilty by reason of insanity. They may be persons who are

unstable and have violent tendencies. The question I would direct to the Government on this matter is the extent to which the welfare institutions, particularly the correctional institutions, have a policy of advising the law enforcement officers and more particularly the mental health field staff that so and so is being released, that we have observed that he has some violent tendencies and we so advise you. These are two of the areas where much of the public concern has arisen.

The Member for Moose Jaw North (Mr. Snyder) has reiterated some most unfortunate cases. We all know that some of these are going to happen and we can't avoid them all. We all know, also, that to the extent that any of them happen we run the risk of eroding public confidence in our mental health program. Accordingly, it is our job to minimize the number of times which persons are released from a mental institution or released from a correctional institution where it was there observed that such a person had some violent tendencies. We want to minimize the number of times when these violent tendencies manifest themselves in a violent act of crime out in the community.

Now this is a real problem. There is enough evidence to the effect that people have come out of mental institutions and then committed acts of violence and people around them didn't know they had a violent tendency, to suggest that the follow-up isn't what it might be. There are, similarly, enough instances where people have been discharged from correctional institutions or penitentiaries where the staff there have observed violent tendencies, but these observations were not conveyed to anybody in the community where the person was going, enough of those instances to suggest that our liaison is not working quite right. I think we can also say that liaison is not going to work as well as it might until our psychiatric services in the correctional institutions and the penitentiaries are better. I think we all know there are simply not enough psychiatrists and psychologists operating in the jails and penitentiaries. If there were a few more we might well be able to detect the tendencies of some of these people who are essentially anti-social and when they are discharged, and we cannot keep incarcerated forever, it is not that sort of a society and I wouldn't want it to be, not on the say-so of a psychologist or a psychiatrist. But I would at least like to feel that the observations of the institutional staff might be conveyed to the people in the community. I realize this isn't going to solve all of the problems or most of the problems, but I do feel that we don't yet have the network of information running from the institutions from which these people are released, either the mental institutions or the penal institution, to the people of the community, particularly to the mental health field staff in the community, but also to law enforcement officers. I don't feel that the liaison is at the level at which it should be in order to protect the community and in order to give the community that assurance that the mental health program is working properly, that the penal program is working properly and that every step is being taken which can be taken to protect the public against the irrational outbreaks of violence on the part of these people. I don't want to press the point. I don't know whether a judicial inquiry is the way to get at this problem. I am not suggesting that the problem results from any major malfeasance or nonfeasance on the part of the Government. I am not saying that they have been particularly lax. I am saying that it is a problem which is a growing problem as we have fewer and fewer people in penal institutions and fewer and fewer people in mental institutions, and more and

more potentially violent people out in the community. It is a growing problem. I think it is one we ought to look at. Maybe a judicial inquiry isn't the right way to have a look at this problem. I suggest it is a problem that we should look at. I accept the suggestion of the Member from The Battlefords (Mr. Kramer) that a judicial inquiry is at least a way to start. If another method of inquiry is a better one I would be willing to consider that. But I do suggest that the subject is one which requires an inquiry, and I earnestly suggest to the Government that it look at this proposal, not in the sense that this is meant to be particularly critical, but in the sense that it is a problem which is exercising a fair number of members of the public and which we as a Legislature should attempt to deal with to give that sort of assurance to the public to which I think they are entitled.

Some Hon. Members: — Hear, hear!

Hon. G.B. Grant (Minister of Public Health): — Mr. Speaker, I will try not to duplicate what the Hon. Attorney General (Mr. Heald) said and I endorse what he has said.

I have to agree with the Hon. Member from Regina Centre (Mr. Blakeney) to quite an extent and I appreciate the flexibility which has indicated in his closing remarks that possibly a judicial inquiry isn't the type of thing we need. I hesitate to speak against this motion because basically I feel very strongly about the psychiatric program. I feel that I have demonstrated a desire and an interest to improve the program and extend the so-called Saskatchewan Plan. However, we must remember that even a judicial inquiry can't force people to compulsory-ordinate. It's like the old story, you can lead a horse to water but you can't make him drink. There is no doubt about it there are extreme difficulties here. You are dealing with an extremely difficult type of patient to start with. You are dealing with an area of medicine, as the Hon. Attorney General says, which hasn't the degree of precision that some other areas of the profession have.

I feel that we have demonstrated responsibility and done considerable in the last three years, largely as a result of Dr. Frazier's recommendations. The Hon. Member from The Battlefords (Mr. Kramer) suggested what we lacked was money and people. I would point out that in the last four years the budget for this branch has grown by some \$4 million. It's still one of the highest budgets in Canada. the number of people have grown considerably. I would point out that prior to 1965 there were no community psychiatric nurses. the number of such personnel has risen steadily over the last few years to reach the present compliment of 50. In 1962 there were 32 social service positions with 24 filled; now there are 74 positions with 56 filled, so that the number of people we have working in this field has more than doubled. I think it is important to note that the qualifications have increased considerably. In 1962 out of a total of 60 psychiatric positions only 16 had psychiatric specialist qualifications whereas today this figure is 35. I am not saying this is good. It was bad in 1962 and it is still bad, but I want to point out that we have made some progress. I recognize that during that interval there are more people in the community. Regarding the follow-up of these patients, in 1963 there were 6,000 outpatients seen by psychiatric staff and in 1969 there were close to 9,000 so there is about a 50 per cent increase.

The total number of contacts between professional staff and patients has enormously increased. It's gone up from 65,000 in 1966 to 85,000 in 1969.

Mr. Speaker, I think we have to face up to the hard facts of life, you can't have the best of two worlds. I don't think you can and I'm sure the Hon. Member from The Battlefords will admit this to a degree also. the only real solution to safeguarding the patient and the public I suppose would be to institutionalise everyone and keep them there forever and a day. I understand there are some 30,000 people in this province who might be affected with mental problems and it is shuddering to think of trying to institutionalise that number. Even if you think of trying to institutionalised 10 per cent of them, even this presents tremendous problems and hardships for a good many people. All we have to do is look back to about 1962 when we had 1,500 patients in North Battleford, in an institution built for about 600. Yes, this kept these people away from the public except in cases of elopement. But I think we will all agree that the rights of the mental patients are better handled today then they were a decade ago. This is just the evolution of civilization and the community attitude toward this problem.

I really doubt if a judicial inquiry is going to accomplish what the Hon. Member wants. It may bring out some points that he has brought to our attention here but without adequate staff, without adequate psychiatric back-up, I doubt very much whether any Province can do any better than we are doing at the present time. There are just not enough psychiatrists to go around. While we are considerably better off than we used to be I recognize that we still have some vacancies and we are going to continue to have some vacancies. It is a highly competitive area that we are working it. We'll continue, and have done so consistently, to implement recommendations of the Frazier Commission Report. We have strengthened, not only the admittance of mental patients — this wasn't too good in the past — but we have also strengthened the discharge of mental patients. I have indicated the follow-up procedure. I feel that this method is probably the most practical way of doing it. In time we may be faced with the possibility of taking a study of the program but with the shortage of psychiatric personnel I am confident we are doing the best possible follow-up job in this province. I know it is the best follow-up program of discharged psychiatric patients of any place in Canada. Most of the states to the south of us look with envy on it. Our program is modern and up-to-date in that respect. As I say, if you are going to continue one of the things that has to be watched. We must expect that there may be the odd one where judgment would be used differently by way of hindsight rather than foresight. This happens in the medical profession as well and I am hopeful we can keep these to nil, but no one can guarantee it, not even a judicial inquiry.

Some Hon. Members: — Hear, hear!

Mr. Kramer: — Mr. Speaker, I must say that I am somewhat disappointed that the Minister of Health or the Attorney General did not choose to introduce an amendment that would have possibly given the public some inclination or some assurance that they were prepared to do something more than phone from one department to the other and say, "Look fellas, be a little more careful in future." I just don't think that we can accept that in view

of some of the recent happenings in Saskatchewan. I don't want to, just as other speakers on this side of the House, I find it difficult to treat this casually without bringing a little emotion into it because some of the occurrences, some of the tragedies that I have brought here and discussed here, the potential dangers that I have discussed here, have been pretty close to home involving some very close friends of mine. I am rather glad that the Minister and the Attorney General at least simply opposed it, they didn't pass a Resolution complimenting the Government as we have seen evidence of earlier this afternoon. But I feel that there has been, in spite of what the Attorney General says about liaison, I not only feel it but I suggest, Mr. Speaker, that there is evidence that the liaison committee is not working, that the liaison between the departments is not working.

Their recent case that I will not refer to by name is some of the best evidence and the Attorney General knows about this situation. There has been within the last three years evidence of violence, pure, straight, cold violence. Mr. Minister of Health, let me say before I go into this, you chose to lump all mental patients into this argument and I don't think that that was a very good move. It's another disappointment. My Resolution deals with a small and special group, the known psychotics. Dr. Frazier dealt with it in his Report and he made recommendations regarding the treatment of these people. In getting back to this one instance, it did happen that this person did, in fact, commit a crime of considerable violence which could have been fatal. Through the liaison that exists, or doesn't exist, or the compulsory-ordination between the courts and the institution, this particular person was sentenced to a correctional institute and the Minister of Social Welfare (Mr. MacDonald) indicated that they don't even have a resident psychiatrist in these institutions to keep track of what these people are doing, to keep some record of their behaviour while they are there. They call in a psychiatrist occasionally on demand. This is what the Minister of Health says about the correctional institutions. Now surely the patient and the public deserve something better than this. The results are pretty evident that after two years, after this patient serving two years, or this prisoner now, serving two years he moves out scot free. Nobody knows where he goes, nobody cares where he goes, nobody really gives a damn at this point in time. He makes an application through the regular channels of work and he goes and gets a job and moves into the heat of a family which is now being ruined and is going to suffer as long as this family lives. They are going to remember the trauma of this occasion.

Mr. Heald: — The psychiatrist said he was sane.

Mr. Kramer: — This is exactly what I am talking about, Mr. Attorney General, and I don't think we can trust this procedure. The psychiatrist in this case didn't say he was sane. All right we are going to go into this. The psychiatrist said he was fit to stand trial and after the judge sent him to the correctional institution nobody paid any attention to the fact any more. How free am I to discuss this House, Mr. Attorney General?

Mr. Heald: — You and I discussed it.

Mr. Kramer: — I know we discussed it.

But I am saying and the Attorney General will not disagree with me that I am going to just allude to these facts because they are the most pertinent at the moment. There are an awful lot more that are not, Mr. Speaker, on this list which was provided by the Minister of Health (Mr. Grant) that I know about. There are several people, I could mention more names and I don't want to be dragging their families into this and embarrassing their families, but there are people that have known instances of violence that are not on this list. They are right in the vicinity of North Battleford and both of them resulted in death which was nothing less than murder. These are two older cases. I'm not standing here to bring out situations...

Getting back before I was interrupted by the Hon. Attorney General, I want to say that the machinery is not working and this is the whole point. This is why I want an inquiry. If the Attorney General or the Minister of Health had said, "Let's have a legislative committee, let's have some of the people on both sides of the House become concerned in this," I would have been happy. But we are no further at this point in time, Mr. Speaker, than we were when I introduced the Resolution except that I hope...I'm convinced that the Attorney General will keep an eye on this. I'm convinced that the Minister of Health will be taking a look at it and the Minister of Social Welfare, but I don't know whether the people back home are going to be convinced. I'm going to tell them exactly what the Ministers have told me, that they are going to do what apparently hasn't been done thus far or hasn't been working thus far, that the liaison committee that didn't work last year is going to work better this year and that really nothing different is going to be done than was done before. The Minister of Health can give us all the assurances he wishes and I'll agree with him we do have the most forward program in psychiatric care anywhere on the continent. But I suggest too that I want to see that it stays that way and it hasn't fallen into some disrepute during the last while be of...

