

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Third Session — Seventeenth Legislature
70th Day

Wednesday, May 2, 1973.

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

First Report of Special Committee on Statutory Instruments

Mr. J. G. Lane (Lumsden) moved, seconded by Mr. F. Meakes (Touchwood) that the First Report of the Special Committee on Statutory Instruments now be concurred in.

He said: — Mr. Speaker, I have the honor of presenting the first report of the Special Committee on Statutory Instruments. The Committee met for organization and appointed myself as Chairman, Mr. Meakes as Vice Chairman, Mr. Wakeling of the law firm of MacDougall, Ready, Wakeling and Youck as Counsel to the Committee.

Your Committee has examined Saskatchewan Regulations 1/72 to 271/72, a total of 271 Regulations, thus completing its scrutiny up to December 31st, 1972. Of this total, your Committee considered 24 Regulations drawn specifically to its attention by Counsel, and it sent to the authorities who made the Regulations comments on 18 of these Regulations, inviting them to submit explanatory memoranda should they see fit. Eighteen replies have been received and considered by the Committee. Your Committee does not wish at this time to draw the special attention of the Assembly to any Regulation on the grounds set out in its terms of reference.

Your Committee has also had under consideration the Order of Reference dated April 27, 1972; namely the Bylaws, Rules and Regulations and amendments thereto of various professional societies tabled as Sessional Paper No. 12 of 1972 and recommends that the said Bylaws, Rules and Regulations and amendments thereto of the following professional societies be ratified and confirmed: Certified Public Accountants Association of Saskatchewan; The Institute of Chartered Accountants of Saskatchewan; The Society of Industrial Accountants of Saskatchewan; College of Dental Surgeons of Saskatchewan; Law Society of Saskatchewan; College of Physicians and Surgeons of Saskatchewan; Saskatchewan Registered Nurses' Association; Saskatchewan Pharmaceutical Association; Saskatchewan Teachers Federation; Saskatchewan Veterinary Medical Association.

In order to provide a clear, concise and updated set of Regulations, the Committee recommends that all Departments be urged to consolidate their Regulations by January 1, 1974. The Committee wishes to report that a letter is being sent to all Departments and Agencies advising them of the terms of reference and powers of the Committee in order to encourage uniformity and consistency of Regulations.

The Committee wishes to report that during consideration of the Bylaws of the Pharmaceutical Association, representation was made to the Committee regarding one bylaw which pertains to the code of advertising of members of the Association. The Committee considered the matter raised and felt that it was beyond the terms of reference of the Committee.

During the last session of the Legislature, the terms of reference of the Select Special Committee on Regulations were expanded to empower the Committee to review “the adequacy of existing statutory authority for the making and publication of Statutory Instruments and on the adequacy of existing procedure for the drafting, scrutiny and operational review of such instruments and to make recommendations with respect thereto.” The Committee reviewed and considered the expanded terms of reference and recommends to the Assembly, that the Committee for the coming year be reconstituted as a Select Special Committee on Regulations thus reverting to the terms of reference which existed prior to the last Session of the Legislature. The Committee recommends that further consideration be given to the establishment of a Committee with an expanded terms of reference for a review of all aspects of Statutory Instruments and delegation of powers and the review of bylaws of the professional associations at some future time.

Hon. R. Romanow: (Attorney General) — Mr. Speaker, I’m sorry, I tried to be on my feet as quickly as the question was called.

Mr. Speaker, on this report, there is a matter which I believe might be of some concern to the Minister of Health. I raised it to him just informally half a minute ago or so and it is in connection with the Bylaws that were submitted for perusal by the Committee from the Saskatchewan Pharmaceutical Association. The Committee, as you know, Mr. Speaker, has only very limited powers. During the course of its meetings we were concerned with aspects of whether or not we could inquire into public interest concerns with respect to bylaws. We came to the conclusion and I think the proper conclusion that the Committee’s role was not to inquire into public interest aspects but only to inquire into matters of determination of whether or not the bylaws fell within the Legislative powers given by the enacting body. That is to say, if a regulation was passed by the Cabinet, the question here had to do with whether or not the bylaw was passed under proper and valid authority. Accordingly it was felt that the issues raised by the Minister of Public Health, by the Pharmacy Association, could not be dealt with except here in this Assembly as a whole.

Now if I just might briefly expand on this. The issue raised by the Minister of Public Health had to do with the Bylaws of the Saskatchewan Pharmaceutical Association. The Minister questioned these Bylaws which were filed by the Council of the Pharmaceutical Association under Section 115, sub-paragraphs (1) and (a) of The Pharmacy Act, 1971, and were forwarded to the Committee for further consideration. I am trying to find the legal counsel’s comment with respect to The Pharmacy Act, but I just can’t do it, if I can just be given half a moment.

Mr. Speaker, I can’t find it so I am going to have to ask leave to adjourn the debate.

Debate adjourned.

Questions

Northern Petroleum Refinery

Mr. D.G. Steuart: (Leader of the Opposition) — Mr. Speaker, before the Orders of the Day, I should like to direct a question to the Minister of Industry and Commerce about a situation in Kamsack concerning the Northern Petroleum Refinery.

The Northern Petroleum Refinery is presently owned by Canadian Propane. It has had a series of owners and has been in existence for about 35 years in Kamsack. It employs up to 60 people. The payroll of Northern Refinery has been as high as \$400,000 a year. It is, I am told, the largest single employer of people in Kamsack and has played a very important part in the economy of that town. As I say, there have been as many as 60 people employed there.

Some time ago Canadian Propane evidently made the decision to cease the operation and they have been phasing it out for some time and there have been employees laid off over a period of weeks or even months. They are down I am told to about 17 employees. At about the same time that they decided to phase out or sometime after, I am informed that a local group, a group of local people, to keep this refinery going, have raised a considerable sum of money or have a considerable sum of money committed, as much as \$100,000 or \$150,000 and have been negotiating with the Department of Industry for some time to have the Government either advance them loans or take an equity position in this refinery, or do whatever is necessary to keep it going. They have had some DREE grants or some loans from SEDCO over the years. My understanding is that they have all been repaid. They don't owe anything to SEDCO at the present time.

My question is, what is the status of this situation? What is the Department of Industry prepared to do? We see the Government claiming to save our small towns, we see the Government moving in on industries and putting up millions of dollars. Here is an industry that is of vital concern and it could be saved for that area and this province for a relatively small amount of money. What is the Department of Industry doing? What stage is it at? Are they moving in on that to save it before it is closed up altogether and those people, the skilled workers, disperse to other parts of this country?

Hon. K. Thorson: (Minister of Industry and Commerce) — Mr. Speaker, it is my understanding that the refinery in Kamsack requires approximately \$400,000 in order to operate. That amount of money in hand would be sufficient according to the representations made to the Department of Industry and Commerce by Kamsack people and according to our own assessment of the situation. It is my understanding that local people through a company they propose to organize have indicated a willingness to put up \$200,000 from the shareholders, that the Credit Union of Kamsack is prepared to lend a \$100,000. Our Government through the Department of Industry and Commerce has offered to guarantee a further loan with a maximum liability of up to \$125,000 which would make more than \$400,000 that would be available to the Kamsack group, if they wished to go ahead to purchase the physical assets of the refinery from Canadian

Propane. That I understand is where matters stand at the present time. Now whether or not both sides are prepared to make a purchase of sale agreement on that basis or not, I can't say because we are not dealing directly with Canadian Propane. The Kamsack group have been dealing directly with Propane. But that is where the matter stands at the present time.

Mr. Steuart: — A supplementary question, Mr. Speaker. There seems to be some difference of opinion here. I wonder if the Minister would undertake to check into this today and tomorrow before the Orders of the Day to give us as far as is possible a clear picture of what the situation is. The information or the indications I received last night, I was at a meeting in that area, was that the negotiations were almost broken down or that they had broken down between the Government and the local group. I wonder if the Minister would check into that and give us an up-to-date reply, as far as he is able. There may be some confidentiality and he may not be able to inform us and I would respect that.

Mr. Thorson: — Mr. Speaker, I just want to say that I don't mind answering for the Government but I don't want to be in the position of attempting to answer for the local group or to say any more if the local group feels that somehow that would prejudice the negotiations they are now carrying on with the people who own the assets of the refinery.

House Procedures

Mr. C.P. MacDonald: (Milestone) — Mr. Speaker, before the Orders of the Day I should like to direct a question to the Chair without the intention of trying to rehash the heat of last night's debate or anything. The Opposition is concerned that last night at 9:30 when the House adjourned that there was no opportunity for a recorded vote on a Bill that was passed in the House and we would like to ask: First, what is the method or the procedure whereby we are given that opportunity to have a recorded vote; the second question that we should like to ask and have the Chair respond to is, we are concerned about the opportunity to speak in the House and in this way, Mr. Speaker, we are not suggesting in any way any partiality on your part because I don't think anybody would suggest that on either side of the House. There is a question of the mechanics or the technique as to how Members are to be on their feet to have the opportunity to speak when you are on your feet and then we are supposed to sit down. In the last two days on one occasion there were three different Members attempting to speak without success, one of them finally did succeed. Then two others stood on their feet and were not given the opportunity to speak after pre-arrangements on both sides of the House. There were about eight or ten Members on this side of the House prepared to speak on that Bill and certainly it is the responsibility of the Chair and yours, Sir, to see that every Member gets an opportunity to speak and you are there to protect and see that we do get an opportunity and to encourage us and make absolutely certain that every Member does get that. We think that you recognize that and are doing so.

We should like those two questions answered. 1. How do we get the opportunity to record the vote on last night's Bill?

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2. What procedure is to be used in the House so that the kind of difficult situation that has arisen twice now does not recur? In other words when you stand up to call a vote, what kind of a procedure is it that every Member on this side of the House knows before you call that vote, that you are about to call that vote. So that no one is denied the opportunity to speak, particularly on an issue as important as the one that got by without us having the opportunity to speak a day or so ago.

Mr. Speaker: — I will be pleased to take the Hon. Member's comments and communicate to him later.

Adjourned Debates

Second Readings

The Assembly resumed the adjourned debate on the proposed motion by Hon. G. MacMurchy (Minister of Education) that **Bill No. 91 — An Act to Amend The Teachers' Superannuation Act, 1970**, be now read a second time.

Mr. J.G. Lane: (Lumsden) — Mr. Speaker, just on a Point of Privilege here, on the matter of adjourned debates. I notice that the last month the Government has avoided calling the amendments dealing with this Oath of Allegiance being repealed, Bill 68. I think with this very discriminatory and anti-Canadian legislation that we would have the Government's stand and we should have the Government's indication whether we are going to get a chance to debate this bad legislation or whether the Government intends to let it die on the Order Paper.

Mr. Speaker: — The question before the House which was called is Bill 91. Is that what the Hon. Member was speaking on?

Mr. Lane: — It's Bill 68 that's on Adjourned Debates, Item 1, Mr. Speaker, and we have just had no indication in the Opposition of what the Government is going to do about it.

Mr. Speaker: — Well, the Chair can't adjudicate on that. Bill 91 is called and that is the question before the House.

Mr. D.M. McPherson: (Regina Lakeview) — Mr. Speaker, on The Teachers' Superannuation Act there are a few things I should like to bring to the attention of the House. I personally, Mr. Speaker, have known many of these superannuated teachers in the Regina area for many years and I know there are many, many more throughout the Province of Saskatchewan. They have given long and faithful service to the respective communities and have contributed to this great Province of Saskatchewan. There is no comparison, Mr. Speaker, to what a teacher who retires today and one who retired in the 1940s or early 1950s received.

If you would for a moment let us take a look at the cost of living from 1963 to 1973, it has increased approximately 40 per cent. Thus a pension of \$4,000 in 1963 should be approximately \$5,600 now. Since 1963, Mr. Speaker, teachers'

salaries have gone up an average of 6.3 per cent per year. In 1963 pensions were based on the last eight years of service and since 1970, it is the best six years. Thus a teacher retiring in 1972 would have his or her pension based on a much higher salary than as if he retired in 1963, yet both receive the same flat increases. I certainly support the request for the general increase proposed in the STF brief. However, we particularly want to bring to your attention the plight of the long service teacher who retired a number of years ago when salaries and pensions were low. The average salary in 1950 was \$1,818 a year; in 1960, Mr. Speaker, it was \$4,153 and in 1971 the average salary was \$8,608.

On April 1, 1968 the average pension of all pensioners who retired prior to April 1st, 1968 was a measly sum of \$1,801. The average pension of those who retired July 1st, 1968 was a total of \$4,741.

Mr. Speaker, the annual increase in salaries has resulted in a cumulative improvement in salary levels and consequently in current pensions. There have not been equivalent improvements in the pensions of those who gave equivalent service years ago. We believe that the long service to the teaching profession should command equal consideration in a matter of pensions regardless of when the service was rendered.

Before 1962 there was no protection for dependents, unless the pension was reduced to provide for it. Thus, before 1962 many superannuates reduced their pensions up to one-third to protect their dependents. In 1962 the wife of a deceased male superannuate, automatically became entitled to one-half of the pension. The question arises, Mr. Speaker, should those reduced pensions not have been adjusted in 1962? Can they not be adjusted now?

Take the case of two principals in Regina Collegiates whom I know personally. These were two of the top educational positions in Saskatchewan and very, very creditable men. Mr. 'A' retired in 1946 at the age of 60 with 38 years of service; and Mr. 'B' retired in 1954 at the age of 65 with 44 years of service. After several small increases, Mr. 'A's pension is now \$2,772 and Mr. 'B's pension is \$2,020. If these two men were retiring on June 30th, Mr. Speaker, 1973, from these same positions, at age 55 with 35 years of service, each would receive a pension of \$7,758 and their dependents would be automatically protected. With these two examples in mind, it becomes quite evident that a percentage increase in such low pensions would not be adequate. Therefore, we advocate that no pension should be below \$10 a month for each year of service, up to forty or more years of service. This formula, Mr. Speaker, would provide Mr. 'A' with a pension of \$4,650 and Mr. 'B' with \$4,800 per year. And this would still be \$3,000 below what teachers are receiving today if they were retiring at the current level.

Many of these teachers are over 75 years of age Mr. Speaker, and will not live long enough to receive pensions for many more years. The cost then should be a disappearing factor. I urge the Government to treat all its teachers the same. Let us look after these elderly citizens who have contributed so much to this province. I have talked to the Minister on many occasions and he has certainly improved what has been done and I think

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there is more that has to be done, and I urge the Government to do this.

I am sorry that the Government in the '50s and '60s did not see fit to improve these pensions. This is when it should have been done. The \$280,000 that is being put in this year is a help, but it is not nearly enough, Mr. Speaker. We need approximately \$800,000 in the fund to bring the pensions of these retired teachers to a standard that will let them live out their remaining years in an atmosphere of no financial worries. I ask the Government to reconsider their decision, Mr. Speaker. The president of the STF has recommended this increase and I urge the Government to look into this as quickly as possible.

Some Hon. Members: — Hear, hear!

Mr. K.R. MacLeod: (Regina Albert Park) — Mr. Speaker, I rise to concur with the remarks of the Hon. Member for Regina Lakeview (Mr. McPherson). I am particularly concerned that this Bill does not provide an adequate escalation clause. This is a simple, in effect, 'one-shot effort' to bring the teachers up to date. I recognize that these one-shot efforts have occurred in the past and may occur in the future, but there is not, in this Bill, an adequate escalation clause to provide for the future.