An Hon. Member: — Hear, hear!

Mr. Kramer: — ...Well all right, Sir, you say, No. Let me refer you to what Dr. Frazier says; he says a lot of things in here and I submit this to you for reading again. I say that there have been a good many things that have just been disregarded and I asked you before and I was hoping that the Minister would have said something about it. It says something about the people we are talking about. Let me go back into this for a moment. It says something about dangerous psychotics — I can quote from memory. Well, don't listen to me, listen to what Dr. Frazier says. Have you done anything about it? "There are," Dr. Frazier says on paragraph No. 3, page 32, "there are no adequate provisions for handling of psychopaths, sex offenders and similar troublesome individuals. They do not fit well in a mental hospital ward primarily set up for the treatment of functional psychotics. One manipulatory psychopath can undermine the treatment program for 30 schizophrenics."

Mr. Grant: — No facilities in Canada.

Mr. Kramer: — All right, let's get at it then. Let's get at it, let's build a few miles less of super highways, let's have a few million less spent on frills and frop and advertising and

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let's get at the job here that has to be done to protect the public, Mr. Speaker. Let's stop wasting some of the money on mountains, on skiing mountains and one thing and another to elect a Member in Saskatoon. Let's get at the job that has to be done.

Some Hon. Members: — Hear, hear!

Mr. Kramer: — I didn't intend to get into a heated discussion on this but if you want that kind of a discussion you may have it, Sir. I am simply saying this, that the evidence shows...You tell the family up North who suffered this most recent tragedy that things are working well. Tell the family of the widow who was found with 40 stab wounds in her, tell them that things are working well.

Mr. Grant: — I didn't say they were working well.

Mr. Kramer: — Well, I'm saying they have got to work better, Mr. Speaker, and I'm saying that they have to work better now. I'm saying that when I look at the Budget and your Estimates and see that the Frazier Recommendation Budget is being dropped, I say it is some cause for worry. I say when you under-spent the last Budget last year by more than \$100,000 it is some cause for worry. I think that this Government has become too involved with possibly Redistribution Bills and a few other worries, and it is not taking care of the homework, it is not taking care of the situation that has cause for a great deal of worry for a great many people in Saskatchewan. I am saying that the liaison committee had better start liaisoning a little better and that every department, and there are three here, had better look to its knitting and see to it that the total program is a little more firmly knit, that there is better communication and better dialogue and better protection for the public, Mr. Speaker. I urge you to change your mind about not supporting this. You had the opportunity to amend it. I suggest to you now that if Attorney General, and Mr. Minister of Health. I say the public is going to ask for more than this and they are going to ask for it because they are worried. They are going to ask for it because the situation certainly indicates there's a need for it. Once again I ask everyone to support this motion, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Motion negatived on the following recorded division:

YEAS — 20

Lloyd
Bowerman
Kramer
Messer
Wood
Blakeney
Romanow

Dewhurst
Berezowsky
Thibault
Whelan
Michayluk
Brockelbank
Pepper

Matsalla
Wooff
Willis
Kwasnica
Kowalchuk
Byers

NAYS — 29

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

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

The Assembly resumed the adjourned debate on the proposed motion by Mr. R. Romanow (Saskatoon-Riversdale):

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 of 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 standard lease form in the proposed new Landlord and Tenant Act.

Hon. D.V. Heald (Attorney General): — Mr. Speaker, the debate on this Resolution has raised many aspects of the situation which have for the last year or so received much attention in our Province and of course I'm referring to the relationship of landlords and tenants. At this time I would like to thank the Hon. Member for the proposed Act which he submitted to the House. We have considered his draft quite carefully and I'm sure that he will at some suitable time take the opportunity to express his thanks to the Province of Ontario for their work in this field which has more or less led to this draft Bill because I think your Bill to quite some extent is patterned on the Ontario legislation.

The comment on this draft Bill should give the House the

reasons why the Government has decided that much further study is warranted. Mr. Speaker, the Government intends to introduce an Act which is both fair and relevant. We do not intend to put either the landlord or the tenant in a preferred position. As was agreed in the House by the Hon. Member for Regina North West (Mr. Whelan), approximately 95 per cent of the tenants and 95 per cent of the landlords are fair and equitable. Only five per cent of each group probably causes trouble and commits abuses. It is to correct these abuses on both sides that the Government will design its legislation. The Member for Riversdale (Mr. Romanow) has a Bill before the House that has already aroused the wrath of the landlords in the province, because with every deference, Mr. Speaker, I say to the Member for Riversdale that his Bill as presented is biased or weighted in favour of the tenant. I would like to quote the comment of one group of landlords in the province, in The Regina Leader Post, a few days ago:

A private Members Bill introduced in the Legislature by Roy Romanow, NDP Saskatoon-Riversdale, has upset members of the Regina Apartment Block Owners' Association. At a meeting the President of the Association said that the Association agrees some changes are necessary but opposes many of the changes suggested by Mr. Romanow. the Association is particularly opposed to a Rental Review Board, feeling such a Board would be open to political influence. If all other segments of business in general come under similar controls, it might be different, Mr. Niesner said. But why discriminate against apartment owners. He suggests that if such a proposal were carried to its natural conclusion there would be a compulsory arbitration-dealer and compulsory arbitration-owner review board, a food and consumers review board or a lumberyard and builders review board. Mr. Niesner said apartment owners should not be singled out for this unfair action. He said any disputes arising between tenants and landlords can be settled in a small claims court at a minimum cost of usually about \$5. A board of this nature will only create more red taps, more costs, more bureaucracy, more taxes and will result in more inflation. In view of the high vacancy rates the law of supply and demand is most effective at this time and no other control is needed, said Mr. Niesner. He said any elimination of security deposits would result in increased rentals which would be necessary to pay for the damage that is done by a few irresponsible tenants and this would penalize the careful and prudent tenant.

Then he goes on and makes a number of other comments. Mr. Speaker, I don't read this from the point of view that I agree with everything that Mr. Niesner has said, but I read it from the point of view that it gives Hon. Members some idea of the magnitude of the problem and the magnitude of the difficulties that will be encountered when we are drafting this new Landlord and Tenant Act.

I suggest, Mr. Speaker, that the Hon. Member in introducing his draft Bill — I know he just introduced it for discussion purposes and I think him for it — but I would remind him that there are some tenants as well as some landlords who are abusing their rights and privileges. I feel that the obligations on the tenant in his proposed Bill are minimal.

Mr. Speaker, we are quite prepared to consider any reasonable proposition from any interested party, including of course, the Hon. Member and all Hon. Members opposite. For example I think

the delivery of the duplicate copy of the lease to the tenant is very sound and reasonable as is the provision as to entry by canvassers, but perhaps maybe that should be in The Elections Act and I think that is something we will look at. The provision of alteration or changing of the locks is reasonable but consideration should be given to making it an offence. The enforcement provisions of the landlord's responsibility to repair and the tenant's responsibility for cleanliness are pretty hard to enforce, I suggest, as drafted and would probably necessitate the use of expert evidence which usually could not be afforded by the tenant and in many cases by the landlord.

Mr. Speaker, I want to make one thing perfectly clear and I think maybe we part company here with the Members opposite. This Government will not allow provisions which treat the tenants as union members as is proposed in Sections 93 and 94 of the Hon. Member's draft. We will not buy that provision in the Hon. Member's Bill. We will not make tenants trade union members as is suggested. Collective bargaining in a situation where individual contracts exist is in my view, and in the view of the Government, unnecessary and unwarranted. We are not convinced that a situation now exists in this province that necessitates rent review boards in municipalities, cities or towns as proposed. Just because Ontario has provisions similar is no reason to adopt them holus-bolus in the Province of Saskatchewan. We do not have many of the same kind of problems as Ontario. The Landlord and Tenant Relations Board in the Member's Bill is just a further step in making tenants become part of a trade union. It is both unnecessary and in my view unworkable. It ignores the fact that many landlord and tenant agreements are between individuals and are in many cases based on personal relationships. I am sure that the small residential landlord with one or two tenants — and we have lots of this — doesn't want to be put in the position of management and have to go to arbitration in the case of disputes. I am also certain that these tenants, in my example, do not want to be treated like unionists in their dealings with the landlord.

There are many minor considerations, such as, notices to be sent by ordinary mail. This is not as good as provisions requiring notices to be sent by registered mail or personal service. There are no problems with regard to acceleration clauses in Saskatchewan and at the present such provisions would not, in my view, be relevant to Saskatchewan. We have not yet had problems with landlords charging for giving their consent to assignment or subletting the lease. They may have problems in Ontario but to my knowledge there are no such problems in Saskatchewan. I'm make comments here, I hadn't formed any firm views, 24-hour notice for the right of the landlord to enter the premises is probably not as effective as the requirement for a specified day.

As I've said, the Bill that we want to propose to the Legislature will in our judgement, in our best effort be a fair Bill designed to remedy and rectify abuses by the five per cent on both sides. It will be a Bill for Saskatchewan's landlords and tenants, Mr. Speaker, not Ontario's.

I refer the Hon. Member to the recent committee report in the Province of Manitoba. I think we would want to consider their report in the light of the statement by committee chairman, Wally Johansen, NDP Member for St. Matthew's, Manitoba, that their report recommends changes which will not be like the

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mechanistic changes implemented by the Government of Ontario. Now here is a Member of the Legislature of Manitoba, an NDP Member, chairman of the committee, recommending changes, who is not very enthusiastic about the changes put in by the Ontario Government on which the Hon. Member's Bill is patterned. He calls those changes mechanistic changes. the Mechanistic Act, as he says, is the one on which the Hon. Member's Bill is completely founded. We will also wish to consider the changes proposed in the amendments passed by the B.C. Legislature this session. These new developments, studies and legislation must be looked at before we bring in a new Bill. We want further commend from interested parties to ensure fairness and relevancy. With these goals we intend to study these new developments, and this is more than ample reason to give very detailed further study to this very important problem.

Mr. Speaker, I was interested in some of the Press reports from Ontario at the time the Bill was being considered in the Legislature of Ontario and as I've said earlier, many of the proposals of the Hon. Member for Riversdale (Mr. Romanow) came from the Ontario Act. I was interested here in the Toronto Telegram of Wednesday, December 3, 1969, to see this headline: "*NDP to oppose Ontario Tenant Bill.*" It reads as follows:

New Democratic Party Members of the Legislature said yesterday they will vote against the Government's proposed Landlord and Tenant legislation because it would lead to higher rents for apartment dwellers. The Government Bill proposes doing away with security deposits and the right of landlords to seize tenant's property in case of default of rent payments. NDP Deputy Leader James Renwick said during debate on the Bill the party could not approve the legislation because it would nullify previous advancements in rent legislation and would prompt landlords to raise rent.

I don't quote this in a critical way, but I quote it to show all Hon. Members what sort of a jackpot you can get into when you start looking at some of this legislation. On the face of it I think there are many good arguments for doing away with security deposits. On the face of it I think there are many good arguments for doing away with the right to distress. But here is the opinion of some members of the Ontario Legislature that one of the bad effects of doing away with security deposits, one of the bad effects of doing away with the right to distrain would perhaps be the movement towards higher rents.

Mr. Speaker, may I call it 5:30.

The House recessed from 5:30 until 7:30 p.m.

Mr. Speaker, when we called it 5:30 I had just finished quoting from an article in the Toronto Telegram to the effect that the NDP Opposition in the Ontario Legislature had opposed a Bill which was being introduced by the Government there. The NDP Deputy Leader Mr. James Renwick said during debate on the Bill he could not approve the legislation because it would nullify previous advances in rent legislation and it would prompt landlords to raise rents. And I go on further, the NDP wants the Bill withdrawn and revised to provide for rental review boards possibly to include rent controls as advocated in the Ontario Law Reform Commission Study on Landlord and Tenant Law. In other words, Mr. Speaker, what Mr. Renwick was saying, I suggest, was

he was not in favour of the abolition of security deposits unless there was coupled with it some form of rent control.

Now, Mr. Speaker, the position that I take in so far as rent controls are concerned, at this point in time I state conditions could change, but I think that the condition in Saskatchewan is entirely different than the condition in Ontario. Ontario as I understand it, particularly in the populated areas, the Toronto area, the Golden Triangle area is that there is a great shortage of suitable rental accommodations. The result is that this of course has driven the rents up to a very high level. So I can understand why Members of the Legislature would be advocating rent control having regard to their particular circumstances at this time. But I don't feel and the Government doesn't feel, at this time, that similar situations pertain to the rental situation in the Province of Saskatchewan. I think it is common knowledge that in the cities of Regina and Saskatoon there is at the present time ample rental accommodation which will result or could result in the normal market factors operating to the point where there shouldn't be unreasonable or intemperate price increases so far as rent is concerned. I don't see the need for rental controls at this point in time.

I would like to mention that this dialogue started in our Department perhaps eight or 10 months ago and we deliberately initiated discussion and dialogue and I raised it in a number of speeches that I made in various parts of the province last summer and fall. There is no question that The Landlord and Tenant Act that we have relied on in this province over the last 40 or 50 years is an archaic piece of legislation. We deliberately invite groups and individuals to come and see us and discuss the kind of clauses and the kind of protection that these various groups would like to see in the new Landlord and Tenant Act or in an amended Landlord and Tenant Act. We have had a good deal of dialogue. This dialogue is continuing and I welcome this discussion in the Legislature, because I think it is highly desirable that we've had this kind of dialogue and that all individuals and all groups from every walk of life and from every point of view give the Government the benefit of legislation. Now I've mentioned some of the views of different groups. I think we have to keep in mind the point of view of the landlord as well as the tenant as I said before dinner. I would like to read to the House the point of view of one group of apartment owners. It says this:

I can only assume that the Attorney General will have a good hard look at the apartment owner's side before passing any legislation denying apartment owners the right to take a deposit for damage that may be caused from deliberate destruction.

This is his point of view. He says:

All the present legislation under The Landlord and Tenant Act gives tenants more than the necessary protection they require.

Well, I don't agree with that. But anyway that's his view, that's this group's view.

For example the fact that a landlord cannot evict a tenant until they are 60 days in arrears in their rent

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is archaic. Tenants may move from one apartment to the next, not paying any rent under the present legislation. This has actually happened to us. It's the only money received from the tenant as a damage deposit.

So that's one point of view. another point of view along the same lines:

One of the greatest problems facing the property manager owner today is to remove a non-paying tenant. at the present time you must wait until the tenant is at least two months in arrears, apply to the Mediation Board for permission to commence proceedings and then please your case before a judge of the District Court. In terms of costs this represents a minimum of two months to as much as four months in lost rent, in addition to legal fees, court costs, etc. for a hearing which takes a half day or less and costs approximately \$200.00.

So on that basis the lawyers made \$400 per day on landlord and tenant cases. It wasn't that good when I practised law. This kind of correspondence in these points of view, Mr. Speaker, points out the extreme necessity for a great deal of dialogue and a great deal of consideration by all the Members of the Legislature.

I would like to just summarize, if I might, some of the ideas or some of the thoughts that I have at the present time and this isn't necessarily the kind of clause that will find its way into our Statutes next year when I introduce it into the Legislature, but I think it summarizes the present thinking of the Government. No. 1, all domestic leases or leases for household accommodation must have certain standard clauses to protect all tenants. If they are not in the contract between the landlord and the tenant then by virtue of the statutes they should be inserted by a clause in the Act that certain basic clauses are presumed to be in every contract for rental accommodation whether in fact they are. The Member for Riversdale has suggested in his draft some of the clauses and I agree with some of the clauses that he thinks should be standard clauses. No. 2, security deposits must be controlled and restricted if not abolished. We will have no more of these \$500 rackets and there have been a few, not many, but a few have been brought to our attention where somebody takes a deposit of \$300, \$400 or \$500 from the tenant and then for some reason the tenant is forced out and is in a position to try and get his money back and the landlord uses subterfuge to claim damage and this type of thing to apply against the \$500.

Now, Mr. Speaker, let me hasten to state or restate what I said before. In most of these abuses we are talking about five per cent of the tenants and we are talking about five per cent of the landlords, but each kind of situation does obtain. I'm determined that new legislation will control, if not eliminate security deposits and I have an open mind on this. I certainly think they have to be controlled, restricted and I think there is a pretty good argument for such control. I think also that if the landlord is allowed to retain any kind of a security deposits if they are not repaid. I think that in the last number of years there are some cases where a person has rented the suite or hour for 15, 20, or 25 years and the landlord has

had the interest-free use of this money. I think that is wrong. It is unconscionable and I think that there have to be provisions for interest. I think certainly that eviction procedures needs to be streamlined. I think there is some real basis in fact for the allegation that when people don't pay their rent it is very, very difficult, it takes a great deal of time to get them evicted. I think all Hon. Members and the public of the province should remember that we are not always dealing with a corporate landlord. We are not always dealing with a landlord with 150 suites. In many, many cases we are dealing with a lady who has a house and depends on the rental revenue from a portion of that house. She maybe sublet a suite in the basement or she may have rented some rooms upstairs. She may be on a very low or very fixed income. she depends to a very large extent on this additional revenue for her livelihood. accordingly, what position is she in if she has to take two or three or four months and go to a lawyer at \$400 a day and start eviction proceedings.

Now this is the kind of thing that you have to remember, so I say eviction procedures have to be streamlined. That is the third point.

The fourth point I would make, and there are many others I could make, these I think are basic points. The fourth point in my view, in the view of the Government, is that rent control is not called for in Saskatchewan at this point in time because of the relative surplus of rental accommodation at this time.

Mr. Speaker, our Government gives top priority to the new Landlord and Tenant Act. I have designated Mr. Jules Gebhard, who has been with the Department many, many years, a senior solicitor in my Department, to meet with organizations and individuals interested in making representations on this Act. As I said, this dialogue commenced a number of months ago and will continue over the summer months. I give the House an undertaking that this Act will be amended at the next session. I give the House the further undertaking that it will be a fair Bill and a just Bill, a Bill that will be fair both to the landlord and to the tenant.

For these reasons, Mr. Speaker, I consider that this Resolution at this time is perhaps a bit premature and a bit — I was going to say dangerous — I don't really mean dangerous, but I think it might be a bit misleading if we were to pass it at this time because it would bind the Government, it would bind the draftsmen in my Department unnecessarily to certain principles before we have had a chance to have full dialogue with all interested parties. Accordingly, I ask the House to defeat the Resolution but in doing so I want to make it perfectly clear that I think we should all thank the Member from Saskatoon-Riversdale for introducing the Resolution and for putting a draft Bill on the table because it did help us to have this dialogue, which, as I say, has been a continuing dialogue.

Mr. R. Romanow (Saskatoon-Riversdale): — Mr. Speaker, and Members of the Legislature, I am always somewhat embarrassed and a little afraid when I get commended by the Hon. Attorney General. I must beware of lawyers when they carry gifts.

Mr. Speaker, I am very briefly going to deal in rebuttal

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with some of the points raised by the hon. Attorney General and I reiterate my arguments for this House at this time approving of this Resolution and the draft Bill which has been submitted.

I want to start first of all with just a very brief word on the Ontario Legislature and the Ontario Act that the Hon. Attorney General brought out in rebuttal earlier this afternoon. The argument was, as I understood it, in essence, that the proposed Bill that we have prepared and tabled in effect is a direct steal from the Ontario Act, Landlord and Tenant Act, or with minor modifications. Then the Attorney General's argument was premised from there to giving quotations respecting Manitoba and quotations respecting Mr. Renwick of the Ontario New Democratic party. His premise thereon was that the Ontario Act was unsatisfactory, not only to members of my own party in Manitoba but to the Deputy Leader and members of my own party in Ontario, Mr. Renwick. I want to say that, respectfully, the Attorney General has not read the Ontario statute correctly. I happen to have a copy of the Ontario statute with me and also a copy of the draft Bill that was submitted with respect to this Resolution. I want to assure all Hon. Members that the similarity is only in some areas. For example, the Ontario statute does not provide for rent review boards as does the legislation that has been tabled with this Resolution.

The Ontario statute does not provide for a landlord and tenant relations board and the principle of collective bargaining of which the quotations the Hon. Attorney General referred to. They are dissimilar there.

The Ontario statute does not provide for the drastic limitation if not elimination of security deposits that the Attorney General says he agrees with.

The Ontario statute does not provide for a standard lease form of the type that the draft Bill that I submitted with respect to this Resolution in fact does provide.

The Ontario amendment to The Landlord and Tenant Act was indeed, as the quotation from Manitoba that the Hon. Attorney General gave us, a mechanical amendment to the Landlord and Tenant Act. It was rightfully opposed by Mr. Renwick and by the spokesman in Manitoba for the very reasons that I said we have to be careful when we introduced our Resolution in Saskatchewan; namely, there was no recognition of the theory of vital interest, the new relationship if you will, between the landlord and tenants. They are purely mechanical amendments based on the old concepts of landlord and tenants. I want to further substantiate my remarks so that it would not be thought that Mr. Renwick is passing judgement on the Ontario legislation — used in the argument by the Hon. Attorney General — that he was condemning the position that we are advocating.

I happen to have here in my hands a copy of the debate that took place in the Legislature of Ontario on Tuesday, December 2, 1969, when that Bill was introduced. Mr. Renwick had this to say — just very briefly a couple of quotations to pinpoint the point and again to rebut the Attorney General's position. He said on page 9199:

We are faced with these mechanical amendments from time to time of the law of landlord and tenant.

And then he went on to talk about the question of collective bargaining and he said this:

It should not be difficult for him

(referring to Mr. Wishart, the Attorney General).

to envisage that the tenants in the building constitute a corporation without share capital or with that corporation run as a members' organization of tenants which should have certain collective bargaining arrangements with the landlord who owns the building.

And then he went on to say about collective bargaining:

That kind of collective bargaining arrangement I think from the point of view of the community of people would have very many real advantages, because I suggest that part of the deterioration of apartment buildings to the extent that tenants cause that deterioration is because of something called, "I am alright, Jack," attitude. Nobody looks after the common facilities except one poor superintendent in the building who cannot possibly cope with the work, etc. etc.

He was making the point there, Mr. Speaker, that in fact a certification of an association whereby you can deal in all areas with your landlord was a highly desirable feature.

Then he went on to talk about rental control. Mr. Renwick, condemned the Ontario legislation because it did not have rental control. He said on page 9201:

That part of the report

(and he was dealing with The Law Reform Commission Report)

where I referred to one, two or three of the sentences in order to illustrate what the Law Reform Commission was talking about, in no specific place is this more evident than in the way in which the Minister of justice has emasculated the provisions of the Bill that are relating to rental control.

And that is in fact what is happening. There was an emasculation of rental control and to put Mr. Renwick's position quite clearly on the line, on page 9203 he finally moved this amendment:

This House is of the opinion that the Bill is fundamentally defective in principle in that; (1) it fails to make provision for rental review officers and for rental review boards to control the rise and level of rents in the province; (2) it fails to confront or to deal with the present disparity between available units and the needs of the population of rentals, etc., on another part of the argument.