A more serious complaint, however, is the limitations that are placed in the Bill on the superannuation amounts. For example, a teacher who retired prior to July 1951, is, under subsection (5) of Section 28(a) of the Bill, limited to a maximum of \$4,000 per year, regardless of what his present pension is. That figure is reduced to \$2,000 for the widow or dependent of that particular teacher.

I suggest, Mr. Speaker, that the placing of these low limitations in the Bill are just inadequate and unreasonable. There is no purpose in providing increases to teachers, to superannuates, increases to which they are justly entitled, which they have properly earned, and then putting a ceiling on the amount that they can get. Consequently, I should like to suggest to the Minister that the ceilings in the subsection which I have referred to, ought not to exist and should be eliminated. If that means that teachers will be getting benefits under this Act which will bring them beyond the \$4,000 level in the case of a superannuated teacher, or the \$2,000 level in the case of a dependent, then so be it. There is nothing wrong with that occurring at all and I oppose the ceilings that are put on the Government's benevolence.

I would comment, of course, that teachers in the past have had severe limitations on the amounts that they have been able to contribute to the pension, but that does not mean that the limitations which they had to contribute to a pension plan means that the cost of living is any less to them today. Consequently, Mr. Speaker, while we support the principle of the Bill we do say that the amounts are entirely inadequate and the main inadequacy, of course, the most unreasonable parts of the inadequacy, are the limitations and the ceilings that are put on the Bill.

Some Hon. Members: — Hear, hear!

Mr. G.B. Grant: (Regina Whitmore Park) — Mr. Speaker, I should like to speak to this Bill and I will try not to repeat the details given by my colleagues, because they have done a pretty good job of demonstrating the inadequacy of the provision made for the older retired teachers.

I think there have been few others in our society who have fared so poorly as these teachers who retired before the modern trend for increased pensions in all sectors of our society. Besides the major adjustments that have been made in the current teachers' pension program, practically all pension schemes coming under the influence of the Government, have been greatly improved and extended in recent years and this year is certainly no exception. We have seen the ceilings taken off various pension schemes and this certainly enhances the pension for certain individuals and eventually will cost the Government more money by way of a contribution.

1973 appears to be a good financial year, not only for the Province of Saskatchewan, but for Canada at large and the prospects seem to be good as far as we can assess the indicators that appear before us. Mr. Speaker, I think one has to relate the \$280,000 odd that has been set aside for this purpose to the \$700,000,000 Budget that this province is currently dealing with.

The Government opposite, as we have seen, has had no hesitancy to invest some \$55 or \$56 million in the Land Bank and Intercontinental Packers, Ipsco and the Plywood Plant and buying their way out of the pulp mill. The deputies throughout the Public Service have been adequately looked after; executive assistants' salaries are at an all time high, so my own feeling is that this group of really dedicated citizens have not received a fair shake and as the Member from Lakeview indicated the numbers are not that great and they unfortunately are rapidly reducing. I feel that the Government so frequently says they have had a mandate to do this and to do that, I think they could also interpret that mandate to give a better break to these older retired teachers, and I strongly urge that they reassess their situation and see if they can't possibly come up with a more realistic increase for this group of our citizens.

Some Hon. Members: — Hear, hear!

Mr. W.A. Robbins: (Saskatoon Nutana Centre) — I should like to say a few words with respect to this particular Bill. It of course is no final solution to the problem related to teachers. It is obviously doing a bit more than it did last year — there is some \$210,000 (Members have indicated) available this year, some \$130,000 last year. It does not meet the requests of the teachers in terms of pension adjustments. I should like to point out that if the inflationary tendencies that are now in the economy continue for the next 20 or 30 years the point the Hon. Member for Lakeview made with respect to teachers who now retire on \$7,500 a year pensions will be as applicable to the teachers who then retire as it is to the teachers who retired 25 or 30 years ago. That is something that pensions cannot solve unless we use an escalator clause and know what its cost is and involve it in the whole pension program. He points out that, for example, a teacher getting \$200 a month is now getting \$248 in terms of this additional amount paid, but he is ignoring the fact that that

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teacher will also be getting \$100 a month old age security, which brings in \$348 a month. Not a large sum of money in today's world but we should look realistically at the facts as they exist.

I certainly agree with the Hon. Member for Albert Park (Mr. MacLeod) that there should be no ceilings. I am opposed to ceilings in terms of pensions and I am opposed to ceilings in terms of contributions that may be made with respect to pensions. It simply is a fact of life that if we did not have ceilings on pensions and people got the pension they earned and we had vesting and lock-in for the period of service an individual gives in relation to his work with an employer when he reaches pensionable age we will have solved the pension problem in large measure. An escalator clause is of course required if we have heavy inflationary trends in our economy.

The last speaker from the Opposition side, the Hon. Member for Whitmore Park (Mr. Grant) indicated that the Government has a \$700 million Budget. He ignored the fact, of course, that it's a gross budget, compared with a net budget approach of last year. It would come out to about \$585 million and I think it's not fair really to make that comparison without giving some general information with respect to how it is computed.

I repeat again, this is only a band-aid approach. I am sitting on the pension commission, appointed by the Government, with relation to reviewing the pensions of Crown corporations, Public Service, teachers, etc. and I repeat again, as I have said many times in this House, we are not going to solve the pension problem now, or ten years from now, or 30 years from now, unless we adopt a vesting and lock-in approach so that people get the pensions they have earned for the period of service they give with each and every employer with a reasonable threshold clause. To this should be attached an escalator clause.

I support the Bill because it does give some assistance. I repeat again, I agree with the Member from Albert Park there should be no ceilings. It cuts off people in my opinion, that should not be cut off in terms of the Bill.

Some Hon. Members: — Hear, hear!

Mr. D.L. Faris: (Arm River) — Mr. Speaker, I want to concur with the remarks of the Member for Nutana Centre (Mr. Robbins). I think that the basic fault lies in the pension plan and I think one of the important things that has been overlooked in this debate by the Members opposite is that in the coming year with the new Teachers' Salaries Negotiations Act the pension plan, along with other items, will become negotiable. This is extremely important because there is no question about it, pensions have to be looked at as part of a total package. They are, for those teachers who are practising now, deferred wages. There is no question also, that the pension plan itself must be looked at and this will be done through the process of negotiation.

I can't help but feel that those who are in the profession have a responsibility to those who have been in the profession. There are, of course, many teachers who are in very difficult

circumstances at this time, but there are also those who farmed during the thirties and went through very difficult times and have even less than some who are covered by this pension plan or other government pension plans. This is a serious problem in our society.

I want to say that I think that it is amazing that some 18 months after the Members opposite were in the government that they should be shedding these crocodile tears. That they had an opportunity, if they wanted at that time, to revise these plans. They had the opportunity at that time to put in as much money as they wanted and to hear former Cabinet Ministers speak at this time in t his regard, I would suppose that they spoke in the same tones to their government at that time.

Mr. McPherson: — We admitted we were wrong.

Mr. Faris: — Oh, they admitted they were wrong. That's fine. The major point then, is that the new Teachers' Salary Agreements Act will provide for negotiation and the whole plan can be examined and at that time those who are presently in the teaching profession, that is the STF, can take their responsibility in this regard.

Some Hon. Members: — Hear, hear!

Mr. D.F. MacDonald: (Moose Jaw North) — Mr. Speaker, I am always amused when one of the Members from the opposite side gets up and says that we are not doing this because of the miserly offerings of some other government. As though that is some kind of a reason for not giving enough at this time, if somebody else didn't give enough some other time. This has got to be the poorest excuse and I'm disappointed to see it come into this particular debate when there is no need for it. It is a debate that was a little bit above politics I think and well it should be for these people who are so much in need. I am sorry that it came in.

I want to just concur with remarks made by Members on both sides of this House, especially the Member from Lakeview (Mr. McPherson) and the Member from Saskatoon (Mr. Robbins). I don't think that this Bill meets the requests and I don't think it quite meets the needs, but it is certainly better than what they were getting last year — much more is needed. I do want to draw attention to one other aspect that's contained in this Bill, and I am always disappointed, to the effect that a widower is treated differently than a widow. That a female teacher, the pension of a female teacher is somehow treated differently than the pension of a male teacher. I think that this is a form of discrimination against the married woman teacher that her widower is not allowed to take advantage of the pension also. I think that this is something that we have to change. It is a form of discrimination.

Some Hon. Members: — Hear, hear!

Mr. H.H. Rolfes: (Saskatoon Nutana South) — Just a few words on Bill 91. Let me say from the outset, Mr. Speaker, that I concur with those people who have expressed the opinion that this Bill is inadequate but I also want to say

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that we must not forget the fact that it will be included in the items that will be negotiable in the future. This, I think, is a very important aspect. It's certainly a very important aspect and I also, having been a member of the teaching profession, recognize the fact that under the previous Government we were very disappointed in the actuarial reductions that were doubled under the previous Government from 2.1 per cent to 4.2 per cent. Many of the retired teachers and principals who are retired now are on a reduced pension because of the actions taken by the previous Government.

But that does not say that this Government should not be taking steps to correct it. I think under the teacher bargaining agreement we are going to correct it. I concur with those people who say that we who are in the profession now have some responsibilities to those people who are retired. And I, for one, don't mind taking less in a negotiated agreement so that those people who are retired and have given 30, 40 and 50 years of their lives in this important profession can have an increase in their pensions.

I should like to also say that I agree with those people who say that the ceiling should be done away with. I was hoping this year there would be an escalator clause so that the pensions would go up with the cost of living. So let me say, Mr. Speaker, although I feel that the Bill is inadequate, if you average the contributions made by this Government in the last two years of \$170,000, they are certainly way above the average of what the previous Government did in their seven years. That does not say it's enough. We know it's not enough, but it's a lot better. And I, for one, hope that the STF next year when negotiating salaries will place a heavy emphasis on making absolutely certain that those people who are retired will get a substantial increase in their pensions.

Hon. G. MacMurchy: (Minister of Education) — Mr. Speaker, I am somewhat interested at the new concerned group in the Opposition with respect to the field of teacher superannuation, the new champions of superannuated teachers, but I am frankly unimpressed by some of the statements by the Members on the other side of the House now being pure and pious. I think one has to judge on the record of the past of what is done and not of what should have been done or what I thought should have been done but in fact what was done.

Now this is not a huge new input, but it seems to me, Mr. Speaker, that it's very significant, it's the second year in a row we've brought forward legislation providing for easier and earlier retirement for teachers. We are concerned about that level, we are concerned about the growing number of young new teachers who are seeking employment and as the Member for Nutana South pointed out we did remove the heavy penalty clauses which kept teachers in the field under the former administration and opened up that kind of opportunity for retirement. In this Bill is an earlier retirement clause providing for a teacher who is 60 who has served for 20 years; he will now be able to retire at 60 if the last ten years of service are of continuous contribution.

The Member for Milestone (Mr. MacDonald) had a great deal to say about pension ceiling. What was the pension ceiling when we took office? As I recall, it was \$11,500. And last year

in the legislation we provided for an increase to \$13,500 and in the legislation last year provided for an increase to \$16,000 this year. I think that is a significant input into that area of teacher superannuation.

I note the Member for Albert Park (Mr. MacLeod) saying that this is a one shot deal for superannuated teachers. This, it seems to me, is interesting. I want to point out, Mr. Speaker, to the Members of this House, when I say that the input is significant, I say it for this reason. The total of new money and this is the second consecutive year that there has been input into teacher superannuation, the total amount of new money last year was \$130,000 and this is up again by \$210,000. This compared to only \$90,000 in the last increase the Liberals provided or two and a half times as much as their increase. In the two years of this Government, teacher pension increases have gone up \$340,000 and that averages out to \$170,000 each year. What did the Liberals do, I ask what did they do? Not what they thought they should do but what did they do while they were in office? They put up only slightly more than that over a seven-year span. They provided only two boosts in seven years totalling \$190,000 in all, for an average each year of \$27,000. For the seven years of Liberal Government \$27,000 and in two years \$170,000 each year by the New Democratic Government. What is significant is that all pensions so far as this Government is concerned are under review including teachers' superannuation with our pension expert, the Member from Nutana Centre, as part of that review. And what is also significant, Mr. Speaker, and vital to this development is that superannuation changes, superannuation increases for those who have superannuated will be on the table for negotiations this fall and I think that spells good news for all teachers and particularly for superannuated teachers.

Some Hon. Members: — Hear, hear!

Motion agreed to and Bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Snyder (Minister of Labour) that **Bill No. 126 — An Act to amend The Labour Standards Act**, be now read a second time.

Mr. D.F. MacDonald: (Moose Jaw North) — Mr. Speaker, before adjourning I discussed some of the benefits that will accrue to employees as a result of these amendments. I have said in this House before that any Labour legislation has two sides to it. When legislation gives something, it also at the same time takes something. It has one effect on employees and it has a different and sometimes opposite effect on employers. This is a fact that seems to escape the Government opposite. It is impossible to give something to an employee without taking away something from either the employer or the ultimate consumer. Some employers are able to pass along all of the costs to the consumer. This type of employer could hardly care less when we consider legislation of this kind. When we do consider this type of legislation we must then consider the ultimate results on the people in our society who find themselves on fixed incomes and of course this includes the old age pensioner.

However, the type of legislation in Bill 126 will effect to a large degree the small businessman in Saskatchewan. Having travelled this province on the Legislative Business Committee I found this to be a universal concern of small business people. Many small businesses and family businesses find that the Government is imposing added costs while they do not have any opportunity to pass this cost along to the consumer. They find most NDP actions to be a one-way street leading away from the small businessman. The small businessman must be considered and shown some consideration.

The Government opposite finds that making a profit is tantamount to being a sin. They have a deep feeling that all businessmen are rich and evil and that society must be protected from any private entrepreneur. This is not the case. The great majority of small businesses in Saskatchewan are struggling to make a decent living and in many cases it is the sheer ingenuity of Saskatchewan businessmen that enables them to keep operating. Actions by the Government opposite are making it extremely difficult to continue in business in Saskatchewan. All too often the business community is not considered when the Blakeney Government passes legislation. The Government either conveniently forgets that labor legislation has two sides or else they purposely bring in measures that are designed to weaken and destroy any business operating within a principle of profit making. All too often actions and legislation of the Government opposite are designed to make business look bad and to interfere with the relationship between business and their employees.

This Bill before us is an example. It embodies four separate examples of the reverse onus principle. This indicates that the employer is not able to be trusted and that somehow we can always expect employers to try and pull a fast one on some poor unsuspecting employee. This is proof of the attitude of the NDP toward business, an attitude of distrust and scorn. The Government opposite wants all working people to develop the same attitude toward private business. It is an obvious attempt to drive a wedge between employees and business. This is a planned, underhanded political attack on the free-enterprise philosophy.

A new provision is incorporated in this Bill. In the past 20 months the Government has been obsessed with the use of the reverse onus clause and the principle is becoming the rule rather than the exception. This says you are guilty unless you can prove yourself innocent. We now have a new provision on page — I'll just read it, it's clause 14, and it says:

In any prosecution under this Act the burden of proof on the prosecution shall be on the balance of probabilities and it shall not be necessary for the prosecution to establish guilt of the accused beyond a reasonable doubt.