The point I want to emphasize and make quite clear to the Members of this House is Mr. Renwick was opposing the Ontario Bill. I am against the Ontario Bill. I used provisions of the Ontario Bill but incorporated the provisions of The Ontario Law Reform Commission and other writings and clauses in this area to highlight these special provisions of rental control, rental review

officers, landlord-tenant relations' board, elimination of security deposits and the like. So I think it ought to be quite clear to the Hon. Attorney General and the Members that in fact this is not a steal from the Ontario Act.

The Hon. Attorney General talked about the Bill. He said that this Government will oppose treatment of tenants as trade unionists. And I was interested to listen why the Attorney General and the Government were opposing treating the tenants as trade unionists, using his terms. He didn't give us any real reason. He talked about this, Mr. Speaker, and then ended up by saying, "I don't think that the tenants wanted to be treated just like any other trade unionist." And the implication in those words was, to my ears and I am sure to the Members' on this side, that there was something demeaning or disparaging to be treated or thought of as a trade unionist, when you are dealing with collective bargaining rights in landlord and tenant relationship or in any other field of economic labour relations management.

The Attorney General, speaking on behalf of the Government, said he didn't think tenants wanted to be treated just like trade unionists. Far from saying that trade unionists are demeaning or ought not to have any power, I say that the elevation of tenants to the status of trade unionists will give them security and confidence and independence in their dealings with a landlord.

Some Hon. Members: — Hear, hear!

Mr. Romanow: — The Attorney General also talked about the Act that I have tabled being bad because the obligations on the tenant are minimal. I ask the Attorney General and the Government, what other obligations does he want the tenant to incur in the Province of Saskatchewan? What other obligations indeed can the tenant incur in the Province of Saskatchewan? He is paying his rent.

Mr. Heald: — ...rent?

Mr. Romanow: — No, this Bill doesn't suggest the elimination of rent, so that's an obligation that I agree with you in, Mr. Attorney General.

The Attorney General says also that the question of the security deposit should be abolished so he and I are on common ground there. He has given 24-hours notice. What other obligations should there be on the tenant? There are no other obligations. Every obligation that the tenant has to suffer and does suffer in the Province of Saskatchewan is incorporated by this draft Bill. They are not working a hardship or a one-sided route against the landlords in this area.

I want to make it quite clear that the question of certification of tenants has nothing to do with the isolated person who is a landlord and has one or two persons renting out accommodation. This isn't going to envisage a while scale certification or some form of union check-off. The Bill doesn't say that. We realize that many older people rent out one room, two rooms. I am talking about multiple-dwelling apartment buildings when I am talking about associations in these special provisions. I say it is a gross misrepresentation on the part of the Attorney General and the Member from Hanley (Mr. Heggie) to represent to

the people and to the tenants and landlords that we are in fact aiming at that type of operation because that is certainly not the case. From there on in the Attorney General's argument, to my thinking, has fallen down because his entire premise was based on the assumption that I had copied the Ontario Act word for word. I made that clear; that I haven't and I agree with Mr. Renwick and I agree with Manitoba that we've got to have rent control boards.

One final observation, the Attorney General says that at this time we do not need rent control boards. What he is really looking at is the temporary economic crisis that faces Saskatchewan, the many houses that are empty. There are some apartment buildings that have empty dwelling units on a temporary basis. I make no apologies if I am sounding political in this area, but that is typical of the Liberal Government attitude with respect to any problem. If the particular occasion does not demand some planning or long-range thinking about the question of the relationship between landlord and tenants, we are not going to interfere. But in two or three years' time, after the New Democratic party takes over the Treasury Benches I may add, and prosperity is restored to the Province of Saskatchewan, we are apt to find ourselves in another situation like we had two years ago where there is a squeeze on apartment vacancies. Then, where will be the rent control board legislation? It will be nowhere. If you think the lobby is strong now by the large corporations who control apartments and the like, when there are times of crisis, Mr. Speaker, I don't want to imagine the strength of the lobby against security deposits and against the special relationship when these apartments are up to full vacancy in two or three years time.

It is a lack of planning, a piece-meal approach, this entire area of landlord and tenant relationships. I conclude my remarks by saying that the Prime Minister of Canada advocated rent control legislation. He urged all provinces, and he did not exclude the Province of Saskatchewan or Manitoba, which is now looking at it and I've got legislation in this area, he did not exclude them when he said that he wanted rent control as part of the fight on inflation, as the Premier so whole-heartedly supports the Prime Minister.

Apart from the fight on inflation, I represented-emphasize that there is a point here dealing with the quality of life and some degree of justice and protection for tenants against unscrupulous landlords, far more the occasion than the other way around.

Some Hon. Members: — Hear, hear!

Mr. Romanow: — What I am saddened about is the fact that the Attorney General led the people of Saskatchewan to believe, I submit, when he spoke to the Liberal Convention some several months ago, and even when I introduced the draft Bill and the Resolution in the Legislature over two months ago, that there would be new amendments coming in in The Landlord and Tenant Act. I recall the Hon. Premier, the Hon. Treasurer and the Hon. Attorney General saying when I gave notice of motion of the Resolution that I was too late. Here we are, April 13 or April 14, whatever day it is, and still the Liberal party and the Liberal Government have failed to introduce any legislation. I might say this that with

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respect to the four points the Attorney General has brought out, I am not very hopeful that it will be in any meaningful way radicalising and putting a new approach, the proper approach, on landlord and tenant relationships. Unfortunately we are going to have to wait again in this area, like in all the other areas, until the New Democratic party sits over opposite and I am sure that won't be too far from now.

Some Hon. Members: — Hear, hear!

The motion was negatived on the following recorded division:

YEAS — 18

Lloyd	Dewhurst	Pepper
Kramer	Meakes	Matsalla
Messer	Berezowsky	Wooff
Wood	Thibault	Willis
Blakeney	Michayluk	Kwasnica
Romanow	Brockelbank	Kowalchuk

NAYS — 30

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

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion of the Hon. D. Boldt that Bill No. 42 — An Act to amend The Automobile Accident Insurance Act be now read a second time.

Mr. A.E. Blakeney (Regina Centre): — The Bill, Mr. Speaker, does two main things: it removes from the Act the schedule of disabilities and payments for disabilities under Part II of the Act and it extends the provisions which have in the past applied with respect to drunken driving and impaired driving to offences under the new .08 provisions of The Criminal code, that's in Section 63 of the Act.

Mr. Speaker, I find myself in opposition to the Bill. I will deal first with the amendments to Section 63. This Section deals with the matter of whether a person using or operating a vehicle is under the influence of intoxicating liquor or drugs to the extent as to be, for the time being, incapable of the proper control of the vehicle. The Section says that it shall be admitted in evidence in any civil matter the fact that a person who may have been convicted under those provisions of The Criminal code which deals with drunken driving and impaired driving. This fact shall be admitted in evidence.

And the amendment which is before us in this Bill would add to the list of those provisions the new provisions of the Code with respect to driving while the blood alcohol content is .08 or greater.

Mr. Speaker, it is perhaps acceptable that the proceedings of a criminal court should be admitted in a civil court but the Section goes farther than that. The Section goes on to say that proof of a conviction under the provisions of the Code dealing with drunken driving and impaired driving — and that's now the law — and with .08 driving, if I may call it that — and that is the amendment — shall be conclusive evidence that the person so convicted was at the time of the commission of the offence using or operating a vehicle while under the influence of intoxicating liquor or drugs to such an extent as to be for the time being incapable of the proper control of the vehicle, within the meaning of the Act.

In effect this means that if a person is convicted under any of these Sections, drunken, impaired or .08, then his insurance under the Act is completely nullified. We are all well aware of the fact that the victim of the automobile accident will still have rights to collect up to the minimum that is provided by the Act, but the person who was driving with .08 and who was so convicted will find himself conclusively presumed to be driving while under the influence of intoxicating liquor, with the meaning of the Act, and as such will find himself liable to reimburse the insurance office for all the amounts paid to any third part hurt in the accident. That at least, Mr. Speaker, is my reading of the amendment.

This Section in the Act started out dealing with drunken driving. And I think it is sensible to say that a person who is convicted of drunken driving shall be presumed to be operating a vehicle while under the influence of intoxicating liquor to the extent that he is incapable of proper control because drunken driving is a very serious offence. To this was added some years ago the offence of impaired driving, at the time this Legislature said, "He who is guilty of impaired driving shall be presumed to be operating a vehicle while under the influence of an intoxicating liquor to the extent that he is incapable of proper control."

This change, to add impaired driving to drunken driving, was, I think, a marginal change, marginally fair to the insurance. Nevertheless it has an element of fairness because you could not convict anybody of impaired driving in the courts without proving that his driving was in fact impaired. It was not good enough before the courts to prove that someone had, say, 150 milligrams of alcohol in his blood or .15 in the jargon of the day. It was not good enough to show that this blood alcohol content had to be related to the actual way that he drove or at least related to the actual way that he could handle his body. You had to prove that fact with the evidence that he was driving in a manner which was weaving or that he was unable to do certain physical tests. You had in fact to establish that he was impaired from the point of view of body faculties.

I think, under those circumstances, it was reasonable to say that a person who was convicted of impaired driving was in fact operating a motor vehicle while under the influence of liquor to the extent that he was incapable of proper control. But, Mr. Speaker, the amendments under Section 63 go farther and I suggest that they introduce into the Act an entirely new principle. They

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say that if your blood alcohol is above .08 then it shall be conclusively presumed you are operating a vehicle in a way so as to be incapable of proper control. This, as I say, is a new principle. It is not necessary to show that there is in fact any impairment of body faculties. There is no necessary relationship between having a blood alcohol content of .08 and being impaired.

I suggest that driving with a blood alcohol content of .08 is like driving at high speeds. It is true that driving at high speeds is usually more dangerous than driving at low speeds. Similarly driving with a blood alcohol content of .08 is usually more dangerous than driving when sober. I suppose for any individual person it may always be more dangerous. What I am saying in effect is that it is usually true that sober people drive better than people with a blood alcohol content of .08, but that there is by no means the necessary connection which suggests that we should be introducing conclusive presumptions. A very substantial number of people can have a blood count of .08 and still drive in quite a satisfactory manner. There can be no real presumption on the fact, that a person who has a blood count of .08 is in no fit condition to drive. This is not to deny for a moment that there is a substantial relationship between the consumption of alcohol and the impairment of driving. the figures will show that there is a substantial relationship between the number of hours one has slept and the impairment of his driving. There is a substantial relationship between the speed at which one drives and an ability to drive safely. I suggest that it isn't fair to conclude that a person driving with .08 is so impaired that it should be regarded as conclusively proved that he is unfit to drive, from the point of view of nullifying his insurance. I am not suggesting that such driving shouldn't be an offence, not for a moment. Speeding is an offence but it doesn't nullify his insurance. I suggest that it is quite wrong to nullify a person's insurance because he is driving with .08.

Similarly it would be quite wrong to nullify a person's insurance if he were driving at high speed. It would be wrong to nullify a person's insurance if he drove, not having slept at all in the last 24 hours. These are all very unsafe practices, very much to be deplored, very much to be criticized, but they are not grounds for nullifying insurance. They are reprehensible practices, but they are not grounds for nullifying insurance. All of them have a tendency to lead to accidents, all of them make the driver less able to control the vehicle. However, no one of them is thought to be conclusive or even nearly conclusive evidence that the person was not handling the compulsory arbitration correctly. If the Minister brought in a Bill which said that it shall be conclusively presumed that, if someone has not slept within the last 24 hours, he was operating the vehicle in a manner incapable of proper control as to nullify his insurance, we would all rise up in holy horror. And rightly so. We would say, "You can't make these blanket presumptions." To satisfy us the Minister would have to say, "That man, that particular one, was impaired to the extent that he couldn't control the vehicle properly."