This means that if an employer is charged under this Act and if he appears to be innocent but in some ways he also appears to be guilty then a judge will decide whether he looks more guilty or more innocent. If he appears slightly more guilty than innocent then he shall be judged guilty. That is, if the preponderance of evidence looks, seems or appears to be that of guilt then the employer shall be judged guilty. There is no necessity to prove guilt. The prosecution must simply show that on a balance of probabilities the evidence suggests guilt. I'm not a lawyer, but I'm a little terrified to see a phrase "balance of probabilities". It seems that there is no justice when a

person can be found guilty because there is evidence that he is probably guilty. The heart and soul of justice, as I see it, in this country is the principle that you are innocent until you are proven guilty. This departure from this principle by the NDP Government is an affront to all people believing in justice and fair play. First, the NDP accepted the principle that you are guilty until you have proved yourself innocent, and now you are proven guilty if it looks as if you probably could be guilty. It seems rather too bad that a Bill to ensure women the right to maternity leave and employees to four weeks holidays should be clouded by including such a backward step in justice for employers. This is a favorite method of Members opposite to try and muddy the waters. This provision violates the principles of justice as I see it. I see no reason why the absolute facts in any case should not determine the judgment as to guilt.

There are two amendments in this Bill that deal with the much berated Occupational Health and Safety Act. And it is this type of amendment and the thinking and the attitude of the Minister of Labour that has brought such an adverse reaction from employers to The Occupational Health and Safety Act. These proposed amendments condemn employers before the fact. These amendments clearly suggest that employers are not to be trusted and, in fact, cannot be trusted. These amendments do nothing to allow employer-employee relations to develop voluntarily. They drive a stake into the very heart of good labor relations. Good and honest employer-employee relations can only be achieved through co-operation and trust and it is impossible to legislate co-operation and trust.

It is interesting that last fall meetings were held with employers to explain The Occupational Health and Safety Act and to try and allay some of the fears that existed in employers. And these employers were told at these meetings that reason was to prevail and that the department would proceed with caution and understanding. They were told that the Act and the code of practice would be allowed a period during which experience would be gained before any legislative amendments or regulations would be considered. And yet within three months we see this sort of amendment proposed. I would be interested to know what experience has been gained in three months that requires this sort of amendment. Is there experience that this Occupational Health and Safety Act has prompted employers to misuse their employees. If so, I should like to know of these instances.

I suggest that these amendments are brought into this House prematurely before the Act has had a chance to become established and workable. These amendments indicate a distinct malice toward all employers. They show a complete disregard to honest employer-employee relationships. There is absolutely no doubt that the provisions in this Bill will encourage a number of unnecessary and costly work stoppages. The provisions will result in delays and loss of production. It is likely that these provisions will be used by unions as a method to obtain settlement of grievances. Employees will use any legal method at their disposal to obtain settlements to grievances and certainly we can expect them to. Employees will and have used illegal work stoppages to obtain settlements to grievances. So there is no reason that they would not take advantage of provisions in this Bill to meet their ends legally. These amendments encourage labor strife in this way. These amendments cast aspersions on the integrity of employers. It even appears that the Government opposite does not want employers to accept the principle of

The Occupational Health and Safety Act. The Government seems to be encouraging employers to rebel from this program. This would be a disaster if this happens. If the time comes when employers deal with health and safety on the basis of what is required by law instead of dealing with the true spirit of health and safety, then the objectives of health and safety will be lost and never be met. You cannot legislate health and safety any more than you can legislate co-operation and trust. I think that only the Government opposite believes it can. I am very disturbed with the attitude of Members opposite to the employers and business people in Saskatchewan. Their distrust is not founded on any basis other than a political basis. This attitude is hindering economic development in our province and this attitude is a detriment to every man, woman and child who lives in this province. In total, provisions in this Bill are an affront to fairness and an affront to the co-operative spirit that exists between employees and employers. This Bill does not deserve the support of this House. I have no intention of supporting this Bill.

Some Hon. Members: — Hear, hear!

Hon. W.E. Smishek: (Minister of Public Health) — Mr. Speaker, Members of the House are perhaps aware that the Minister of Labour is in Ottawa attending a Federal-Provincial Conference at the present time and it is for that reason that he is not in the House today.

I should like to make a few observations about this Bill and particularly to reply to some of the remarks of the Hon. Member for Moose Jaw. It is fairly obvious that the Hon. Member knows very little about labor relations, knows very little about conditions in employment and very little about small business, and its attitude.

Mr. Speaker, the Hon. Member started off on a tirade that this Bill in some way declares war on small business. Mr. Speaker, I am not aware of small business people making any representations to the Minister of Labour or to Members of this Legislature in opposition to this Bill. If that were the case, I am sure that if small business or any business were really opposed to this Bill we would have been receiving some representations from them. I can advise this House that I have not received one objection from any of these small businesses or any business people, to this Bill.

Mr. Speaker, this Bill contains four basic principles. 1. It provides for improved annual vacations. It provides for four weeks annual vacation after fifteen years of service in 1973, the following year fourteen and it progressively reduces itself until 1978, where four weeks annual vacation would be granted after ten years of service coming under Saskatchewan jurisdiction, or provincial jurisdiction where the Government can act. I believe it is timely legislation and particularly when we recognize the fact that in industry today there are many more pressures on the workers as a result of automation that employees do need longer vacations in order that they may be able to stand up to the pressures of industrial production and for that matter to commercial pressures that are on the employees. I know that studies have been made in this country and other countries recognizing the need to provide for longer annual vacations for employees as a means of the employees protecting

their health conditions. We are in our society becoming much more productive. I do believe the Hon. Members opposite will be aware that with automation and technology we are capable of much greater production than we were in the past. I recall a study that was made in the United States, where we are advised that 2 per cent of the labor force today will produce all the goods that are needed for our consumption in the North American continent. What will happen with all the other people if automation keeps speeding up as it has? Surely one way in creating more employment is to provide shorter hours and longer vacations to employees.

One other important factor is this, is to recognize that this creates a certain amount of equity. As I am aware and I am sure the Hon. Members if they took the trouble to investigate will find that many small employers, many employers do provide now for four weeks annual vacation after a period of service, others do not and are therefore not in the same competitive position. The employer who may be unionized or the employer who has recognized the need for longer annual vacation is therefore at a disadvantage competitively. This legislation will create some equity and fairness between those who provide and recognize the need for annual vacations and those who do not. I am glad that in Saskatchewan we are making progress in improving labor standards and improving working conditions for our wage earners.

When the Opposition talks about our lack of concern for small business I might refer the Hon. Members to their period. Hundreds of small businesses went under which they failed to support and provide the kind of advice and assistance that small business needed in order to be able to survive and compete. I am glad that our Government through the Department of Industry and Commerce is, through SEDCO providing funds to small business in order to assist them to be able to not only survive but be able to improve their position and be able to stay in business and continue in business and expand. Equally through the representative services that are being made available to the Department of Industry and Commerce, we are progressing in helping the small businesses as well. I am sure that this Bill will help to create equity between business people who want to be fair to their employees and those who may be perhaps somewhat more backward. It is true that annual vacations may add some costs but I don't think that they will not be such costs that people will not be able to finance. Remember this, that for this year it will be four weeks annual vacation after 15 years of service. My guess is that there are perhaps less than 10 per cent of employees who today have been with the same employer for a period of 15 years. In fact, records show that employees on the average change their employment every five and one half years. So the number of people who will benefit will be relatively small who will be able to get four weeks annual vacation after 15 years of service. Therefore the costs to the employers and particularly to the small employers where there is a higher turnover among the smaller employers than there is among larger employers, my guess is that the cost in many cases will be virtually nothing.

The Hon. Member says that he is opposed to the Bill. I presume that the Opposition will therefore be voting against it. I regret that, but this perhaps demonstrates the philosophy of the Liberal Party, that despite the fact that the Saskatchewan Liberal Party has not favored, yet on a national level, the Government of Canada has accepted the principle and legislated

for maternity leave of absence to the workers. The Liberals say they are opposed to it.

Mr. MacDonald: (Moose Jaw North) — No we didn't!

Mr. Smishek: — Well the Hon. the Member said he is going to vote against the Bill. They are opposed to maternity leave of absence, Mr. Speaker, as the Hon. Members are aware there are more and more female employees entering the labor market. In fact, it has been said clearly that today if all the females opted out from employment our economy would come to a standstill. The women are making a tremendous contribution today in making the economy of this country work. Surely, Mr. Speaker, the Hon. Members can't be that behind the times that they say, well women who enter employment should therefore be denied the right of raising families. If they do that, the employer should dismiss them or they should quit and they should have no protection or right whatsoever to return to the employment that they had.

Mr. Speaker, the International Labour Organization by its conventions has for the last 25 years, at least, passed resolutions asking and urging the governments of all countries to pass such legislation to update our philosophy and our thinking. Mr. Speaker, I am glad that the Minister of Labour (Mr. Snyder) is including in this Bill provisions for up to a period of 10 weeks after one year of employment for maternity leave of absence. Remember that this will be without pay, but with the right to return to the same employer. I think that this is in keeping with the times that are with us and the importance in our Canadian economic growth as well as their important contribution to so many fields. Yet the Hon. Members opposite seem to be opposed to it.

There are two other principles in this Bill. One, in the case of occupational health, the Bill will provide that those people who are on the occupational health committees will have the right to do their work. Remember that the committees are set up jointly between the employer and the employee. Be they an industry or plant or employer that employs 10 employees or more they are required to set up a committee on occupational health and safety, that they should meet and make recommendations to ensure that safety and health conditions are maintained. It is merely a protection because there is the odd employer who has demonstrated that these kinds of committees can only meet after hours on employees' time rather than during regular working hours, even though the fact is that this is as much to the benefit of the employer to maintain good health and safety conditions in the plant as it is the employees.

Mr. Speaker, we know this, that the conditions that prevail in plants, particularly unsafe conditions do add a great deal to the cost of health that we all pay. We also know that there are unsafe conditions and there are many injuries and hazardous health conditions that this is not to the advantage and not in the interest of the employer. As a result of this, quite often he loses valuable time lost by the employees because of sickness and accident. I believe that our concept of occupational health and safety will in time prove that this was a measure that will pay off to the entire society and will pay off to the employers as well as improved productivity. Surely the Members cannot argue in the case of the provision that provides that where there is an unreasonable unsafe and dangerous condition prevailing

in any plant or mine, that the employees should at the risk of their lives be compelled to work. The Bill provides or will protect the job security of the wage earners who refuse to perform a job which where there are unreasonably dangerous conditions and until those are investigated by the occupational health and safety committee to determine whether that is a fact, the employee should not place his life in jeopardy. Surely, we have come up to the time that these kinds of things should be recognized. The Hon. Member from Moose Jaw (Mr. MacDonald) is so far behind times, I would invite him, since he is the labor critic, that he study some of the conditions that prevailed in years prior to the present time, where there were very dangerous conditions, and it is precisely through legislation . . .

Mr. MacDonald: — . . . Health and safety?

Mr. Smishek: — He says you can't legislate health and safety. Mr. Speaker, health and safety conditions were legislated in industry and employers were forced by law and by government action to improve safety conditions. All you have to do is read about the days prior to the industrial revolution of the kind of conditions that prevailed in the mines and the mills where children 12 years of age and under were compelled to work under very hazardous conditions. It was through the action of these laws and the legislation and the parliaments throughout the world that we changed the conditions. For him to say that the legislation can't change health and safety conditions or can't force co-operation and trust between the employers and employees I can't accept. I don't accept that! Modern legislation can improve the health and safety conditions as well as modern legislation will help to encourage co-operation and trust between the employees and employers. It is for these very reasons, Mr. Speaker, that I propose to support the Bill. I think it is good legislation. There are some technical points that have been raised by the Hon. Member that can be discussed in Committee. He talks about the reverse onus clause. This isn't the first time that legislation of this nature has been passed, not only in Saskatchewan. This kind of legislation is passed in other jurisdictions. I am sure that if we look carefully, I can't put my finger on some at the moment, but I think if we looked at some of the statutes that have been passed by Liberal governments, similar kinds of provisions have been passed. The fact is, most prosecutions under the Act are dealing with non-payment of wages to an employee. Therefore these are more of a civil than a criminal nature. Presently the burden of proof is not specified which makes it automatically a criminal offence or an offence beyond a reasonable doubt. I don't think that this provision is a bad provision, I think it will make it easier for the employees to collect wages where they have been unfairly treated by the employer. Certainly an employer who treats his employees fairly has no fear and will have no fear of this provision.

Mr. Speaker, on behalf of the Hon. Minister of Labour (Mr. Snyder) I move second reading of this Bill.

Mr. Speaker: — Second reading has already been moved.

Mr. D.G. Steuart: (Leader of the Opposition) — Mr. Speaker, first let me clear up one or two points

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that the Minister of Health raised in regard to what our labor critic, the Member from Moose Jaw North (Mr. MacDonald) said. At no time did he say or imply that governments can't by law or shouldn't by law enforce good safety regulations. We are as aware as the Minister and the Members opposite that over the years it has been Liberal Governments by and large in this country and in Great Britain that have changed the laws governing working conditions, hours of work, age of work and so on that have modernized and improved working conditions in the Western world.

So we recognize this. But the point he was making and the point I want to make is that once again the NDP Government has seized on something that looks popular, sort of a mother love issue, safety regulations within the factories and given themselves unbelievable power and taken one more step in their declared, I use to say it was undeclared but now it is a declared war on business both large and small. He has also said, if we vote against this Bill we must be against maternity leave, we must be against increasing the number of holidays to employees who have been with the company for some length of time. I say no, we are not. But we are sick and tired of the NDP bringing in Bills that contain one or two good clauses, tacking onto them all kinds of powers for themselves and some of their friends and then thinking they will blackmail the Opposition into supporting them.

Well, I tell them that it won't work. If they are sincere about the need for maternity leave, if they are sincere about really doing something for employees who have been with an employer for some length of time in regard to added holidays, then I suggest to them that they delete Sections 13 and 14 of this Bill. Take out the bad sections of the Bill and take out the sections that we and clear-thinking people all over the province will object to in the Bill. Take out the dictatorial powers that they are giving to themselves when we get into the Committee of the Whole and we will gladly support the Bill.

Mr. Speaker, the part of this Bill that we don't like, besides the reverse onus clause which has more and more become part of the fabric of the Government, is that it actually amends The Occupational Health Act. We supported the Act when it was brought in because again it looked like mother love and we were assured that it would be enacted in a very mild way and the legitimate wishes and desires and needs of the employer would be given ample consideration but now we find once again we were misled. And this Occupational Health Act and especially the regulations under it are causing terrible concern to employers all over this province.