Mr. Speaker, if the driver has a package policy, there is no suggestion his insurance would be nullified if he had been driving with .08, none whatever. I frankly don't see why the test for nullifying the plate insurance should be more rigorous than the test for nullifying the package policy insurance.

I object also to this provision for another reason. The law, as the Minister wishes to pass it, will mean that anyone who pleads guilty to driving at .08 cannot in court argue in the civil case that he wasn't impaired. He is in effect out of court, he has in effect caved in. He has in effect said, "I agree to reimburse the insurance office for any amounts they pay out to third parties." I can imagine many cases where a person might plead guilty to .08 without any realization that he was taking a step which might have grave civil consequences. Suppose a person is involved in an accident when another person is seriously injured, suppose the injured third party would be entitled to damages of say, \$30,000. Suppose the driver without checking into the situation carefully pleads guilty to driving with a blood count of .08. He has, Mr. Speaker, by this pleas of guilty, made it next to impossible for him to avoid being responsible for paying the insurance office \$30,000. And, Mr. Speaker, this is true even if he declines to submit to a breathalyser test. For whatever reason he may decline to submit to a breathalyser test, if he is maybe just plain cussed, then he might find himself liable to pay the insurance office \$30,000. I am sure this wouldn't occur to many people who might plead guilt to .08. I suggest that these sweeping results from the proposed changes are unfair and unacceptable and they should be opposed. I am obviously not opposed to the .08 law, I have supported that law from the beginning and I think it is a good law. I am not opposed to the idea that the fact that someone is convicted of driving with .08 is conclusively presumed to be driving while incapable of the proper control of the vehicle and that it is no good for him to come in after that and say, "I was not in fact impaired. Sure I was driving with .08, but I was not in fact impaired to the extent that you should nullify my insurance." It is the conclusive presumption to which I take the most firm objection.

I now leave that subject, Mr. Speaker, and turn to the changes under Section 21. The effect of these changes is to remove from the Act the list of disabilities and the calculation of the percentage of impairment related to each disability for the purpose of the scheduled payments under Part II of the Act. I will digress for a moment and refresh the memories of Hon. Members. Members will recall that The Automobile Insurance Act has what is sometimes called the accident insurance provision under Part II, where payments are made to persons who are injured in automobile accidents in Saskatchewan regardless of any proof of fault and subject only to proof of actual injuries. the payments are made on a schedule, so much for lost time, so much for permanent injuries, loss of fingers, or scars, or matters of that nature. Permanent injuries of that nature are paid out pursuant to a schedule which is now included in the Act. I suggest that it is a bad principle to have this schedule included in Regulations rather than in the Act. However, I am not going to take firm objection to this, because I am sure all lawyers who are practising in this field would agree that the schedule in the Act is now very cumbersome, it is very difficult to deal with and I would be prepared to agree that it is not unreasonable for the Government to suggest that this might be incorporated in Regulations to be somewhat more flexible to see whether we can get a schedule which is a little easier for the Insurance Office, for claimants and for their solicitors

to deal with. I would like to think that, if we get a better schedule, it might be represented-incorporated into the Act at some future times. I leave that to see how the proposal contained in the Bill will work out.

I would like at this time to digress for a moment to suggest that this Section and one or two related sections in Part II should be changed in a somewhat more drastic way. The Automobile Accident Insurance Act now provides in essence for two types of coverage, coverage under Part II, which is payable without proof of fault, and substantially without proof of actual monetary loss. Thus, it is not necessary to prove that there was anyone legally responsible for an accident, nor it is necessary for the claimant to establish a quantum of his loss. If he proves that he was uninjured in an automobile accident, he is paid out by reference to the figures in the schedules set out in the Act, or as it will be, in the Regulations. That's the coverage under Part II. The coverage under Part IV – I leave aside the collision coverage under Part III, because that's not relevant to our present discussion – the coverage under Part IV is the coverage where a victim of an automobile accident can collect larger sums than those provided under Part II, provided he can show that someone else was responsible for the accident, and provided that he can prove his actual monetary loss. Thus, he must prove in this case, both the liability of a third party, someone else was responsible and that the victim suffered loss of such and such an amount. So, we have Part II coverage where you don't have to prove that anyone else was responsible, and you don't have to prove that you yourself suffered monetary loss, you just have to prove that you were injured, and you collect under the schedules. So, no proof of liability, no proof of monetary loss. The Part IV coverage is one where you have to prove that someone else was responsible and you have to prove the amount of your loss, thus you have to prove liability and you have to prove quantum.

Now I suggest that there should be an intermediate coverage. I suggest that this coverage would be up to limits set out in the statute of, say, \$10,000. And I say the coverage should operate this way: that a person should be entitled to make a claim without proof of liability of any third party in exactly the same way as he does under Part II; that he should be able to collect higher amounts than those under Part II without proof of the liability of any third party. However, I would suggest that these additional payments not be paid out on the basis of a schedule. I think people should be entitled to the schedule under Part II and they should be entitled to greater amounts up to the limit, which I am suggesting at \$10,000, on the basis of the victim establishing his monetary loss. The effects of this would be that a person who is injured in auto accidents would not have to prove that someone else was responsible in order to recover, let us say, the actual amount of his wage loss, the actual amount which he might have paid out to a housekeeper, who looked after his children while his wife was in hospital, or the actual amount of his monetary loss because of some relatively small injury, substantially increase the level of payments under Part II. This could be done obviously by simply changing all the figures under Part II. But I think a better way would be to raise the ceilings under Part II, as they now stand, but provide that the claimant must prove his monetary loss in order to get to this higher ceiling of up to \$10,000. In most cases, this wouldn't be a matter of controversy, and the effect of the change would be to remove from the area of legal contention a vast number of smaller

cases, a vast number of smaller claims for small wage losses, for housekeeping, for minor permanent disability. This would leave for determination by the courts only the larger cases with which, I suggest, the courts are very well fitted to deal, well fitted to deal with the problem, and the very real problem, of assessing the quantum of damages for a serious injury. I commend this proposal to the Minister as the next logical step in broadening the coverage under The Automobile Accident Insurance Act.

In summary, therefore, Mr. Speaker, I take objection to the provisions which include .08 coverage under those provisions whereby it will be conclusively presumed that someone is incapable of operating a vehicle. I do not object to the fact that the evidence might be admitted in a civil court, I object to the conclusive presumption. Secondly, with respect to taking the schedule of Part II payments out of the Act and putting them in the Regulations, I object to that in principle, but the objection is somewhat of a purist's objection that I don't strongly object by reason of the fact that I think the schedule as it now exists is somewhat unsatisfactory. Thirdly, I commend to the Minister the idea that we ought to introduce into The Automobile Insurance Act a third type of coverage, an intermediate type of coverage, with a higher limit than Part II, where payments would be made to victims without proof of liability, but on the victim establishing the quantum of his loss.

Because of the objections which I take to those parts of the Bill which I have enumerated, I will not be supporting the Bill.

Hon. D.V. Heald (Attorney General): — Mr. Speaker, I would like to restrict my observations in this debate to the observations of the Member for Regina Centre, with respect to his first point, that is, his reasons for objecting to the inclusion of the presumption with respect to the new Criminal Code offence of .08, which was created by the Parliament of Canada last December. As I understand his argument, Mr. Speaker, it was this, that he agreed when this Legislature introduced this conclusive presumption with respect to drunken driving. I take it that his rationale or his reason for agreeing that a conviction of drunken driving should entitle the insurance company to get off the risk, was because drunken driving was an offence under the Criminal code of Canada and was culpable conduct on the part of the driver. Then he said also that he agreed when impaired driving, with some reservation, was made an offence against the Criminal Code of Canada. He agreed with the amendment which we introduced into this Legislature with respect to insurance, the Government Insurance Office. I would point out to Hon. Members once again that part of the rationale of including the offence of impaired driving was because that was made an offence against the Criminal Code of Canada. Drunken driving is an offence against the Criminal code of Canada, impaired driving is an offence against the Criminal Code of Canada, a criminal offence in the judgement of the Parliament of Canada and consequently, a conclusive presumption was introduced into our Act which says that the insurance company is entitled to get off the risk if somebody is convicted of either of these offences.

Then in December of 1969, Mr. Speaker, the Parliament of Canada in its wisdom introduces another Criminal Code offence, and I think this is important, because I want to show the House that the rationale for these amendments is based on the fact

that the Parliament of Canada in its wisdom or otherwise has created a new Criminal code offence. This new Criminal Code offence was to the effect that anybody having a blood alcohol level of .08 per cent or more was guilty of a criminal offence and is subject to the strictures of the Criminal code. I suggest to you, Mr. Speaker, that this is part of the rationale for now introducing an amendment to the Saskatchewan Government Insurance Act, to provide that in all three of these offences — and they are companion offences, they are criminal offences — the same rationale which justified this Legislature in introducing this conclusive presumption in the case of impaired driving and drunken driving applies now to the offence of .08, because it is a criminal offence. Now, my hon. friend says it is not as serious an offence. Well, I would remind my hon. friend, he wasn't on this Committee, he was in the Legislature, but we had an all-party committee of this Legislature in 1966, and they filed a report to the Legislature. My friend from Kinistino (Mr. Thibault) was on that Committee, my friend from Regina North West (Mr. Whelan) and my friend from, well he used to be from Melfort-Tisdale, but he still is I guess, anyway those were the three Opposition Members on the Committee. I would like to remind the Legislature and I would like to read a little bit from this report. On page 10 of the final report.

In the examples of traffic accidents presented to the committee, it was apparent that alcohol was frequently present. In some of the most serious accidents, one at least of the drivers was according to his blood alcohol level intoxicated.

The committee examined the report of the University of Indiana, known and referred to as the Grand Rapids Report in which a study was made of the likelihood of becoming involved in an automobile accident after drinking. This reports a serious deterioration, not only in a person's physical ability to drive safely, but as well a deterioration in physical and mental reaction to crises so as to avoid becoming involved in an accident. There is so much evidence that alcohol is a major contributing cause to accidents that the committee feels it needs to say no more in this area except that many European countries now impose severe penalties for driving with a blood alcohol level above that which is considered safe. In addition, many jurisdictions in the United States have adopted the presumptive blood alcohol level, and they too impose severe penalties.

Then the committee went on, Mr. Speaker, to recommend the creation of an offence under the Criminal Code of Canada of .08 per cent. Later on the Parliament of Canada did adopt this and did put it in the Criminal Code. The Member for Kinistino will remember the experiment the committee conducted under the jurisdiction of the RCMP in which certain individuals subjected themselves to the test by drinking under controlled circumstances a certain amount of alcohol. I am sure the Member for Kinistino will agree with me, I think we had, five, six or seven subjects, something like that. I think everybody agreed afterwards, those of us who observed, agreed that in every case of all these subject there was very, very severe impairment at .08 per cent. It is not correct to say that .08 per cent is borderline impairment. I would agree that .04 per cent or .05 per cent in all individuals is borderline impairment, but I can't agree with the Member for Regina Centre when he says, and I think I put his

notes down on what he said correctly, he said, "Many people can drive with .08 per cent blood level." I don't agree with that, with every deference, that is not the conclusion of our Committee, it is not the conclusion of the Grand Rapids survey, it is not the conclusion of many definitive surveys that I have seen and read. It is clear and the Parliament of Canada recognized this that .08 per cent represents in all cases quite severe impairment to the point where a criminal offence is created. Now, Mr. Speaker, if a criminal offence has been created, surely the rationale which applied in the case of drunken driving and impaired driving applies also in the case of .08 per cent driving. That is why my friend the Minister in charge of the Saskatchewan Government Insurance office has introduced this amendment. I think it is a good amendment. Why should the people who don't drink and drive and who don't get into accidents because of alcohol, why should they have to pay more insurance for people who do drink and drive. That's really what it boils down to, because of the Government Insurance Office and other insurance offices have to pay on the risk of somebody who has a .08 per cent, that will only have one effect and that will be to raise the insurance rates, and I don't think that's right. I think that people who drive and who don't drink shouldn't be expected to pay for people who do have this very significant level of blood alcohol, and I am very much in favour of this amendment.

Mr. A. Thibault (Kinistino): — Mr. Speaker, on a point of privilege, the committee made recommendations as referred to by the Attorney General, and the insurance question was not brought in. The committee also recommended that there be a continuing committee to study, so I am sticking strictly to the comments that were attributed to the Member for Kinistino.

Mr. Speaker: — I draw the attention of the House to the fact that the Member has already spoken in this debate.

Mr. Thibault: — I am speaking on a point of privilege, to clear up what was attributed to me.

Mr. Speaker: — I don't think that is a point of privilege if the Member already spoke. He should have said everything he wanted to say at the time he was speaking.

Mr. Thibault: — Will there be appoint we can discuss in Committee?

Mr. Speaker: — Certainly!

Mr. E.I. Kramer (The Battlefords): — I want to ask a question first, if I may. Will this Act as I understand it then will simply apply to the SGIO, and other insurance companies will not be affected by this unless they in fact put this into their contract.

Mr. Heald: — Yes, that's right. This is an amendment to the Government Insurance Act, not to the Insurance Act.

Mr. Kramer: — It seemed to me, Mr. Speaker, then, what we are doing

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here, we are making some serious inroads once more into the package policies, the Automobile Insurance of the SGIO. I certainly think that for anybody who thinks they may be in a condition...

Hon. D. Boldt (Minister of Highways): — This refers to Saskatchewan Government Insurance Act, The Automobile Insurance Act, not SGIO.

Mr. Heald: — ...will be the same as any other company.

Mr. Kramer: — I might add my objection to this. I believe that we are stepping beyond our rights as a Legislature, not beyond our rights, but certainly it seem to me that...

Mr. Boldt: — What are you trying to say?

Mr. Kramer: — What I am saying is this, that it isn't good enough, just exactly like the letter you got from friend Willems at North Battleford. He is fined once, he is fined \$150, that is the fine that is imposed and he has had his licence revoked for six weeks...

Mr. Boldt: — I didn't get a letter.

Mr. Kramer: — Oh, yes, you have, where he has been charged for being...not because he was .08...

Mr. Heald: — Mr. Speaker, on a point of order, I really don't know what...

Mr. Speaker: — Order, order! Now I ask the Member if he is discussing a case that is before the courts, because if he is, or if an appeal lies therefrom, he can't do it.

Mr. Kramer: — No, I am not, Mr. Speaker. This particular thing is only a comparative situation. We have a situation now, as I understand it, this is one reason I am objecting to this, where the law is going to try a person and is in fact trying them, and if the present one is upheld in the Supreme Court of Canada and we find that it isn't ultra vires, we'll continue to do this, and I agree that we should. The court has then finished with that and person according to the law that is written in Saskatchewan and the law that is written in Canada. Here you have an extra tag which could be applied of \$30,000, \$20,000, \$1,000, just depending on the amount of damages that may be incurred under the Act. Under The Automobile Insurance Act your public liability will be taken away as I understand it here. you are imposing another fine. It seems to me you are fined, \$150 that should be the end of it, and there shouldn't be a further punishment.

Mr. Boldt: — Mr. Speaker, I have never seen a Member get up and talk so long and say nothing and didn't know what he was talking about, as the Member for The Battlefords. I would like to make

a few comments about what was said by the Member from Regina Centre. I would like to start from where he ended up. I can sympathize with him that the payments of certain disabilities are not high enough, they should be adjusted. I think if we take them out of the Act that we can make better adjustments. I have already told the Paraplegic Association that they should make some recommendation to us in regard to rehabilitation, and I am satisfied that by next year the Board will make some recommendations to the Cabinet regarding increased benefits. I can agree with him that this is an area that we should look at.

Under Section 63 the argument that he has brought out, - I am amazed at the position the Opposition takes on certain issues. Usually, you know, I think it was about three or four years ago, under The Vehicles Act when the Attorney General (Mr. Heald) brought in the Act and it was included .08 alcohol blood content, the Members opposite repeatedly said we should reduce it down to .05. Now they say that .08 is no offence under the Criminal Code, as I see it. We have seen advertisements on television warning the people that this is an offence and there could be a fine of \$5,000 and so many ears in jail. And you say this doesn't mean anything.

Now the former speakers, Mr. Whelan and Mr. Snyder, pointed out when they entered the debate that here was a complete change of principle. there is no change of principle. Under the Criminal Code a person was declared impaired under Sections 222 and 224. Now the Criminal Code says if a person has a blood content of .08 alcohol then he is to be considered impaired. It's an offence and he shouldn't drive. If he doesn't want to take a test then he is guilty. Now all of a sudden you people are opposed to this. I was on the plane not so very long ago when I picked up a magazine and it startled me. It said: "Do you know that every fiftieth driver on the road is a drunk. He is not impaired, he's drunk," it said. I read the article and it just scared me. I would like to have these people off the road who have .08 as well.

Now it has always been a condition under the various coverages under the Act that a person should not use a motor vehicle while under the influence of intoxicating liquor or drugs to such an extent as to be for the time being incapable of the proper control of the vehicle. I believe that is all understood. Presently, under Section 63 of the Act, the driver is considered to be under the influence if he is convicted under Sections 222 or 223 of the Criminal Code. This Bill simply updates Section 63 of the Act, so that this Section is consistent with the new scientific knowledge underlying the recent amendments to the Criminal code. This Bill in no way reduces the benefits that a drinking driver was entitled to under the Act.

Benefits under Part II – I have my legal people who advise me on this and if you want to disagree with them – must be paid for any total permanent disability sustained by the drinker and benefits must also be paid to his dependants if he is killed. Moreover if he is responsible for damage to third persons the Insurance office must pay the amount of that damage to the third persons. So what are you arguing about? There is no change in principle at all.

If fault on the part of the drinker has caused a loss to some third person for which the Insurance office pays under

the Act, the Insurance Office must attempt to recover the amount from the drinker. If the drinker was not legally at fault no amount can of course be recovered from him. Moreover, if the drinker was himself insured or his property was damaged because of the fault of some other motorist the drinker is entitled to claim under Part II, liability insurance coverage of the motorist who was at fault. I believe this, Mr. Speaker, is what we intend to do.

Motion agreed to and Bill read the second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. C.L. B. Estey (Minister of Municipal Affairs) that Bill No. 68 — An Act to amend The Homeowner Grants Act, 1966 be now read a second time.

Mr. A.E. Blakeney (Regina Centre): — Mr. Speaker, I am speaking to Bill No. 68, an Act to amend the Homeowner Grants Act, and I rise to support the Bill. I do so, Mr. Speaker, with mixed feelings. the Bill purports to offer relief to homeowners from the burden of local taxes for school purposes. The rhetoric used in supporting the Bill, the letter which accompany the cheques, all say that his money is derived from the development of our natural resources.

The first question which must be asked is whether homeowners are the only people or the best people to receive a payout of resource revenues, so-called. Certainly homeowners are a hard-pressed group. Just how hard-pressed I will deal with a little later on. But they are not the only people who have felt the sting of steeply rising taxes since this Government took power. What, Mr. Speaker, of old age pensioners who have pioneered the country but who now live in rented accommodations, say, a senior citizens' hostel. Don't they have a legitimate claim to share the fruits of our resources. What of our lowest income groups who don't own their own home? Is poverty to deprive them of their rightful share of our resource revenue? What of young people who haven't yet bought a home? Have they no claim on our resources? And as I have said on another occasion, what of owner grants? They of all people have a just claim to the revenues which come from the lumber and the minerals which come from the land which belonged to them and their ancestors. Mr. Speaker, a fairer use of these revenues would see that homeowners received them but also that others in equal need of tax resources. However, Mr. Speaker, to fail to support the Bill might be thought of as saying to homeowners that we don't think they need tax relief. Of course, nothing could be farther from the truth.

Since this Government has taken office, mill rates have spiralled. The mill increase has been almost unbelievable compared with previous periods. This Government was elected on a promise to lower taxes, and yet year after year it has forced school boards to raise mill rates to maintain minimum school programs. Year after year this Government socked it to the homeowner, socked it to the farmer, socked it to almost every group of taxpayer. In the four years between 1960 and 1964 — and I think that is a reasonable period for comparison — school rates increased two mills or an average of one-half mill a year. In the four years from 1964 to 1968, school rates

increased not two mills but eight mills, an average of not one-half mill but two mills a year. Four times as fast. Now if one-half mill a year was oppressive taxation, as the Member for Morse (Mr. Thatcher) used to call it, what will we say of two mills a year — oppressive four times. In the light of this record in four short years, any relief for the homeowner from whatever source must be welcomed. \$10 a year is not very much, far less than most of these people will pay in extra income tax, extra gasoline tax, extra sales tax, already imposed at this Session, and perhaps less than the mill rate increase which of this has been imposed during this Session by a Government which was elected on a slogan of lower taxes. Little or not, \$10 is better than nothing.

So, Mr. Speaker, because the Government has already extracted many time \$10 out of the average homeowner through spiralling mill rates and because this Government this year has extracted many times \$10 out of the average homeowner in other taxes, and because tax relief of any kind and from whatever source is long overdue, I find myself, reluctantly, in support of the Bill.

Some Hon. Members: — Hear, hear!

Mr. C.L.B. Estey (Minister of Municipal Affairs): — Mr. Speaker, I just wish to refer to one point which has been mentioned by the Member from Regina Centre (Mr. Blakeney) and that deals with the expansion of the provisions of this Act beyond the category of homeowners.

We in this Government are anxious to encourage home ownership as much as possible and we feel that this Act can be improved greatly for the benefit of homeowners before we widen it into any other category. I think, judging from the number of applications and the vigour with which applications are put in for homeowner grants, that this \$10 increase will be very much appreciated by the 190,000 odd applicants who will be applying for this grant in 1970.

Motion agreed to and Bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. D.V. Heald (Attorney General) that Bill No. 73 — An Act respecting The Coming of Age of Persons be now read a second time.

Hon. D. Boldt (Minister of Highways): — Mr. Speaker, I rise in the debate on this Bill with some mixed feelings that this will be the first time that I will not support a Bill brought in by the Government. I do this strictly on a personal basis.

I think that today the raising of a family becomes more and more difficult. I don't think it is possible for a Government to legislate the bringing-up of our families. However, I believe that the Government can make it more difficult for parents to raise families by the type of legislation we pass. One need only look at the area of obtaining an operator's licence. Many parents feel that their child is too young to operate a vehicle. However, the law states that a 16-year-old person can obtain an operator's licence. Many a child will argue with his parents

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on the basis that the law invites him to operate a vehicle and he will demand that he should get an operator's licence and drive a compulsory arbitration. I think the same thing will apply to this Bill. Many parents do not want their children entering licensed premises, but if this Bill is passed they will argue that the law says, "It's my business and I will enter if I please."