They are creating unbelievable problems. And again we see in the sacred name of health and safety, employers have been subjected to unbelievable harassment. I urge the Government when we get into Committee of the Whole to delete Sections 13 and 14 and then review the Act and all the regulations under The Occupational Health Act. Not just review them with their friends in the labor movement but sit down in a meaningful way which they haven't done, now one year later with the business community, with the employers and find out how this thing is really working. What problems is it giving them? Sort out the good employers, and they are the vast majority, from those bad ones and if you have to zero in on some bad employers who are failing to co-operate in a reasonable way, failing to provide

proper safety measures for their employees, then by all means zero in on them. But once again the NDP throws a blanket over everybody. They say there is a small condition here that exists, a bad condition. They treat everybody the same way. I say it is time the NDP Government stopped treating businessmen as criminals. They should stop this declared war on business and sit down and talk with them. I say if they do that they will find that employers, the business community both large and small, is prepared and have shown their willingness to co-operate with this Government or any government in creating better working conditions; in creating better relations with their employees.

You cannot legislate good relations between an employer and employee. You can legislate and you have the responsibility to legislate, for safer and better working conditions. But you cannot legislate good relations and if you don't know that you had better go out and talk to the employer; to the other half of the equation in good relationships between employers and employees. And in this area you have interfered, you have harassed and you have made it difficult for people in business. I say it used to be in the beginning of your term of office the Blakeney NDP Government had an undeclared war on business, in this last few months it has become an open and a declared war. I say stop it. The business climate in this province is at the lowest ebb it has ever been. The feeling of the business people in this province is that they are treated too often as second, third and fourth class citizens and actually as criminals, they can't be trusted to do anything, they have to be legislated against time and time again. Their legitimate complaints and legitimate aims are not listened to and so I say to the Government, take out these sections in this Bill and then open that Occupational Health Act up and sit down with the employers and the employees and honestly examine it one year later and the regulations under it. Then come back in this House in the next session and bring in some sensible amendments that will leave the parts in The Occupational Health Act that everyone can support and yet will take out the unnecessary and stupid harassment that is taking place in our business community today.

Some Hon. Members: — Hear, hear!

Mr. K.R. MacLeod: (Albert Park) — Mr. Speaker, I am particularly concerned with the amendments to Section 69 of the Act as they are contained in Section 14 of the Bill before us.

The proposal is that Section 69 as it now appears to be numbered subsection (1) and that a new section be added which will change the burden of proof or the onus required to establish guilt in a prosecution under this Act.

The explanation given to us in the explanatory notes is that these are really collection of unpaid accounts matters. It says:

Most prosecutions under the Act deal with the collection of unpaid wages and therefore are more civil than criminal in nature.

Well that just isn't so, Mr. Speaker. I should like to read the Section as it now appears. Section 69 says this:

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Every person who does any one of these things, first of all who fails to comply with or violates a provision of this Act or of any order, authorization or director of regulation.

That is one part. Secondly:

Anybody who with an intent to deceive makes a false or misleading statement in any communication to the Minister or his duly authorized representative or (c) interferes with or obstructs the Minister or his duly authorized representative in the exercise of a power conferred on him by this Act.

Now, Mr. Speaker, I have had occasion recently to deal with this particular section. And an employee of the Government went to the premises of a business in Saskatchewan, in a small town in Saskatchewan. It was a small business, the owner plus a part time employee who was involved in the business. He was doing a number of things. The Government official went in there and he demanded that the man spend his immediate time with him to go over his books and all the rest of it. Incidentally, I am prepared to give the name of this individual to the Minister, in private, I am not prepared to make it public. In any event, the man was very busy. He couldn't meet every moment or schedule set forth by the departmental representative. As a consequence the departmental representative, the fully authorized representative of the Minister felt that his station had been somehow impaired or that his dignity had been somehow attacked and caused a charge to be laid against this business man for what he thought was a sort of an interference. I spoke personally to the departmental representative and his attitude was sour to the point where he ought not to be allowed to continue with his employment. He said, I have made up my mind, I will show him, in words that indicated that he was not attempting to administer the Act but was using the Act to support his own personal dignity.

I suggested that the charge should be withdrawn and he refused. The result, Mr. Speaker, was that we were forced to defend the case. The Magistrate of course, the Judge of the Magistrates Court heard the case, wouldn't listen to the prosecuting agent — it was so ridiculous that he threw the case out, discharged the defendant and declared that he was not guilty of the offence.

Now, Mr. Speaker, that is the kind of thing that the Government is now attempting to change. If the Government wants to use this Act for the purposes of oppressing businessmen, then it will succeed by this. But one of the rights that people have had up 'til now is to require that the Government, in fact, prove its case. And these are not the kinds of things indicated by the notes, the explanatory notes. These are criminal charges. This man was charged with interfering or obstructing the Minister or his duly authorized representative. The fact is that the man needs the protection of the law as it now stands. But the Government proposes to change that. The Government says that since we cannot prove that the man is guilty we want to win by getting a balance. Even if the Judge of the Magistrates Court says the man may not be guilty, there is a good chance he is not guilty, the scales are slightly in favor of his guilt as opposed to his innocence. That would result if this amendment goes through in a conviction. Because that of course is the present test. The preponderance of evidence, the balance of probability.

That is the civil test. If the evidence on one side piles up to a certain level and the evidence on the other side is a shade more than that, the balance of probabilities will weigh in favor of the shade more.

And the Government wants to be able to get a conviction if it can get just a tiny bit more evidence that the man is guilty than that he is not guilty. That is completely unfair, it is against British justice. It is the type of thing that will allow convictions for cases in which up to now there have been no convictions but where collections have no part at all. Consequently, Mr. Speaker, I must oppose the Bill. I oppose it on the basis that the Government is unreasonable, the Attorney General I think should direct that this clause be withdrawn. There are parts of the Bill which I support but the Government cannot get the support of this Opposition, at least not me, by running in such a terrible clause in company with some good clauses. Consequently, Mr. Speaker, this is because of the slow but steady erosion of justice, the slow but steady transfer of power to the Government and not just to responsible Ministers. This type of thing is used as I have indicated and those Members know that the farther down the scale an officer may be, the greater is his concern for the dignity of his office. We have seen this in dealing with income tax. We have seen it in dealing with any number of Government officials. They are so easily offended if they think the dignity of their office is in any way attacked. They use these clauses as a threat, they use them unfairly. I call upon the Attorney General's Department to require that this be withdrawn and it should not be brought to this House. I would oppose the Bill accordingly.

Some Hon. Members: — Hear, hear!

Mr. R. Romanow: (Attorney General) — Mr. Speaker, just before the vote is taken on this matter. A number of us have been listening to the arguments advanced by the Members opposite with respect to clause 14 of the printed Bill, Section 69. Of course one would have to consult with the departmental officials further and with the Minister. That may be somewhat difficult, but we will endeavor to do so. There may be some merit to what the Member from Albert Park says and others say about this. Perhaps we could look at limiting the prosecution to just a particular part of the Act, namely the part which deals with wage recovery and leaving the other burdens as is in the legislation. I can undertake to tell the Members that we will draw this to the attention of the appropriate people and perhaps, I underline the word perhaps, a House amendment can be introduced at that time.

Motion agreed to and Bill read a second time on the following recorded division.

Yeas — 38

Messieurs

Blakeney
Meakes
Wood
Smishek
Romanow
Messer

Michalyluk
Byers
Thorson
Whelan
Carlson
Engel

Faris
Cody
Gross
Feduniak
Mostoway
Comer

May 2, 1973

Thibault
Larson
Kowalchuk
Baker
Brockelbank
MacMurchy
Pepper

Owens
Robbins
Tchorzewski
Cowley
Taylor
Matsalla
Richards

Rolfes
Lange
Oliver
Feschuk
Kaeding
Flasch

Nays — 14
Messieurs

Steuart
Coupland
Loken
Guy
Grant

MacDonald (Milestone)
McIsaac
Gardner
Weatherald
MacLeod

McPherson
Lane
MacDonald
(Moose Jaw N.)
Wiebe

The Assembly resumed the adjourned debate on the proposed motion by Hon. Mr. Wood that **Bill No. 105 — An Act to amend The Urban Municipal Elections Act, 1968**, be now read a second time.

Mr. E.C. Whelan: (Regina North West) — Mr. Speaker, the necessity to amend The Urban Municipal Elections Act is evident when one examines the facts.

I think the Province has a responsibility to look at elections and the way they are carried on in the city of Regina. For a long time the Provincial Government has stood aside and ignored the need for election machinery in this city. When you compare the number of polls for a city election with the number of polls used in the last federal election you realize how highly inadequate, inefficient and undemocratic the present system is.

There are approximately 440 federal election polls in this city of Regina, including nursing homes, and including nursing homes in the civic election there are approximately 77 polls. Year after year because of opposition pressure for change and for effective election machinery, procedures have been examined and the methods we use to express our democratic rights as citizens, federally and provincially, are updated. No such examination has taken place at the civic level in this province.

Let's just examine for a moment why smaller polls are necessary. Federal election committees made up of members of every party agree that the approximate size of a poll should be 300 voters in urban areas, that the polls should be within walking distance for voters, and should be manned with certain personnel.

Why should these provisions be made for voters? The voters' participation is the most important aspect, not the civil servant who is working on the election, not the cost, although that is important, but the participation of the citizen in our democratic society is the most necessary feature of any election.

How does Regina measure up in this respect? Look at the west half of the city of Regina in the 1971 federal election, and I want to hold up the map so that you can have a look at it.

Have a good look at it, a darn good look at it.

Mr. Steuart: — Higher!

Mr. Whelan: — Members can see there were 200 polls in this area. A number of these had to be split. This is the picture when you run an election federally. The net result was approximately 220 polls and about an 83 per cent turnout of electors; 83 per cent of the people voted on October 30th and 17 per cent of them stayed at home.

How do we accommodate democracy on the civic level? I am sure that the Hon. Members opposite will defend this so-called democratic system. In the same area where there are about 220 polls federally, there are 30 ½ polls at the civic level. Here is the map if anyone wants to have a look at it.

Mr. McPherson: — Closer than that.

Mr. Whelan: — . . . Thirty-one, if you like. We will give you the benefit of the doubt. We will give you half a poll.

One of them, Poll 50, which covers a huge area near McKinley Avenue, those living between McKinley and McTavish, Albert and north of 5th Avenue, has 2,648 voters on the voters list, not 300 as would be the case in a federal or provincial election, but 2,648 voters. In the 1970 civic election about 30 per cent of these people voted on the division system, a few more voted on the mayoralty ballot. As a matter of fact, 460 voted on the division system. 16.5 per cent voted against the division system. This is the democratic expression that took place on December 2, 1970.

In the civic election, 70 per cent of the people stayed home, 16.5 per cent said that we shouldn't have the division system in the city of Regina, on December 2, 1970. In the federal or provincial election approximately 2,200 to 2,300 people of this same area cast a ballot.

Now the Members opposite quote that the 16.5 per cent as a democratic expression of opinion on the division system. Incidentally, 66 of the ballots for the division system were misunderstood or spoiled.

This Bill provides for a maximum of 400 people in a poll, which renews democracy in the city, bringing the polls closer to the people.

Let me give you some further examples and there are some real dandies here. Look at Poll 51 — and I am talking about the civic setup, and I can show this one on the map — it runs all the way between Pasqua Street and Albert Street and north of the storm channel. Imagine, all the way from Pasqua Street to Albert Street and north of the storm channel, and has 2,549 people within its boundaries according to the 1971 Federal Voters List. This poll had a 33 per cent turnout in the civic election of 1970, 465 out of 2,549 who were eligible, or 19 per cent, voted against the division system. Nineteen per cent decided that we should not have the division system. And yet in the same area 84 per cent of these people voted in the provincial election and approximately 83 per cent of them voted in the federal election.

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Polls at Massey and Lakeview Schools in south Regina have 2,664 and 2,522 respectively in their polls, but the turnout there was 61 per cent and 46 per cent and 63 per cent and 51 per cent in 1968 and 1970.

In Poll 59, which is located between Pasqua and McIntosh Streets and north of the storm channel, at Sherwood School, 620 people or 35 per cent voted. And, again, 19 per cent of them voted against the division system, real expression, a real democratic expression of opinion.

In 1968 when the civic vote was held, approximately 50 per cent of the voters cast ballots and, again, the highest turnouts were at polls in Massey and Lakeview Schools, if you are looking at the large polls. I am talking about the large ones that are in the south part of the city. When the date was changed to early December — and incidentally the Members opposite were responsible for changing this date — the percentage turnout dropped. I want them to listen to this. They have been talking about democracy and what you do with democracy when you write legislation. I want you to listen to this because it is really important. This is your story, this is your deal as you put this together.

Percentage turnout dropped in Poll 50 at Kitchener School in the north end, when you set the date in December, from 48 per cent to 30 per cent. At Massey School, from 63 per cent to 51 per cent, a drop of 11 per cent. At Lakeview School from 61 per cent to 46 per cent. And over the whole city from a miserable 52 per cent to a turnout of an even more miserable 38 per cent. The greatest drop in turnout took place in parts of the city where there is only one car in the family and where the polls were so large, and situated so that it was extremely difficult to get to them on election day.

Mr. Lane: — SUMA asked . . .

Mr. Whelan: — And you were the people that decided. You made that decision, to disenfranchise the people. The election date was set in December.

Mr. Lane: — . . . Councils asked for it!

Mr. Whelan: — And who were the councils? The councillors make the decision or do you? Does the Legislature make the decision or the councils?

The election date was set in December, not by the councils, it was set by the Members opposite when they were the Government. It was set by you people. Members opposite set this date to reduce the turnout on election day. That was the reason, there is no question about that. And the results are there and everyone knows this. The record through the years will show this, that as soon as you set the date later on there was a smaller turnout.

This I say, Mr. Speaker, was deliberate as was the gerrymander of Albert Park and Whitmore Park. It was absolutely deliberate.

The amendment in this Bill changes the date to the last week in October. As a matter of fact I think it should be the first week in October.

The section in this Bill that suggests 400 people in a poll and no more, I am saying to you, guarantees a better democratic setup in this city. The long history of the struggle by middle and low-income people to have polls situated close to their homes, and the history of how the working people are disenfranchised, is repeated every time governments, like those people opposite, set election dates and set boundaries for polls.

When they speak, let them tell us why they were in favor of larger polls and why they were in favor of this December date. Why they have allowed polls with 2,600 or 2,700 people to exist and then expect the people to vote on December 2nd. I want them to explain this to the House.

The limit on those voting must always be remembered and we must keep the polls easily accessible to those who have no conveyance. Let's reconstruct the situation that exists at Kitchener, Thom Collegiate and Sherwood Schools if the weather is bad, or if you happen to be a young housewife with children in school.

She is completely disenfranchised as she cannot take the small children to the poll during the day. She can do this in provincial and federal elections and she often does. The polls are set up to encourage voting, but in the civic election it is a different story. The people who are responsible for this setup don't care about the housewife or the elderly.

That is why we had a 38 per cent turnout over the whole city in the last civic election. I say that it was a plot to stop voters from going to the polls. That was planned to elect their friends. The same people who drew the undemocratic Albert Park boundaries wrote this legislation. Let's not kid ourselves, let's point the finger of accusation where it should be pointed. The large polls, the late election date in December, disenfranchises the voters who cannot afford two cars.

Compare the turnout at Massey and Lakeview Schools with the turnout at Thom, Kitchener and Sherwood. Picture, if you can, how a housewife who lives on Albert Street in the north part of the city can take two small children on a cold day all the way from Albert Street to Thom Collegiate to vote, or how she can go from Pasqua Street, if she lives there. If her husband gets home late from work and the polls are jammed, and they are, where there are four slates running for aldermen, with ten candidates each, and the ballot looks like a skipping rope, he will go to the poll — sure there are 10 aldermen and five slates. You get your foot caught trying to get into the polling booth with the ballot.

Well, the head of the house will go to the poll but he will never get home in time to take his wife back to the poll and watch the children in the car. At some of these polls there isn't enough space to park or to sort out the conglomeration of paper that you need to vote, and yet Members opposite and those at City Hall hold their heads high and refuse to do anything about the situation. They are completely ignoring the plight of people who turn out one out of three to cast their ballots in city elections.

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The irony of it all becomes evident and becomes ridiculously obvious when you realize that the large polls, the election date and the one-sided point of view of people who have the capacity to understand, but without getting all of the facts regarding the advantages of the division system, vote 20 per cent to keep it out, on a cold day in December, in polls that forbid others from participating. And they quote this as the essence of democracy.

Let me quote one editorial, if I may, from the Leader-Post November 5, 1959, after the election of that date.

Only a third of the eligible Regina electors voted in Wednesday's election. This is another black mark against Regina citizens. It certainly indicates a deplorable attitude toward the democratic obligations of those who are eligible to cast their ballots.

This is the first part of the editorial. Further down it continues:

In consequence of the preference expressed by electors for continuing the present election at large system the threat of a third experiment with ward government has been demolished. The electors voted wisely.

Mr. Speaker, this is journalistic nonsense in the face of the facts. First, the enumeration at present is inadequate. Voters can't find their names on the list as it is incomplete. If you try mailing from it, you get back 1,500 letters from a constituency like mine. Compare it with a federal or provincial list where you get back a handful. Second, polls are unbelievably large. Three, even in the first week of November, the weather is sometimes unsatisfactory. Only when you have a small poll can you cast a ballot quickly and get out and back in that kind of weather, and yet ten chances to one these same editorial writers accepted the decision of voters in the same election although the ballots were too lengthy and involved. Let's have a look at a news item in the same paper two days later. It says, and get a load of this:

The almost 5,000 spoiled ballots in Wednesday's civic election could have made a difference in some of the close races for offices, if deputy returning officers hadn't been forced to rule them invalid.

Five thousand ballots spoiled with the skipping rope type of ballot and we continue with the city-wide system of election, 5,000 disenfranchised people, 5,000 of them! I am suggesting to those who criticize the low turn-out of voters, first, enumeration and fixed numbers in the polls are necessary; and two, the present system is not an accurate expression of opinion.

When there are 19 to 20 per cent in favor and 2,300 of the ballots on the division system vote alone are spoiled, 2,300 of them were spoiled, I question the whole procedure. These amendments we should endorse and they should be introduced immediately.

I understand we have agreed to set aside enumeration for this year — perhaps it is not possible — but I certainly think the polls should be reduced to 400 in size. The civil servants may object to this but I think the elected people have to stand up for those who are disenfranchised. It is time we spoke up for the people who are unable to vote. Because of the huge areas

covered by the present polls, and because it can be done federally and it is done provincially, whether it is the people on that side of the House or the people on this side of the House, it is done provincially, accurately and with dispatch. We should begin now to do it at a civic level.

The date is set for the latter part of October by this legislation. I would suggest that next year we move an amendment to set the date in the first week in October. The figures prove conclusively that the later the election is held, the lighter the turnout of voters.

I hope that the division system will reduce at least the length of the ballot that we have been using in this city for donkey's years. As a matter of fact, I hope the time is near at hand when we elect school board members on the same basis, so that we can at least read the ballot, and the cost of a by-election will be within reason when we vote in a by-election.

In conclusion, let me say that I think quoting the plebiscite, where 20 per cent of the people turned down the division system on the 2nd of December without knowing how it worked, and when on the same issue, almost 2,300 ballots were spoiled, is an indication this is hardly a conclusive democratic expression of opinion.

Mr. Speaker, I will support the motion.

Some Hon. Members: — Hear, hear!

Mr. K.R. MacLeod: (Regina Albert Park) — Mr. Speaker, this Bill can't possibly be as bad as the arguments just presented in support of the Bill. It must have more merit than indicated by the weakness of those arguments. For example, the Hon. Member for Regina North West made a big point of the 440 federal polls as compared to 77 polls in the civic election. I would remind the Hon. Members that the federal polls were grouped together and what is far more important when you are talking about going to vote is the number of polling stations or polling places. The W.C. How School as a polling place in the last federal election, had, if my memory is correct, something like seven or eight polls. If you are only going to get a small turnout of your electorate, it doesn't make sense to have eight returning officers and eight clerks if you are only going to have work for one returning officer and one clerk. The fact is that the number of polls is not nearly as important as the number of polling places. Consequently the Member who has just spoken would have done his argument a lot more justice if he had dealt with the number of polling places that are in the city of Regina. He failed to mention that and I hope it was not intended to deceive and was merely an oversight on his part.

The Hon. Member failed to talk about voter apathy and while he talked at great length about the number of people who actually voted against the ward system in the city of Regina, the fact these are the people who were concerned enough to cast a ballot. It is very difficult for him to call upon all the huge number of people who didn't even cast a ballot as though they were in favor of the ward system which was actually defeated. That kind of an argument does not do justice to the Member or to the kind of problem we are faced with when we are

discussing the Bills in front of us. The fact is that there were people who voted against and the majority of people who were prepared to express an opinion, expressed an opinion opposed to the ward system. Unless the Member can find a way to get around voter apathy which exists, principally at municipal elections, he will not solve the problem and I can suggest to the Member that if he thinks that by having 440 municipal polls the same as the Federal election, will attract the same percentage of the electorate to the polls, I think he is sadly mistaken. It will not make a great or significant difference in the long run.

I trust that the Hon. Member will recall that the Member for Regina Wascana has been sitting as a Member either as an alderman or as a mayor of the city of Regina, in a very influential post now for many years and he, in fact, ran in the last civic election for mayor in the city of Regina and the structure was largely controlled by officers of the city when he was the mayor. So far as I know there were no severe complaints to him about the number of polling places. Now he would certainly know more about this than I would and I expect that he will comment on the number of polling places before the debate is over. Certainly if there were a large number of complaints to the mayor at that time, I would be surprised if he would not have taken action to do something about it because it was his custom to take action when complaints were received. Consequently if complaints had been piling into the mayor's office prior to the last civic election demanding further polling stations and I emphasize polling stations as opposed to number of polls, I am sure that he would have done something about it.

Now I believe that there is some merit despite the odd way that the Member chose to present his argument, I believe that there is some merit in ensuring that there are more accessible polling stations to the people of Regina. I must confess that I was surprised when I looked at the map, the civic map, of the Albert Park provincial constituency and observed that there were, I think, $2\frac{1}{2}$ polls and $2\frac{1}{2}$ polling stations. Actually two polling stations as I recall it within the constituency and one outside the constituency which took part of it in. Now that is to the best of my recollection, there could have been $3\frac{1}{2}$ but I think there were $2\frac{1}{2}$. In any event nobody was very far from a poll and the polls were probably in the places they always are — McCannel School, sometimes they are in DeShaye School as they are virtually side by side, one on Garnet and one on Cameron Crescent but they are within a block of each other and W.C. How School.

There are problems, however, as to the nursing homes because in the provincial elections there are fairly well organized parties which get out to vote. This doesn't occur in the civic elections. Most people who have run in civic elections know very well that they do not have the highly organized structure to get out the vote that you do in a provincial or federal election. So there is a concern. I believe that the Hon. Member for North West Regina has a point albeit supported weakly by his argument to make sure that everybody who has a right to vote has the ability physically and reasonably to get out to the polls. Therefore, while he convinced me just about that the Bill had no merit whatsoever, while his arguments were so weak that I just decided that I had to speak against, I must say that I am not sure whether I will vote for it or against it.

He has come so very close to convincing me that it is a rotten Bill, I can't believe that it is quite that bad and I am going to have another look at it to be sure.

Motion agreed to and Bill read a second time on the following recorded division.

Yeas — 37

Messieurs

Blakeney	Pepper	Matsalla
Meakes	Michayluk	Faris
Wood	Byers	Cody
Smishek	Thorson	Gross
Romanow	Whelan	Feduniak
Messer	Carlson	Mostoway
Thibault	Engel	Comer
Larson	Owens	Rolfes
Kowalchuk	Robbins	Lange
Baker	Tchorzewski	Oliver
Brockelbank	Cowley	Feschuk
MacMurchy	Taylor	Kaeding
		Flasch

Nays — 14

Messieurs

Steuart	MacDonald (Milestone)	McPherson
Coupland	McIsaac	Lane
Loken	Gardner	MacDonald
Guy	Weatherald	(Moose Jaw N.)
Grant	MacLeod	Wiebe

The Assembly resumed the adjourned debate on the proposed motion by Hon. E.I. Wood (Minister of Municipal Affairs) that **Bill No. 104 — An Act to amend The Urban Municipality Act, 1970**, be now read a second time.

Mr. D.G. Steuart: (Leader of the Opposition) — Mr. Speaker, I rise to speak on Bill 104 to oppose it on two counts. It is, to begin with, one more example of the NDP Government's power grab. This list gets longer all the time, first their power over small business, their power over the hospitals, their power over teacher-trustee bargaining, the hog marketing commission, now the amendments to the Forest Act we are considering. This Bill differs a little from those others in that it is not a power grab from individuals or businesses, it is a power grab from another level of government.

The second reason I oppose this Bill is that it is, like the Bill before it, badly written. In fact I understand that it would be impossible for the city council to carry out the clauses of both these Bills even though they are going to co-operate and I am amazed that they would do this but they will. It just points out how reasonable they are. They are going to have to co-operate with the Government because of the stupid way these Bills were written. So not only are they bad Bills, not only are they taking rights away from local government but they are, like many other Bills that have been brought into this House by the Government, badly and ineptly written and almost impossible for the people to follow in a proper way.

But now the main reason I am against this Bill is because of what it does. Look at what it does to democracy in our cities. The Member from Regina North West (Mr. Whelan) stood up in the last debate and I know I am not supposed to refer to that but it is the tone definitely of the Government opposite that they know best. Big brother knows what's best for everyone, including the two major cities in this province.

An Hon. Member: — Agreed!

Mr. Steuart: — Agreed, they say. They are now going to tell them exactly how to run their so-called democratic process and they have got the nerve to couple the word 'democracy' with what they are doing in these two Bills. They are saying, in fact, that we know best. While we recognize that the municipalities are in effect the creatures of the Provincial Government, we also have always recognized and will continue to recognize that they should be given as much independence and autonomy as is possible. It is not for this Legislative Assembly to order them how they should run their elections, how they should divide up their cities. It is strange that we should just do this for the largest two cities. I say you go and examine the record of other cities that have had the ward system and you are not going to find that the percentage that turn out at the polls is any better than it has been in the cities of Regina or Saskatoon. In fact what we are doing in this is big brother is telling over 40 per cent of our province's population, 'You don't know what you are doing, you haven't got brains enough or the intelligence enough to govern yourselves so, we, the NDP Government are going to step in and do it for you.' You are doing this against the absolute expressed wishes of the people of both these cities. They have voted on it three times in Regina, they had it once and they kicked it out and they have voted on it in a plebiscite. They are opposed to it in Saskatoon and they have indicated this in a free, open and democratic vote and the elected councils of both these cities have said that they don't want it.

But this is an old trick of any political party or government that wants to seize power. First thing they do is divide and conquer. I say to the people of this province in the rural municipalities and in the smaller centres, if this Government can push 30 per cent of the people around as they are doing in this Bill, then the next step they'll take as soon as they feel free will be the county system. Right now they are taking the cities and maybe people in the rural municipalities are sitting back and saying, "What's this got to do with us?" Well I'll tell them it has a great deal to do with them, because if they Government can do this, if they can use their heavy mailed fists to slam down and say this is what you'll do whether you like it or not, then it is a pretty small step to take on the other 70 per cent of the people in the smaller centres and in the rural municipalities.

So the people of Regina or Saskatoon want this Bill? Well I've got here a telegram sent to me from the president of the Saskatoon Chamber of Commerce and I'm going to read it. It is addressed to me.

Mr. Brockelbank: — He votes for me!

Mr. Steuart: — If he votes for you he'll never do it again, I'll tell you that, he has had his eyes opened.

The Saskatoon J.C.'s have conducted a survey on the ward system of the citizens of Saskatoon through the Star-Phoenix. The results of the survey are as follows: Against the ward system 69.8 per cent; for the ward system 30.2 per cent; for a referendum being held 69.6 per cent. Of those in favor of the ward system 62 per cent want a referendum held. The results indicate a significant opposition to the implementation of the ward system, as well the summary indicates that the citizens want a referendum held.

For your consideration the ballots have been retained if you should wish to review them. President of the Saskatoon J.C.'s.

This telegram came in yesterday.

Mr. Robbins: — How many voted?

Mr. Steuart: — I don't know how many voted. It was an open, clear vote but it is exactly the same thing as the university, it is exactly the same thing as Bill after Bill you've brought in. You are saying that you don't care what the people say. You don't care what the citizens of Saskatoon say, you are going to ram this down their throats anyway. Regina, as I say, has shown clearly three times that they don't want this system and in spite of that the NDP Government says we are going to ram it down your throat.

Another interesting and very disturbing event that has taken place is the way they are going about ramming this down the throat of the people of this province of these two cities. I refer to that grubby, immoral little meeting that was held, or two meetings, where this secret plan was laid out to go out and make this appear palatable, make this appear as if it swelled up from the grass roots and didn't just come down from some political heelers, ward heelers, they can be called now, of the NDP.

Let's take a look at this deal, let's take a look at this little meeting that was called by the brother of one of the Members of this Assembly.

Mr. Lane: — He's not in his chair!

Mr. Steuart: — They're not in their chairs very often.

The brother of one of the Members, called a meeting in this Legislative Building, and as a matter of fact we find out he's on the payroll, another NDP heeler on the payroll of the Government. But who attended that meeting where it came out in the newspaper that they had laid secret plans to have NDP workers phone in when Everett Wood was on the Hot Line Show and pretend they were for this? To phone up the mayor and the council and threaten them with their votes. Stir up the labor unions and get them to make representation. Who was in on this and I say it was an immoral meeting and I say it was an immoral act. Who was in on it, well Everett Wood was in on it, he was in on at least one of the meetings and he admitted that. I think the Premier was in on it as well. The Premier has never stood and said honestly, yes, I was in on those meetings or I wasn't. All he said is, trying to wash his hands, "I'm not responsible for

what the NDP does, I just happen to be head of this Government.” Well, he has shown he is a pretty weak head of this Government. I guess they made a mistake, they should have picked his seatmate, but he was chosen as the head of the New Democratic Party and he can’t wash his hands just so nicely and neatly. I want to ask him a question when he rises and speaks in this debate and I expect that he will put his stand on record. To say exactly what part he played in that meeting that set up the underground and underhanded method that was to be used by the NDP supporters to try and make this act of dictatorship more palatable. They used typical tactics of parties and of governments that have seized power all over this world. What did they do? They say that you should use any means to obtain your end. If you have to lie, lie and that is exactly what the Minister of Municipal Affairs did when he sat at that meeting. He counselled those people to phone up their members and phone in and pretend, if they weren’t in favor, to pretend they were in favor of the ward system. In fact he counselled them to go out and do that. Another thing he counselled them to do was to phone up and threaten . . .