I must add that the bringing-up of a family is still the responsibility of parents, and to some parents, and I hope to most of them, this Bill will not change that fact. but for those who are a concern to their parents and to society as well this Bill can only add fuel to the fire which will be very difficult to extinguish. It has been stated that the youth of today are more mature, better educated and should be given more responsibility. Well, I'm personally not convinced of this nor do I think that all Members of this House are convinced. Better educated, yes. More mature, I doubt it. the youth of today are causing parents, governments, schools and university faculty members and society more concern than any other group of people I can think of. The actions of the student body of the Sir George Williams University in Montreal certainly do not bear out the argument that the youth of today are more mature. the recent incidents in Regina are very sad indeed and will remain a black mark against our youth for a long time to come. Our professional people in the field of protection, the police chiefs of our two largest cities have voiced objection to lowering the liquor age. I feel that their opinions should carry a great deal of weight in this matter.

It has been argued, "Well, I'm old enough to fight for my country at 18 but not old enough to choose whether I should have a drink." It has not been proven to me that the 18-to-20-year olds are old enough to fight. I believe the opposite to be the case. If the President of the United States were to draft the 35-to-40-year olds, I doubt very much whether they would be at war in Vietnam. The fact is that it is more convenient to draft the 18-and-21-year olds. At that age this group has very little responsibility. They are single with no family, no farm, no business or enterprise to look after. The war crimes we hear, and if they are true, being committed in Vietnam are examples of irresponsibility. These young people who are drafted are, in most cases, fine people when they are drafter but not mature. So let's not be too hard on them when we hear of crimes in Vietnam being committed by U.S. military personnel.

The Bill, as I see it, gives certain legal rights to an age group that is presently exempt. In part, therefore, I can support the Bill, that is for giving certain legal rights to the 19-and-20-year olds. I am opposed, however, to lowering the drinking age from 21 to 19 years. I want to question the motives of the young people who are promoting this Bill. Have these young people been discriminated against when it comes to signing legal documents? How many schoolteacher contracts have been negotiated by various boards with graduates of the colleges where the parent or guardian was asked to sign or compulsory-sign on behalf of the graduate, who legally was a minor? I have been secretary of a school board for a good number of years and I have signed up a good number of teachers who had just come out of college, and were under 21. Never did the school board ask that the parent or guardian sign on the applicant's behalf. All this Bill will do in this case will be to make a certain procedure legal that was in fact been in practice since I was 19 years old.

I believe, however, that the greatest pressure coming from this group is for admission into the drinking parlours and liquor stores. This is what I find so very repulsive.

Governments rather frequently seem to contradict themselves with one program as opposed to or compared with another. In Saskatchewan as recently as December, 1969, the Alcoholism Commission of Saskatchewan issued a pamphlet, "*Facts About Alcohol*." It's a good little article and if understood correctly they advise against the use of alcohol. This pamphlet is paid for by the Saskatchewan taxpayer. If the people of Saskatchewan don't believe its statements and want us to pass this Bill, then I suggest that we should stop spending money on the Commission on Alcohol and abolish it. On the one hand we say that we want research in this field, want to know the harm and effect it has on the individual, we have been given the facts but we ignore them, and give our youths something we know will not do them a bit of good.

Today a small minority of our students cause 99 per cent of our problems in universities and colleges. To suggest that lowering the drinking age to this group will resolve some of the problems, to me is the height of folly. This small minority group can hardly be kept in line, hopefully when sober. Can anyone honestly suggest that this problem will not worsen when the opportunity is given to them to perhaps even have a bar on the college campus or at the nearest eating facility? As a matter of fact the day after the Bill received first reading it was reported in The Leader Post that the Regina University Campus students were not circulating a petition for a liquor outlet on the campus. If this Bill is passed this pressure will mount and they will not give up until they have the outlet. The question of whether or not to lower the legal drinking age to 19 from 21 is essentially a question of the responsible use of our freedom of choice and behaviour. We seek to offer everyone a maximum amount of freedom of expression and behaviour. Freedom used and at the expense of society becomes enslaving rather than liberating. Man must become more aware of the fact that very few of his decisions and actions do not affect quite directly the lives of those about him. Failure to recognize this truth will not assist us in living together for the good of all but will prove to be only detrimental and will add to the complexities of social problems and ills that already plague our society. Rather than aiding society and promising a more fulfilled and harmonious life for mankind, liquor has robbed society of some of its best minds. It has destroyed gifted and creative citizens resulting in countless broken homes and inestimable damage to property. One writer puts it this way: "The bar room is a bank. You deposit your money and you lose it; your time and you lose it; your character and you lose it; your manly independence and lose it; your home comfort and lose it; your self-control and lose it; your children's happiness and lose it; your own soul and lose it." One writer writes: "All the armies on earth do not destroy so many of the human race, nor alienate so much property as drunkenness."

I represent the constituency made up of about 63 per cent of Dutch and German descent belonging to the Mennonite faith and I am a member of that faith and humbly proud of it. All conferences of Mennonites are opposed to liquor, although I must admit that there could be and are a few members of the church who might not agree with this concept. The Canadian

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Board of Christian Service of the Conference of Mennonites in Canada takes a very definite stand on the use of alcohol. A statement on alcohol has been published and circulated in every Mennonite Church spelling out very specifically why the church opposes alcohol. This was done two years ago. I am also convinced that a good number of our citizens outside of the Mennonite faith would agree with our statement on alcohol.

I am pleased to table this statement but before doing so I would like to read the last paragraph to you and it states:

The Conference hereby calls its members to voluntary, total abstinence and to a wholehearted support of efforts to stamp out the evils of alcohol.

The Federal Criminal code and our Provincial laws have indicated in the past few years that we will deal harshly with the impaired driver. I support these programs and I feel that this Bill will somehow take away our sincerity to the Bills we have passed at both levels of government. It will be introducing another social problem that will be harder to cope with than anything we have yet seen.

Some Hon. Members: — Hear, hear!

Mr. E.I. Wood (Swift Current): — Mr. Speaker, I feel that there are some things that I must say about this Bill that is now before the House. I must say that in the main I agree very much with what the Attorney General said in bringing in this Bill. I am certainly not against extending to the young people of our province all the rights and privileges and responsibilities that are set forth in this Bill, except as I may say in regard to Sections 30 and 31, that have to deal with liquor.

I do think that in giving them these rights and privileges of responsibility we take away the impression that these young people are, using the legal term, infants. I think, as the Hon. Attorney General has pointed out, that in this day and age of ours with the education that is available and is made use of in the country, that our young people can no longer be thought of as infants. I think that what is put forward in this Bill in the main is a very good step. The putting of young people in the position of responsibility and in a position of trust means that we can expect from them a reaction to this. I think it is a very good thing that this is being done. Regarding that part of the Bill allowing young people down to the age of 19 to legally go into licensed premises and liquor stores, I think there are some things that I would like to say. I am afraid that I must oppose this part of the Bill possibly for somewhat different reasons than those put forth by the hon. Minister of Highways (Mr. Boldt).

I am not going to speak about the demon rum and all the evils that accompany it. I am not going to put stress upon moral values, although I do think that these are important and I think that the statement which the Hon. Minister of Highways has referred to from the Canadian Board of Christian Service of the Conference of Mennonites in Canada is something that has been placed upon all the desks of the Members of this Assembly, and it is worth their consideration. I would like to point out some other things concerning this situation that I think cannot well escape us. In the first place the bringing in of this Bill and reducing the age of entering into licensed premises from 21 to 19 is going

to relieve the bartenders or the people in responsibility in the licensed premises of having to distinguish between 21-year olds and 18-and-19-year olds. This will be taken care of by this Bill. But now they are going to be faced with the responsibility of distinguishing between 17-year old and 18-year olds and 19-year olds. This is going to be just as difficult and it seems to me a more serious problem. There are many that say that the liquor that they possibly could be expected to have all there may be some reason for thinking this. Actually I think that if we pass a law that enables young people of 19 years of age and over to frequent licensed premises and to go into liquor stores that there will not be more liquor, more beer and wine consumed than there is at the present time by the people of this age group, I think we are being very naïve and are deceiving ourselves.

We have past experience in the matter of the Indian people. I was on that liquor committee back in those days and, as the Hon. Member from Pelly (Mr. Barrie), will recall, we were told by the people who were vitally concerned, members of the clergy that this would be a good thing, that the Indians were drinking all that they could anyway and this would serve to stop boot-legging and would be a good move. I am not saying it wasn't, Mr. Speaker, but to try and say that the Indian people didn't drink any more liquor because that was brought in I think that has proven to be a fallacy.

I think it is very clear to anyone who stops to think about this phase of the situation that we will have to realize that, passing this law and giving the full blessing of the law for these young people to go into these places, there will be more liquor consumed by this young people. This in itself I am not going to complain too much about. I think that young people have as good a judgment maybe in this regard as some of their elders, and I don't like to lay special emphasis on this, but here is the crux of the matter as I see it. Again the Hon. Minister of Highways (Mr. Boldt) who is in charge of the Saskatchewan Government Insurance in regard to The Automobile Insurance Act will be able to back me up in this, that the driving record of these young people is not good. The statistics show that these young people have more than their share of accidents on the road. Any legislation that is contemplated to increase the amount of liquor that is consumed by these young people can be very clearly and accurately calculated to increase the number of accidents on our highways, and some of these accidents quite possibly or probably may be fatal. Mr. Speaker, on this account – I cannot escape this reasoning – for this reason I find that I cannot support this Bill in its present form.

Some Hon. Members: — Hear, hear!

Mr. R. Heggie (Hanley): — Mr. Speaker, I want to throw my support behind the Attorney General (Mr. Heald) and the Government in the introduction of this Coming of Age Act, which in fact is going to lower the legal age in many phases of our life to the age of 19. This is, I agree, a moral issue rather than a political one, but I think a government is faced with these issues and has to take a stand. I commend the Government for the courageous stand it has taken in facing this issue head on.

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At this point I want to give credit to my colleague, the Member for Elrose (Mr. Leith) who very early in the last two years has been giving a good deal of thought to this matter of lowering the legal age. I think it was through his enthusiasm that it caught on with a good number of the Members of the Government side. the Attorney General had his law officers look into all the Acts that would have to be changed and we now have the Bill before us. I can't quite agree with the Minister of Highways (Mr. Boldt) or the Member for Swift Current (Mr. Wood) that they can be in favour of the lowering of the legal age with respect to new responsibilities including the holding of personal property, the holding of real estate, the executors, marriage, the right to sue and be sued, and at the same time deny the 19-year olds the right to consume alcoholic beverages. Now I want to make it very clear to this House that I consider the portion of the Bill which will allow young people of 19 years of age to enter licensed premises or legally purchase alcoholic beverages to be the unimportant part of the legislation. to me the important part of the legislation is the new responsibilities with which we are going to clothe our young people of 19 years and up.

Some Hon. Members: — Hear, hear!

Mr. Heggie: — I don't think that we can hide with our heads in the sand and say that nothing has changed in the last 30 years. We can look all around us. There was almost a sociological explosion in the 1960s and it is going to carry through into the 1970s; there is no way around it. We read very threatening gestures from what is going to happen, world revolution and so on. I think that we have to square ourselves away and face these issues. I am going to report to my constituents that we are trying to encourage the young people, get them to enter into the real economic and cultural life of our province, not the area of alcoholic beverages along — that to me is a side issue — but into the real economic and cultural life, which is the responsibility of holding property, the responsibility that if a young man goes and buys a compulsory arbitration and makes a deal he knows that he has got to pay for it. He can't hide behind the Infants Act at 21 and say he wasn't responsible. I'm sure that with responsibility will go a good deal more care and control than what we have been seeing from some of these young people. Again I say, it is largely a minority that is irresponsible. Most of the young people who have spoken to me since the matter has become public knowledge that there would be a Bill this Session, to a large degree, are sensible and are awaiting this Bill with a good deal of interest.