Mr. Wood: — On a Point of Order. Did I understand the Hon. Member to say that I lied.

Mr. Steuart: — I said that by the act of holding that meeting and counselling those people to phone in on that phone-in show, you were counselling them to lie. You and the people that organize that meeting. You were also counselling them to threaten people. You were counselling them and directing them and maybe even ordering them to go out and threaten duly elected representative, phone the mayor, phone the aldermen and tell them you’ll withhold your vote. You won’t vote for them unless they knuckle under. Knuckle under to your demands. You’ve done more than that. You said, let’s take the labor union movement to see if we can degrade it again. See if we get the labor union movement. They hadn’t stirred up, they hadn’t said anything, they hadn’t come out on record. But let’s get the labor union movement and see if we can get some of the top brass and put them in our hip pocket. Some of the top brass of the labor union movement to come out and pretend they were for it and make up resolutions and go to the Press. That was the kind of meeting that was held.

Again, it is typical, I say, of a political party and a government that will use any means, any means in their power, any means above board, below board, underhanded, any other kind of means, take the labor union movement, use it as they have continually to their own ends, phone people who weren’t even interested probably, get them to do little threatening acts to the mayor and the council. Again I make it very clear it is typical of the kind of political philosophy that they have opposite that any means are justified to obtain their ends. I say that this typical rot that was indicated by this secret meeting, wasn’t just among the rank and file of their Members but it rose up and affected the very Cabinet itself because one Member of the Cabinet has admitted that he attended the meeting. He should have stood up in his place, he should have denounced it, he should have said we’ll have nothing to do with it and ordered it stopped. I say that if the truth were told the Premier knew about it. I should like him to stand up in his place and say if in fact he was at those meetings, if he knew about them when he found out about them and what action he is

taking with his Cabinet Minister and with other people under his control. I say his hands can't be washed clean. I say this was a very, very, to say the least, grubby little incident in the politics of Saskatchewan and it is not good enough for the Premier to stand up and say, "I didn't know anything about it and I am not responsible."

I ask the Members opposite for once to show a little intestinal fortitude and defeat this Bill. It will stand them in good stead politically but that is not important, what is important is it's a bad Act, it's badly written and it's a piece of dictatorial nonsense that this Government, with its sad inept stupid record dares to say to any other level of government, look how efficient we are, look how exemplary we are, look how we run our affairs. They are so beyond any criticism that now they can reach out and tell other levels of government, the basic level of government, the local level of government, this is how you are going to run your affairs. I say you had better clean up your own act, clean up your own hands, clean up what you are doing yourselves, then and maybe only then you might have the right to point your finger at somebody else as the Member opposite did standing up sanctimoniously and saying, "This is how democracy is run, we've sat idly by long enough and now we're going to tell those people how to do it." And why are you doing it? You know why you are doing it, because your own NDP members have failed, time and time again to get the number of positions they think they should have on the city councils of Regina and Saskatoon and so you are going to discipline the people and say, we'll show you. We'll divide this city up into wards, we'll set one part of the city against another part of the city. We don't care what harm we'll do, we don't care how we have to tread on their rights, as long as we pay off our political debts to some political NDP heelers in this city and in Saskatoon, we're going to take whatever action we like. I say it is a bad Bill and if those Members opposite in the back benches have any regard for decency, have any regard for local government, have any regard for democracy, they will join us and vote against this Bill.

Some Hon. Members: — Hear, hear!

Mr. J.G. Lane: (Lumsden) — Mr. Speaker, the Government's devious, deceitful activity in implementing this Bill shows exactly how bad the Bill is. I referred the other day to the cabal that met here in the Legislative Buildings sponsored by the Premier, the Minister of Municipal Affairs' devious attempt to upset and usurp the democratic process in the cities of Regina and Saskatoon, because that is precisely what that was. The people of Regina have made it quite clear how they stand on the ward system and in spite of the Member from Regina North West (Mr. Whelan) this is where they stand — they don't want a ward system.

He made a speech and I am not going to refer to what he said in the previous debate, he is on record, Mr. Speaker, the Government of Saskatchewan is going to encourage people not to vote. Because if the people haven't got the guts to get up and go to the polling station we are going to put in a system which allows one person to control the ward. You don't have to bother showing up at all. That's the system that the Member for Regina North West wants, that's the system that the Government opposite is bringing in. They are bringing in a system which will encourage those people who now refuse to

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participate in municipal and civic government to stay home and that is what they are arguing for and that is one of the principles behind this Bill. The citizens of Regina and Saskatoon have made it clear to the civic governments in those cities and they have made it clear to the Government that they don't want a ward system. How many times do they have to shout it out to you that they don't want it. And yet without prior consultation, without discussion, the people of Regina and Saskatoon are going to get this system rammed down their throats and no backroom politics is going to justify or make moral this very immoral Act of the Government opposite.

As I said, the devious, deceitful tactics of the Government opposite indicates that this Bill is bad and it proves that the Bill is unwanted.

The interesting thing about the ward system and the fact that it has been rejected by the citizens of Saskatoon and Regina, is the fact that one time we did have a ward system in Regina. It was in existence in Regina and after it was in existence the people then voted it out. You can't ignore and you can't hide that fact. It doesn't matter how many years ago. It doesn't matter one iota. If you are going to take the argument that every so many years everything is going to be reviewed, call that election now, if you are going to use that argument. The Government's arguments are fallacious and specious and cannot justify this usurping of the democratic process. The Government's position is one of total arrogance in ramming unwanted legislation down the throats of the people of the Province of Saskatchewan. This Bill proves that the Government is out of touch in the cities because it has been rejected in the past. The Government is now at the stage that the old idea that they talked about for a year and one-half, we listened to the people, we've got a hot line program, or a hot line telephone, we listen to the people. Not when it comes to civic government and you want to get your greedy, dirty little hands down to control the cities, then you don't listen to the people. You just bring this in without regard to the wishes of the people of Saskatchewan.

The city councils of Regina and Saskatoon are foolish if they co-operate with your arrogant scheme.

The Assembly recessed until 2:30 p.m.

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Mr. Lane: — Mr. Speaker, at 12:30 we were in the process of discussing the matter of the Government's arrogant manner in which they are imposing the ward system on the citizens of Saskatoon and Regina. I think I recall last year when every Member on that side of the House stood up on a particular piece of legislation and said, Yes, but 55 per cent of the people of this province voted in favor of this. That's the attitude and all of a sudden it has changed backwards now as they need seats in the next provincial election and where 55 per cent of the people last year was justification for some of the atrocious legislation, now you turn around and say, we don't care that 55 per cent of the people voted against the ward system we are going to shove it down your throat and give it to you anyway.

We also discussed before lunch hour the plot that was hatched in the Legislative Building by the Premier and the Minister of Municipal Affairs to usurp the democratic process

in the two major cities in the province, where they instigated political blackmail against mayors and aldermen of the two cities. There is every indication that the Members of the Government opposite have promised the city governments in Saskatoon and Regina, if you are good boys and don't fight this, lie down and play dead, next year we will increase the grants and we will give you lots of goodies and so that way you will be happy. That's the type of politics we are talking about and how the Members and the backbenchers of the Government opposite when they talk so much about principle can even stand up and listen to their Members in the front benches when they get into this type of devious politics.

This ward system, as I have said, was opposed by the citizens of Regina and Saskatoon. Not only was opposed by the citizens of Regina, it was thrown out after it had been tried. There is therefore no justification for imposing the ward system without a plebiscite on the citizens of the city of Regina.

Mr. Romanow: — When was it tried?

Mr. Lane: — The Attorney General says, when was it tried? If we are going to the time span as to when we are going to bring these things up again, as I said this morning, call an election now because the people have certainly changed their minds since the last time and I am sure that that argument won't be tried again by the Members opposite in this House. Two years under your Government is a lot worse than 30 years without have a ward system in the city of Regina.

As I started to say at 12:30 the city councils of Regina and Saskatoon, I submit, are foolish to co-operate with the Government opposite in imposing the ward system beyond the requirements of the law set out in Section 30(d). That is all that is required to do and any co-operation to help the Government opposite is foolish. The city councils of Saskatoon and Regina should refuse to help the Government to implement this bad piece of legislation which is contrary to the wishes of the citizens of Regina and Saskatoon. The only way that the Government can be stopped from ramming this system down the throats of the citizens of these two cities is for the city councils of Saskatoon and Regina to stand up and be counted. If the city councils of Saskatoon and Regina assist the Government beyond the requirements of the law they will be guilty of collusion with the Government opposite and guilty of failure to represent and speak for the voice of their electors. If the city councils of Regina and Saskatoon support and implement the ward system they are ignoring, as I say, the wishes of their own electors. They will be going contrary to the principle of democracy whereby majority rules. The majority has agreed to reject — we know we're beaten because you've got 45 Members — but make no mistake, the citizens of Saskatoon and Regina know that they are not beaten and they are going to reject you in 1975.

An Hon. Member: — That's what you think!

Mr. Lane: — I cannot support legislation which is being brought in arrogantly and without consultation. It is brought in by the Government opposite to control (politically control) the citizens of Saskatoon and Regina. The ward system is being implemented

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because the Government opposite wants and the Government opposite intends to bring party politics into civic government. And the Attorney General (Mr. Romanow) knows full well what he is faced with in Saskatoon because the citizens of Saskatoon not only have they rejected the ward system on several occasions but they have rejected party politics in the civic government.

The city councils of Saskatoon and Regina as I have said, should refuse to co-operate with the NDP Government in its plot to take over political control of the two cities. If the city councils of these two cities assist the Government they are in effect giving their stamp of approval to the ward system and they are also approving the arrogant approach, the arrogant attitude of the Government opposite. They are also, above all, condoning the failure of the NDP Government to even consult with the city councils themselves. The city councils, if they support this Government, are setting a precedent that cities in the future do not have to be consulted on major legislation in future programs. If they help the Government beyond the requirements of the law they should not come crying in the future if they are not consulted about Government programs or plans for their cities because they weren't consulted in this case. The very rights of the city council and their duties are at stake with this legislation and a vote in favor of bringing in this particular piece of legislation is a vote against the city councils in the cities of Saskatoon and Regina, and it is a vote by every one of the Members opposite to say that they have no confidence in the wishes as expressed by the electors of those cities and also that they have no confidence in the elected councils of the two cities.

We've got some other comments about the ward system, some of the justifications. First of all the smaller polls will increase the vote. That's a very specious argument because the size of the poll you can bring in without bringing in a ward system. You can easily pass legislation requiring polls to be a certain size without having a ward system. Now, why does the Government not do that — obviously their political partisanship is shown in this legislation when they don't require the aldermen to reside in the ward in which he is running for election. Obviously Pout MacDonald and all the hacks and the ward heelers in the city of Regina are going to jump across the creek and run on the north side. A number of Members who reside — the Members who reside in the ward will be very few in the city of Regina and that just proves that your attitude and your plan is nothing but partisan politics to control the city of Regina.

Mr. Romanow: — Do you live in Lumsden?

Mr. Lane: — And I've used that as an example — certainly I don't live in the constituency of Lumsden, but that's not a requirement of provincial politics and if the Attorney General who has just bought a house in the city of Regina wants to talk about living in constituencies I suppose we could listen to him for some time. But your whole justification for the ward system, is the representation it is going to give to certain parts of the cities of Regina and Saskatoon. And yet you completely refute that argument by allowing outsiders to go into these sections. And that's contrary to the arguments that you use and for that reason it's just another bit of evidence of the partisan politics you are playing with the two cities.

Therefore, we in the Opposition have no choice but to oppose this legislation.

Some Hon. Members: — Hear, hear!

Mr. Lane: — We oppose it because the Government has chosen to ram this legislation down the throats of the citizens of Regina and Saskatoon without consulting the city councils, the duly elected members, and without regard to the wishes of those two cities and for that reason we oppose this legislation.

Some Hon. Members: — Hear, hear!

Mr. D.F. MacDonald: (Moose Jaw North) — Mr. Speaker, this Bill, I think shows the very basic difference in the attitudes and philosophy of the New Democratic and the Liberal parties.

Some Hon. Members: — Hear, hear!

Mr. MacDonald: — The power politics of the NDP and the democratic politics of the Liberal Party.

Very peculiar, I think, that this Bill we are talking about has been described by the NDP as ‘divisions’. They know the word ‘ward’ has dirty connotations — they know that the word ‘ward’ will not be accepted by the people so they try to call it divisions. But the ward system by any other name will still be known as the ward system and will have the same ugly connotation.

This Bill, Mr. Speaker, is an attack on the integrity and autonomy of local government. And to use the immortal words that are often used by Mr. Feduniak — I say to the Members opposite, “Shame to you for dirty politics”.

The Government opposite have shown many times this complete disregard for the integrity for local government. They have made fools out of the school trustees. The NDP have transformed the role and the responsibility of elected trustees will become nothing but stooges and puppets. The NDP have destroyed local autonomy and responsibility in that form of local government.

The Bill before us today should serve as a warning to rural Saskatchewan that they will be next. Make no mistake the county system is coming. We know that the Minister of Municipal Affairs (Mr. Wood) wants the county system. We know that he has the confidence and the power to push it down the throats of rural Saskatchewan. I predict that we will see the county system at the next session of this Legislature, or possibly right after the next election if they were to be re-elected. We have had several hints of this in the past year. We know that the Minister feels that the county system is progressive and that he also feels the ward system is progressive. Well this is the logic that he is going to use.

The NDP are set on a course to destroy local government. They don’t respect local governments, they can’t stand local governments, unless they can control them.

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The NDP have been unable to control local government so they are using the alternative and they are going to destroy any form of local government that they can't control. The ward system for our city elections does not necessarily mean a destruction of local government but it will likely prove to be the destruction of effective local government because of petty politicking, trading favors and scratching each others' backs and so on.

The ward system is, however, a method that the NDP use for controlling civic politics. It is proposed for this purpose and for no other reason, simply to allow the NDP to gain control. And if this method were to fail I am convinced that the Minister of Municipal Affairs would not hesitate to bring in legislation to further emasculate city government. The record and the attitude of the NDP will bear this fact out.

This Bill embodies pure partisan politics. Party politics in municipal elections has failed. Keeping it out has been good for our cities. Our cities, by and large, have had good responsive local government. There have been some examples of petty personal politicking, which has had a detrimental effect and no one knows this better than the city of Regina. But in large measure the absence of partisan politics in city council has led to good city government. The fact that we have had good responsible local government is not of concern to the Bothwells and the Coates and the Pout MacDonalds. These people have been losers. They have been rejected by the voters. They have not been elected or re-elected on their own merit. However, they are not about to give up so they have set up machinery so that the NDP can enter city politics. They have then gone to the Minister of Municipal Affairs and told him, the NDP will never control civic politics without a ward system and I am surprised at the Minister of Municipal Affairs — he has always held himself up as a statesman. Somehow he has attempted to put himself above the shady side of politics. Today I am shocked at the actions and attitudes of the Minister of Municipal Affairs, that he should be involved and in fact that he should be the author of a Bill that abuses the use of political power such as the ward system Bill.

It is certainly one of the worst examples this House has ever seen of using political power to further the ends and the goals of a political party. The intent of this Bill is as abusive in nature to any gerrymander. The intent of this Bill is to gerrymander. This is a gerrymander Bill, there is no mistake. I am truly amazed that the Minister of Municipal Affairs would get so deeply involved with such an obvious and open abuse of political power.

The NDP further show their lack of integrity when they have their little vigilante group formed to help force the Minister's ward system through. That little group met in this Legislative Building for a meeting — a meeting which the Minister attended.

An Hon. Member: — You were there too!

Mr. MacDonald: — We find that the grassroots organization of the NDP works through a curious system. All decisions in the NDP are made at the top level of the party. The grassroots party members are then informed that they have a bright new idea. They are then told to communicate this bright new idea back to the top level. The grassroots are even told how to think and how to express this.

This has to be a curious form of participatory democracy, or grassroots involvement. The Cabinet makes the policy and then they give this policy to the grassroots and tell the grassroots to write and to phone the Cabinet urging this new policy. How ridiculous. This tells something about a party that will allow and condone such dictatorial tactics by its leaders. It also tells us something about the type of people who are members of the NDP and who will allow themselves to be used and to be exploited by the party hierarchy. The party leaders don't even give the pros and cons to the poor members, the poor members at the grassroots level. Instead they are given clichés to ask anyone who might question them. These clichés are meant to belittle any opposition that is presented to them. We now see that the grassroots members, or the NDP seats, or whatever you want to call them, are willing to be used without even knowing why. They accept what they are told and they accept that they will do it as they are told. This is a sad commentary on people who belong to the NDP and I would expect a great many reasonable and fair-minded people will cancel their NDP memberships, or fail to renew them.

This Bill is not the first Bill at this Session which shows the complete contempt that the NDP feel for the local city government. The Urban and Rural Planning Development Act is another example. In that Bill we saw where the cities should be told that they must pass a certain zoning by-law and that if they didn't the Minister of Municipal Affairs would do it. And in this Bill today we find that cities will be told by what method they will choose their governments. I have no objection to enabling legislation so that cities may have a ward system if they desire. I personally have misgivings about a ward system and given the choice I would not accept or endorse it. A large percentage of the people in Regina also reject it.

I might add that I was rather disgusted by the unwarranted attack on Mayor Walker in this House, just because he opposes the Bill. I think that Mayor Walker reflects the majority of opinions of Regina citizens, and that he also reflects the views of the Saskatchewan Urban and Municipal Association. That unwarranted attack on the Mayor will undoubtedly assist the Mayor in his bid for re-election this fall.

An Hon. Member: — He'll beat Henry, he'll beat Henry!

Mr. MacDonald: — The imposition of the ward system on the cities infringes on the jurisdictions which should belong to the cities. I recognize that municipal government is a creature of the provincial government and that municipal governments have the powers and jurisdictions granted to them by the province. However, certain jurisdictions have become traditional and this Bill before us tramples on the rights, the traditional rights of municipal government. To suggest that local government is not mature enough, or responsible enough to manage its own affairs, is a gross insult to our cities. And this is exactly what this Bill does.

Some Hon. Members: — Hear, hear!

Mr. MacDonald: — The Minister of Municipal Affairs, and the Government opposite, is not in a better position than the city to know what

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is best for the city. I suggest that the cities are in a better position to determine what is best — not only the Minister and not the Government opposite. It is the duty of the province to see that provisions exist to enable cities to choose the best system for themselves. The citizens of the cities should be given the right to determine how they should like to choose local representatives. A plebiscite is a good method determining the matter and to deny the freedom of choice to city residents is inexcusable.

In conclusion, I say that the Bill is an outrageous imposition of political power by one form of government into the affairs of another form of government. I cannot accept this abusive power by the Government opposite and nor will any reasonable or fair-minded person in this province.

Some Hon. Members: — Hear, hear!

Mr. G.B. Grant: (Regina Whitmore Park) — Mr. Speaker, I was under the impression when the Minister of Health brought in The Hearing Aid Act that it was intended to aid and assist people like the Member from Rosetown (Mr. Loken) myself and other unfortunate people who have a bit of a hearing defect, but now I'm convinced that the first one of those hearing aids will be issued to the Minister of Municipal Affairs, the second to the Premier and the other 43 to the rest of you Members. I am firmly convinced you've lost your hearing completely. You've ignored the wishes of the people of Saskatoon and Regina and I would strongly urge that you get your bids in early for those hearing aids because believe me you need them.

A short time ago, Mr. Speaker, the Premier on TV, when this Bill was introduced, said, "We think it is in order to proceed in this manner." He had a little bit of hesitancy and he thought his words out very carefully. "The government determines who is eligible to vote, when the elections will be held, so the Bill is a logical extension of this." Now that was a pretty feeble justification for steamrolling over 300,000 people in the Province of Saskatchewan — one-third of our voters, roughly.

Down in the United States, quite often Bills have associated with them the names of politicians. One that I can think of is the Taft-Hartley Bill. Well I can tell you this Bill should be called the 'Coates-Bothwell Bill', because there is no doubt in my mind that those two gentlemen had more to do with this Bill coming before this Legislature, than any other two people and I put them in that order because I believe Wally Coates really spearheaded the activity and will probably take most of the credit when the Bill is passed.

My first reaction when I heard about this Bill was — here is another evidence of the heavy hand of government, another indication that the Government opposite will stop at nothing in their headlong rush to impose its will on the people of Saskatchewan. We have seen so much evidence of this in this present statute, that it is almost getting a little tiring, but we always look with bated breath in anticipation of the next heavy handed Act that they will bring in.

One would think, Mr. Speaker, that a government that has done so little, practically nothing for our urban municipalities

would have trodden just a little lightly on the rights of those urban areas, but no. After listening to ambitious politicians such as Wally Coates and George Bothwell, a minor number of politically ambitious persons, the Government plunges headlong into a different way of selecting councillors. There is no evidence of enthusiasm or interest by the public at large. There was apparently no request by the cities involved, none whatsoever. There was no request for a change from SUMA. There was no citizens' petition. In other words the Members opposite had their hearing aids shut off completely and were not prepared really to listen to what the people felt about this.

Why then were the ward sections of this particular Bill introduced? Well there is one purpose only and I think everybody in the House will admit that, even Members opposite, there is no doubt in the minds of the public. It was to satisfy an element of the NDP who are determined to play a political role in the administration of our two largest cities. They can't get in any other way so they are going to come in through the back door.

Some Hon. Members: — Hear, hear!

Mr. Grant: — Similar boundaries to provincial seats are suggested, a fine way to simplify political organizing.

I am one of the Members opposite who, up to this point, has had a pretty high opinion of the Member for Swift Current, the Minister of Municipal Affairs (Mr. Wood). It is too bad when he is reaching the later stages of his active career that he has to end up with such a bad piece of legislation; a bad image because there is no doubt in my mind that the people in municipal life in this province are going to long remember the Member for Swift Current for this bad, bad piece of legislation.

I should like to ask the Minister just why he spoiled an otherwise good Act by bringing in these sections dealing with what he calls the division system. I am sure that people in both Saskatoon and Regina and the councillors, particularly are far more concerned about the high cost of local government, the rapid escalation of costs of government, the lack of senior government assistance than they are about the implementation of a division system.

Actually I think we should all hesitate to get into the pros and cons of the ward system because that is really not what is at stake here. It is the end result but the thing that is really upsetting everybody is the roughshod methods being used by the Government to implement the ward system.

This way of doing things is certainly a New Deal for People, and the Government once again I presume is carrying out its mandate. They got a mandate to bring in a New Deal for People; this one I think is a dirty deal for people but I gather the Minister and the Members opposite are claiming that they had a mandate in June of 1971 for this high-handed Act.

Having stated my reservations I will now get into some detail on the ward system. As far as I can learn there is little or no firm supportive data on the ward system. It boils down strictly to a matter of opinion. This to me is the heart of the Bill. It is based solely on the opinion of the Minister

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of Municipal Affairs. And I am not arguing, he is entitled to his opinion, but by golly, he is not entitled to impose that opinion on 300,000 people, a third of the population of this province without a vote.

Some Hon. Members: — Hear, hear!

Mr. Grant: — I feel very strongly that he and his Government should not ignore and overrule the wishes of Regina citizens expressed on three or four occasions. And expressed more recently in news items in all the papers in Saskatoon and Regina. Also a letter from the Chamber of Commerce, and I know you people don't have that much use for Chambers of Commerce, but surely, you must sense that they do speak for a segment of our population.

I should like to touch on some remarks made by the Minister of Municipal Affairs when he was introducing the Bill. I touched on one where he said that the Provincial Government was prompted to introduce legislation forcing Regina and Saskatoon into the ward system following considerable interest shown in the system.

Well, the only interest that was shown in the system was by Coates, Bothwell and Company and people of their like who have a desire to get into provincial and city political action. I am sure that the Minister was not sincere when he said this. The considerable interest in the paper was in quotation marks. I think it should have been in question marks.

He also went on to say that because of the development of neighborhood communities in all directions of the two cities there appears to be reasonable evidence to support the principle of allocating representation on city council to defined areas of one or more neighborhood communities. Well, the Member from Lumsden (Mr. Lane) indicated that this really wouldn't result. It might result to some extent in the initial election but you can't keep members from moving around. And I am looking at the Regina constituency map right now there is no MLA in Regina North East, there is no MLA in Regina Rosemount. There is no MLA in Regina Lakeview and there is no MLA in Regina Centre, the new Regina Centre. Believe it or not nobody representing Regina Centre. So here we have a map of Regina and about two-thirds of the city, looking at these political provincial boundaries, do not have an MLA representing them. So why all the concern that is living in their constituency? Why all the concern to have somebody living in these communities, these local communities referred to by the Minister.

Actually there is no guarantee that you will have divisions on the basis of local communities. I don't know even if we follow the nine areas in the provincial boundaries, I don't know where the 10th alderman is going, because there should be 10 areas. You are going to have to create a tenth area. But even if you found one this does not necessarily coincide with the local communities referred to by the Minister.

The Minister also said that it will permit more persons to run for office and generate more interest in municipal elections. The latter part may be true. But for the life of me I can't see how it is going to enable more people to run for civic elections. There may be more people representing different areas, I think that is really what you meant but you weren't quoted that way. There were 30 candidates for council in Regina

in the last election. I think that is a pretty good number of prospective candidates in a city this size, 30 candidates. But now according to the Minister we may run into 40 or 50 or more as a result of this enlightened legislation.

He also went on to say, "It is my understanding that in Regina and to a lesser degree in Saskatoon there are large areas that are not fortunate enough to have a councillor." Well, as I pointed out there are large areas of Regina that are not fortunate enough to have an MLA residing in their own areas. I doubt very much whether the candidate elected for a geographical area is necessarily going to represent my interests. I happen to live in Regina Albert Park area and the only interest that I have there is that I live in that area, I am a tenant. I suppose that is where I will have to vote. But my interest in the city is in Regina Centre and I won't get a vote down there because I don't reside in that area. This is most unfair I think.

Some Hon. Members: — Hear, hear!

Mr. Grant: — I will have to go to my ward member in Albert Park, Mr. MacLeod won't be able to do it for me but I will get somebody else I guess. All he has to say is that I am not concerned about your problems down in Regina Centre because I run out in Albert Park. So you have to go and see the man down there. Well the representative for Regina Centre is not interested in my problem because I don't vote for him. So I don't think this is going to work out as satisfactorily as is visualized.

Actually it has been suggested that this method of voting has been rejected three times, it is actually four times. The ward system existed in Regina prior to 1914 and was voted out on August 18, 1914. Back in 1934 when we had the most radical city council I guess of any city in North America, they decided that it would be a good idea to have the ward system and it was brought in in 1935. They only had to try it one year and it was voted out by the electors in 1936. Then it reared its ugly head again in the 1950s and there was a vote taken and once again it was rejected. As late as 1970 it was rejected. So you can't argue as the Minister said that the only really true way of assessing this is to try it out and then give the people a chance. They have had two chances, in 1914 and 1936. Now it can be argued that things have changed a lot but I doubt very much that it has changed that much. The people of Regina have indicated that they are not interested in the ward system and a vote right now would produce the same results.

I really can't see, if this thing is so good as you Members opposite seem to think it is why don't you give the people a chance to vote? Because if it is so good they will vote in favor of it. I can say this, that I am not up tight one way or the other on the ward system or against the ward system, but if the majority of the people want a ward system, I can tell you I can live with it. I sure can't live with the idea of you fellows ramrodding it down the throats of the taxpayers.

Some Hon. Members: — Hear, hear!

Mr. Grant: — Let's look at the American political dictionary definition of the ward system.

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Some Hon. Members: — Hear, hear!

Mr. Grant: — The significance of the definition I think is known to you all. I can't really see much advantage in changing it to a division system. I reminds me of the Opposition's tactics when we were dealing with utilization fees. You chaps insisted on calling them deterrent fees because of some political significance. This is what you are doing in connection with the ward system.

The significance as indicated in that reputable dictionary:

The ward system has declined in recent years but still has many adherents. It provides a more representative council since the voter can know his representative more intimately. And in turn the councilman will know more about his word. This system is particularly favored by minority groups and labor interests who seldom gain representation under the at large system. The main disadvantage of the ward system is the emphasis it tends to place on special interests of neighborhoods rather than on the interests of the community as a whole.

It makes it more difficult to get qualified candidates and leads inevitably to gerrymandering and log-rolling tactics.

Some Hon. Members: — Hear, hear!

Mr. Grant: —

These factors have led to the growth of the at large system. Or a combination of both ward and at large elections.

Some Hon. Members: — Hear, hear!

Mr. Grant: — Mr. Speaker, the only reason I am hesitant to pull all the stops in opposing the Bill is that I feel that politically the Liberals can't lose if this Bill is passed. The voters of Regina and Saskatoon will be denied their rights in 1973 but they will exercise their voting privilege in 1975 or thereabouts and let you fellows opposite know what they think of your high-handed dictatorial, arrogant, steamroller tactics.

What great wisdom does the Government have toward this action? The implementation is complicated, getting out of it is complicated. In spite of what the Minister says it is going to be nine years, nine long dreary years to get out of it. The only way you can shorten that period is to have a special vote on it and in my opinion this is most unfair. It is certainly too long a trial period. The Bill is full of inequities and short-comings, poor drafting and basically poor thinking and the whole thing was brought up in haste as the Members opposite know. Theoretically there is nothing to prevent one many from running in all the divisions, which I doubt would ever happen, but it is an indication of poor drafting.

The present legislation leaves it to a bylaw to determine how many aldermen there will be. And in Regina and Saskatoon I presume this has been determined at a figure of 10. But the

new Act says that the city will be divided into divisions. It doesn't say how many. I suppose you could divide it into 15 divisions and yet the original Act says that there are only going to be 10 aldermen. So they would have to have another bylaw to bring that in line.

Mr. Speaker, in my opinion the ward member is going to have his interest mainly in his own ward and will not have the welfare of the citizens and the city at large at heart. He is going to put his own interests foremost. But these things are quite minor compared to the method in which this Bill is being handled. I am not going to push the pros and cons to any degree because I realize there are advantages and there are disadvantages. But I cannot see one shred of right in forcing this on the people of our cities and I certainly am going to oppose it. I regretfully do so because there are some good sections in the Act.