Now it has been said, so there is no need of me saying again, that young people are better educated and there is more knowledge in the world in which they share. Communication by television has increased to such a rate that young people are that much more knowledgeable than even our generation was at the same age. That has all been said and said well. The emphasis of course is now on training rather than trial and error experience so the young person is equipped to enter into a job or profession without the long, long training period or apprenticeship which used to be the case many years ago.

Now, why the age 19? Mr. Speaker, there is no magic in the age 19 nor is there magic in the age 21 or 18, but you have to

select some point which you think meets most of the requirements. The Government side of the House after deliberation came to the conclusion that 19 appeared to be more or less the breaking point for the introduction of this Bill. My personal viewpoint and why I came to the conclusion was simply this: I watched the growing up of my own son. I noticed that after the age when he reached 19 — he was out of high school — he was working in the summer to earn his way through university — he became much more mature at 19 than at 18 and he began to look into the future and was able to make decisions which have carried him through and now he is well beyond the present age of majority. It seems to me, if we are going to lower the age at all — and this we have recognized — then we have picked the right age at 19.

Now the other piece of experience and probably the one that impressed me the most was my experience as a magistrate in the courts of this province. I can well recall that I was absolutely appalled when I sat there on the bench and had youngsters of 16, 17, and 18 come before me on a charge of consuming liquor in other than a dwelling house or having liquor in a vehicle. If you questioned them as to where they got this liquor, these pink-faced young boys (and girls in some cases) would never tell you, but it wasn't hard to decide that there were many avenues by which they could get this liquor. Then I noticed in my experience that when the 19 and the 20-year olds came before me I was dealing with a different type of young person altogether. Big husky six-footers wearing work boots, working in the potash mines at 19 or 20, working alongside of men 40 and 50 years old, adults in every way would be charged with similar offences. But I didn't have the same feelings about these 19 and 20-year olds, because these fellows had completed their schooling and were making their own way. They were working with grown men and they were acting as their peers influenced them to act. let us not forget that all of us were not all that exemplary when we were 19 and 20 years old. We tend to forget that we had a youth and we in some ways rebelled against what were the rules and regulations of our day. So based on that experience I have confidence that the Government, in choosing the age of 19, has chosen — if we are going to lower the age at all — the break-even point. Now it was a CCF Government in the early days of its regime after 1944 that lowered the voting age in this province to 18. Maybe it is too much to hope for, but at some future time, in order to make things uniform, as this Government is trying to do with respect to this Act, voting might also be raised to the age of 19 so that 19 becomes the age in which all the privileges and responsibilities devolve on to the young person. However, that is not in question tonight.

Mr. Speaker, that sums up what I have to say and I have no hesitation in saying that, in the light of circumstances and social conditions, and as far as we can see into the future at this time, this Government is making the proper move in bringing in this Coming of Age Act based on the sensible age of 19.

Some Hon. Members: — Hear, hear!

Mr. E.I. Wooff (Swift Current): — Mr. Speaker, we have been interested in listening to the Member for Hanley because his arguments by no means were new. They've been used over and over again. I remember taking issue with the Hon. Member from Elrose (Mr. Leith) over the extension of hours and liquor outlets that it would increase

consumption. I was assured nothing of the kind was going to take place, but when the Government brought the Budget in it certainly was adjusted for that increase. And I only invite everyone to look at the sales that have taken place since. With regard to what the Hon. Member for Hanley said about the CCF Government bringing in the 18-year-old vote and applying it to the present Bill, I would just like to say that is true, but again conditions have changed and cars have increased tremendously in numbers and they have increased greatly in speed. I thought on the same side of an argument as the Minister of Highways (Mr. Boldt), though I will concede that I share the Minister's views personally without saying that these must be accepted and applied to everybody else. However, I do find myself on this side of the argument but for different reasons, mostly for those that have already been expressed by my colleague from Swift current (Mr. Wood) and for that reason I am not going to keep the House very long.

If I've not somehow convinced my children of the dangers of alcohol and the dangers of mixing alcohol and gasoline by the time they are 19 years old, I am afraid somewhere I missed the boat. However, quite apart from the moral issue, quite apart from the fact that consumption of liquor brings a great deal of suffering and hardship and heartache I have another responsibility and that is to the public as a whole. This isn't a question that I can decide just on my own personal views, that is, as a legislator I am responsible for voting for or voting against legislation. In this case I am allowing a group, as my colleague said, who happen to fall into this accident-prone group and our insurance legislation places them there. It is not a case of any particular thinking of my own. There they are. When I vote for this particular section of this Bill I am taking the responsibility in all probability of killing someone. It might be someone in my own family for that matter who becomes the victim. For that reason, at the present time, Mr. Speaker, I feel that I will have to oppose the Bill. I could go all out behind the Hon. Member for Hanley (Mr. Heggie) because I don't find any fault with any of the other sections of the Bill but the history of our highway accident list has proved beyond a doubt that we cannot mix these two elements without seriously endangering, not our own lives, if I'm going to drink and drive and break my neck, that is my responsibility, but if I'm going to drink and drive and break your neck, that's another matter entirely and for that reason, Mr. Speaker, I find myself in a position where I must oppose the Bill.

Some Hon. Members: — Hear, hear!

Mr. J.B. Hooker (Notukeu-Willowbunch): — Mr. Speaker, I hadn't intended on entering this debate until some of the remarks were made by my friend opposite, the Member for Turtleford (Mr. Wooff). I must say that I may be considered by many as being one of the old fogies in this Legislature. I am considerably older than many of our younger Members and during that age I have probably had a little bit more experience in many lines. I must say when this concept of changing the age of majority from 21 to 19 at first hit me I was against it. But after thinking it over and looking back on my own life I realized that there was much more to it than a lot of the things that had been mentioned here this evening. If I want to go back to my own experience, I left home I guess

between 18 and 19 years of age. I spent possible two or three years in California, in fact I spent my 21st birthday in Mexico. I was all by myself, 2,000 miles away from home and I can't say that I was any more mature the day I was 21 than the day I was 19 when I was on my way. I would say this, you can't legislate morality and I don't think you can legislate maturity. I know many people who are not mature at the age of 22, 23 or 25 and you will find others who are far more mature at the age of 17. We have heard the argument about the troubles in the universities. I will say that possibly the leaders of those troubled groups were over the age of maturity as we know it today. They were probably the ones over 21 years of age, who were the leaders and were probably followed by a number who were below the age of 21. But I would say that, if we would give more responsibility to our younger people, maybe some of them will become leaders and not followers. Maybe they would be the ones who would say, No, we are not going to do this rather than go along with the older ones who say, "Let's do this or that or the other." As far as entering into licensed premises I would say that this is one of the things that first worried me. Then I think back at my own family. I've raised two boys and I presume they were in licensed premises before they were 21. I never caught them at it but I imagine they were. They all seemed to survive. I would say this, that during the years that my children were growing up and they came to me and said, "We want to go somewhere," and I would say, "How are you going to go?" "Well, we are going to go with so and so." I would say to them, "No, I don't think you should do that but if you want to go you take our compulsory arbitration because I've got far more confidence in you behind the wheel than I have than with the person you are going with." I raised three children. I told them all the same thing after they got driver's licences that, if they were going to go someplace they take our compulsory arbitration rather than go with somebody else. Of the three children not one of them had an accident. I would say possible it was because they had the responsibility, they knew that I was behind them, I considered they were responsible children behind the wheel. They brought the compulsory arbitration back and I never had any problems. Maybe I was just fortunate. but I don't accept that statement, because we lower the age and allow them to go into licensed premises at 19 years of age, we are going to have a bunch of drunkards on the road. I can't believe this and nobody can make me believe it. I think this is good legislation and I think this is legislation that we need. I think our young people are asking for it. I've got every confidence in the youth of this country and this province. If we give them the opportunity they are going to show us that the responsibility we have given them has been duly honoured.

Some Hon. Members: — Hear, hear!

Mr. W.A. Forsyth (Saskatoon Nutana Centre): — Mr. Speaker, I have very few words to say. While I have every respect for the opinions of the Minister of Highways (Mr. Boldt), the Member for Swift current (Mr. Wood) and the Member for Turtleford (Mr. Wooff) I really cannot agree that this is a matter of morality. I believe that this Bill is a matter of common sense and good judgment. There is no doubt in my mind that the young person who is leaving high school today has the opportunity of being much more widely informed than his counterpart of my vintage. We may question whether every 19-year old takes advantage of the opportunity but similarly

we can question the intellectual maturity of a 21-year old, a 40-year old, or a 70-year old. What this Act proposes is a recognition of the results of our dedication to the principle of universal education. It is also a reflection of the effects of a century of revolution, of communication and travel. Today's 19-year old has seen more, he has heard more, he has travelled more and he has learned more than most had at his age. Therefore, it seems reasonable to me that he should be capable of accepting the responsibilities which this Act places on his shoulders.

It is unfortunate that much of the discussion on this Act has centred on the change in the provisions of the Liquor Act. Certainly there is no desire on my part to encourage our young people to use alcoholic beverages, but I think that the right to do so is a natural corollary of the belief that our 19-year olds are responsible people. If home and community influences have not shaped their social behaviour by the age of 19, I'm afraid that no legislation will have much effect either one way or the other. It just doesn't make sense to me to allow a person to enter into contracts while refusing them permission to enter into a beverage room. This Act to me is a demonstration of faith in the maturity and the responsibility of our young people and accordingly I will support it.

Some Hon. Members: — Hear, hear!

Mr. G.G. Leith (Elrose): — Mr. Speaker, before the question is called, I just want to say a word. The Member for Hanley (Mr. Heggie) has said that I had some responsibility in bringing this matter to this House, and I want to say now that I am pleased to have the opportunity to say a word in defence of the Bill. I have every respect for the opinions that have been offered by the Minister of Highways (Mr. Boldt), the Member for Swift current (Mr. Wood), the Member for Turtleford (Mr. Wooff), but I do believe they are wrong. I believe we have come to the point in time when we have to recognize the fact that the responsibility we give young people will breed responsibility, that when people have the right to do the things that other adults are doing they will enter more into the social life of our whole community. Just as a comment, on what the Member for Notukeu-Willowbunch said, I had been in the habit of going occasionally into the beverage room in my area before I was 21 years old. When the day came that I was 21 my father came to me and said, "I'm going to take you down to the pub today, George, because you are 21 years old." So we got in and were seated and the bartender came around — he was an old friend of my father's — and he said, "Hello, John." He then turned to me and said, "Hello, George, I haven't seen you for three weeks." I give you this story to illustrate what I know has happened in the life of almost every other Member here. We have been talking about the age of 21 as the age of majority but in our time I think that we too violated that law. This part of the legislation is not important. The extra benefits and the extra freedoms that will be allowed to people younger than 21 years of age are important, I think, to many of them, but far, far more important will be the fact that they will now be able to enter into the legal responsibilities of adulthood. they believe themselves to be mature at 19. I have confidence in them and I'm sure that they will accept that responsibility carefully and well.

One more thing, Mr. Speaker, this Legislature in many ways

seems irrelevant to the society on the streets of Regina or Saskatoon or the country villages. Walk downtown on a Saturday afternoon and you will see strings of people on the streets. Are they the people of our age or older? No, they are not. They are the young people. They far outnumber us. This legislation, I think, will show to them that we are concerned about what they are thinking. I don't look at it as yielding to pressure from one particular group, but I do say that this is an illustration of what the law ought to be. The law ought to be alive, it ought to be able to change to meet different social circumstances. In this respect I think it is a good Bill and I ask the Members who can, in conscience, to support it.

Some Hon. Members: — Hear, hear!

Motion agreed to and Bill read a second time.

The Assembly adjourned at 10:06 o'clock p.m.