Mr. W.A. Robbins: (Saskatoon Nutana Centre) — Mr. Speaker, I should like to quote an authority in relation to municipal government. There was a speech made in this House a few years ago and the statement went like this:

It should not be necessary to remind Members of this House that school boards are like municipal councils and they derive their powers and their limitations from this Legislature.

That was given by the Hon. Member for Wilkie (Mr. McIsaac) when he was sitting on this side of the House. And he was talking against the use of a vote in terms of setting up area bargaining.

An Hon. Member: — Oh, oh!

Mr. Robbins: — The people across the way talk about plebiscitary democracy. You should always have a plebiscite. "What you need to have is a plebiscite," they say. In 1964 I was elected to this Assembly, one of five members from the multiple seat of Saskatoon.

Some Hon. Members: — Hear, hear!

Mr. Robbins: — If the Member for Athabasca (Mr. Guy) would put both feet in his mouth and be quiet for a little while then I may say what I want to say.

The Liberals said that a multiple seat was undemocratic. They said it was form of gerrymandering put in by the former C.M. Fines, who was the Provincial Treasurer of the former CCF Government. They changed it in 1967. They divided it into five seats. They didn't have any plebiscite. They changed it again in 1971. They didn't have any plebiscite.

An Hon. Member: — You must be wrong!

Mr. Robbins: — Mind you they didn't do a very good job of dividing it up into constituencies or divisions. They don't believe in representation by population, they believe in misrepresentation by population.

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Some Hon. Members: — Hear, hear!

Mr. Robbins: — Now they say that you shouldn't have a division system in municipal government unless you have a vote. Every rural municipality in this province is operating under the division system. Not one of them had a plebiscite to determine whether or not that division system be put into effect. Those division systems went into effect under a Liberal Government in this province.

I should like to remind the Members that the vote in rural municipalities in this province is considerably superior to that in urban municipalities. In fact it ranges in around the 50 to 60 per cent level in most of them. The percentage of people who vote in my city in municipal elections runs below 20 per cent most of the time. Now whether or not the division system will improve that I do not know. I will not know, of course, until it is tried.

Some Hon. Members: — Hear, hear!

Mr. Robbins: — The people across the way say we are going to inject politics into municipal affairs. Do they really think that people shed their political viewpoints when they become elected to municipal council? Let's give you an example.

Senator Buckwold was mayor of Saskatoon for a period of time. He ran in a couple of elections federally as a Liberal candidate and he lost. The third time he won and he didn't even have an election. He was put in the Senate. No plebiscite, not that time. The people didn't want him but the Government said, you're going to have him anyway.

Some Hon. Members: — Hear, hear!

Mr. Robbins: — I should like to ask Members opposite did the Federal Liberal Government choose Senator Buckwold to go into the Senate because he was an independent municipally elected official? Do you think that is the reason? You should mull that over for a little while.

Two or three years ago, I visited Great Britain, where they have local elections, or municipal elections, and they vote by divisions or constituencies. They have a turnout on average in the municipal elections ranging from 40 to 60 per cent. Much better than ours. And they have efficient local government.

As far as I am concerned, Mr. Speaker, the major fault in this Bill is that the Bill does not apply to all urban municipalities. And I say that simply because I believe that if you believe constituencies make sense at the provincial level, and you believe that divisions make sense at the rural level, then they must make sense at the urban level. There is no reason why we shouldn't apply a rational, reasonable approach to elections in a general way.

I think, when I listen to the irrational, emotional garbage that comes from across the way, in relation to the contents of a Bill which does not remove democratic rights from anyone, but in all probability improves and enhances them, then I simply must support the Bill.

Some Hon. Members: — Hear, hear!

Hon. A.E. Blakeney: (Premier) — Mr. Speaker, whether or not I am smoked out, I certainly do welcome the opportunity to reply to some of the comments that have been made in this debate.

I don't know how you would characterize the remarks of Members opposite. For a good while they are sort of wistful and plaintive about the fact that they don't have a party that can have meetings, wistful and plaintive because they don't have a party that will make any decisions without the direction of the leader, wistful and plaintive because they don't have a party that even has two points of view. If they don't know that Mr. Coates and Mr. Bothwell disagree on almost every issue of municipal politics, they don't know much.

But we have a Party, fortunately, that has a wide variety of opinions, that is able to make decisions on their own which convenes meetings on their own, whether they are big meetings or not.

Some Hon. Members: — Hear, hear!

Mr. Steuart: — . . . rotten meetings . . .

Mr. Blakeney: — That is right! “A dirty, rotten little meeting, a terrible rotten crowd,” if I might quote the Leader of the Opposition, speaking on another occasion to a Liberal meeting.

Then they go on from being wistful, about to scale the heights of hypocrisy.

The Member for Whitmore Park (Mr. Grant) says that we shouldn't divide the city up into divisions because this will mean that there will be inter-area rivalry. What he said was that the people who would be elected would not have the welfare of the city at heart. Now I ask him whether he has the welfare of the city at heart when he is elected for one constituency. I think he does. I don't think the fact that he represents a little portion, a little pocket borough in south Regina, in any way excludes him from having some of the welfare of the city at heart. He has blinkers on as to where the city stops. He sort of figures that it stops at the CPR main line, I realize that.

The Member for Albert Park, the rotten — I almost got mixed up and said rotten Member — but it is the Member for the rotten borough of Albert Park . . .

Mr. MacLeod: — Mr. Speaker, I wonder if the Hon. Member is aware that I haven't spoken yet in this debate.

Mr. Blakeney: — Well, if you do speak, you will say the same things.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — You too will talk like the Member for Moose Jaw North (Mr. MacDonald) about having an interest, not in our power

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politics, but in your democratic politics. If there are two people in this House who should not talk about democratic politics they are the Member for Albert Park and the Member for Moose Jaw North.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — I live in a city where a citizen can live at 3150-5th Avenue and have a vote that is worth one vote and he can live at 3150-25th Avenue and have a vote that is worth four votes. In the one case he votes for me and in the other case I am sure he votes against the Member for Albert Park. But such is their devotion to democracy. Such is their devotion to democratic principles and not power politics principles, that they have erected a gerrymander whereby one Member represents fewer than one-quarter of the number of another Member.

Mr. Guy: — Why don't you let the people vote on it?

Mr. Blakeney: — Well, you were certainly afraid to let the people of Regina vote on whom they wanted to represent them.

Now let's move to Moose Jaw. The Member for Moose Jaw North is setting up for us their devotion to democratic politics. In 1964, Moose Jaw had 20,000 voters and two representatives. And Liberals said, that won't do. You said to yourself, "We will cut that constituency in two, and then we will have two Members, but there is no way that we can cut Moose Jaw in two with 10,000 voters in each constituency, and the Liberal Party win one. So we won't be troubled by power politics, we will move to democratic politics, Liberal style and we will cut it 12,000-8,000." And that is what you did. And in 1967 you still lost both of them.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — And then after 1967, you had another go and, again, you avoided power politics and you concentrated on democratic politics, Liberal style, and you cut it not 12,000-8,000 but 14,000 and 6,000. And because of that exercise in democratic politics, you now have representing you the Member for Moose Jaw North . . .

Mr. MacLeod: — Mr. Speaker, on a Point of Order. We appreciate hearing this 1971 speech, yellowed and old and frayed though it may be, Mr. Speaker, and while we enjoy it we would like to get out of the House within a week or so, and we would ask the Hon. Member to stay on the subject.

Mr. Speaker: — It is impossible for the Speaker, when other Members have ranged far and wide, to keep any Member right to the subject matter.

Mr. Lane: — We did!

Mr. Blakeney: — I was merely attempting to

comment on the profession of the Member for Moose Jaw North to have a devotion to democratic politics. That was his phrase, I made a note. I was trying to illustrate for Members of the House just what he means by democratic politics and whether or not we want that type of democratic politics in the city of Regina and the city of Saskatoon.

He further said that the trustees will become stooges and puppets. I want to remind Members of that, simply to underline it, because I say that in two, three or four years the trustees will not be stooges and puppets. I say that they will be proper representatives of the citizens who elected them two, three or four years from now. I think that they will resent this label put on them by the Member for Moose Jaw North, of stooges and puppets.

I think, also, others will resent this allegation that the Bill provides for a gerrymander. It provides for an Independent Boundaries Commission. I know that this is abhorrent to Members opposite, but it provides for an Independent Boundaries Commission, with the boundaries to be drawn by a judge, the principal of a university campus and the city clerk. And if that is a gerrymander, then I don't know the meaning of the word gerrymander.

Mr. Steuart: — J.H. Brockelbank!

Mr. Blakeney: — Mr. Speaker, the Member for Prince Albert West has obviously not read the Bill and he made that clear when he made his speech. But if he had read the Bill, and I will call his attention to it again. Mr. J.H. Brockelbank is not a judge. He is not a defeated Liberal candidate and therefore he doesn't really qualify as a judge. He is not a principal and he is not the city clerk and he is unlikely to be any one of them.

Mr. Steuart: — . . . had an awful big hand in the boundaries . . .

Mr. Blakeney: — Mr. Speaker, the words of the Bill are perfectly clear who will set the boundaries. I think that Members on all side of the House should respect the impartiality of a committee consisting of a judge, a principal and the city clerk.

Some Hon. Members: — Hear, hear!

Mr. Steuart: — Which judge?

Mr. Romanow: — District Court Judge.

Mr. Blakeney: — Mr. Speaker, this Bill provides that the cities of Regina and Saskatoon be divided into electoral divisions for the purpose of electing councillors to city councils.

The first and major question which this Bill raises is this: Is the division system a good system of municipal government for Regina and Saskatoon? And is it a better system than the present system of city-wide elections? Now that is the first question. That is the key question. And when the smoke has all cleared away that will be the key point.

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Those who support the division system will vote for this Bill and those who oppose the division system will vote against this Bill. I support the division system and I will vote for this Bill.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — I want to tell you why I will vote for the division system. And I will relate my remarks primarily to the city of Regina, and I am quite familiar with the facts in the city of Regina.

I think the division system is a good idea because it is more consistent with our whole system of elective government. We have a division system federally. Federally, all representatives in the House of Commons represent single Member constituencies. Until a few years ago there were some multiple constituencies, but they have now all been removed and every single riding in Canada is a single Member riding. And every single MP represents one riding and no riding is represented by more than one MP.

We have found this to be a good idea federally, and I wonder why. We have, by experience, found that the single Member riding with the single representative gives the best representation. Provincially, all representatives in this province and in most other provinces, represent single Member constituencies.

Members opposite know that when, let us say the city of Halifax, was changed from a two Member federal riding to a single Member riding, there was no vote. Members know that when the city of Saskatoon was changed from a multiple provincial riding to single Member ridings there was no vote.

Provincially, all constituencies in this province have one Member only. And, again, I think it works best. I have represented a four Member riding in this province. I have represented a two Member riding. I have represented a single Member riding. I am the only one in this House that has a representative pattern as varied as that.

There are some advantages to having a city like Regina elect MLAs at large, I don't deny that. There are some advantages of having four MLAs, but these advantages are far outweighed by the advantages of single Member constituencies.

The Liberal Government of the day recognized this in 1967, when they abolished all multi-member seats in this House. Now both sides of the House confirmed this decision last year when we set up an Independent Boundaries Commission and told them to draw the constituency boundaries solely on a single Member basis.

It is perfectly clear that we believe that at least provincially, this is the best way to represent cities, because we voted for it unanimously last year.

Municipally, everywhere in Canada, and in Saskatchewan, the division system is favored as a system of representation. It prevails in all our rural municipalities, and I don't think anyone denies that. I don't know whether Members opposite are now going to go out and campaign against the division system in rural municipalities.

Mr. Romanow: — Oh, I wouldn't put it past them. They are opposed to that!

Mr. Blakeney: — It may well be that they will go out and campaign against the division system as it now prevails in school units. I say the division system applies in all major cities of Canada, except St. John's Newfoundland and Vancouver. I am advised that Vancouver is taking steps to introduce the division system. And so Members opposite are saying, don't follow the rest of Canada, follow St. John's Newfoundland.

The second reason why I favor the division system is that it will give fairer geographic representation on municipal councils. Nobody can say for certain where our councillors who are elected to represent divisions will live. But it is likely that some will live in the division which they represent. And even if they don't live in the division which they represent they will have a better knowledge of the division they represent than is now the case.

Now, unless I am mistaken, right now all or all but one of the councillors lives south of 15th Avenue in Regina. Very large areas in the city of Regina have no representation at all in city council. It can be fairly said that the wealthier areas of the city are overrepresented and the less well-to-do are grossly underrepresented. This is doubly unfair, because business and professional people tend to have access to city council through many organizations, through service clubs, Chambers of Commerce and the like, while working people depend heavily on their councillor to represent their interests.

I believe that a division system will give fairer and better geographic representation in council. The division system will give a more personal representation to council. It is not humanly possible for a member of council to get to know the problems and the needs of 150,000 constituents. And when Members opposite suggest that city councillors know the needs of 150,000 constituents they know they are talking nonsense. A councillor can do a far better job if the number is not 150,000 but 15,000. I know that I have come to know constituency problems far better since I alone represent one relatively small constituency than when I was one of four representing the whole city. I believe my colleagues in Regina North West and Saskatoon Mayfair and Saskatoon Nutana Centre will bear me out because they have had the same experience.

Now a fourth reason why I support a division system is that it will allow more people to take part in civic politics. I was interested when the Member for Regina Whitmore Park (Mr. Grant) said he couldn't understand that. To run a campaign for election appealing to 150,000 people, perhaps 90,000 voters is a very expensive business. He can't imagine a councillor who doesn't have a couple of thousand dollars to put into the pot. But I want to tell him that there are some people in this city who don't have \$2,000 to run and I know Members opposite think they shouldn't be in city council because city council is the preserve of people who have \$2,000. But I believe that the city council should be open to all men of ability no matter how fat their wallets.

Some Hon. Members: — Hear, hear!

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Mr. Blakeney: — With 9,000 voters in 4,000 or 5,000 households a candidate can carry on an inexpensive personal, door-knocking, hand-shaking campaign. He can at modest expense distribute a single leaflet with volunteer help. With 90,000 voters that is entirely impossible and that's what this Bill is all about. Members opposite who don't want to allow a man to be elected with an inexpensive informal campaign. They want council to be the preserve of people who can campaign to 15,000 people. In city-wide elections, candidates must be wealthy or they must have private backers or they must have the blessing of the media. Now those are their only options.

Members opposite may joke about this, about whether or not it is right to have an opportunity for a poor man to stand for public office. But I'll tell you they took the same high-handed view in June 1971 and a fair number of these people rose up and smote them. They did indeed smite them and their rather tattered ranks over there indicate what happens. I can say that people who are going to oppose the ward system on the grounds that they believe that people should have money to be on city council are similarly going to get smitten by people who believe that democracy belongs to all the people.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — In any country that calls itself democratic, it surely is undesirable to have public office open only to the wealthy. If we want to make civic politics open to all or most of the citizens on the basis of how much ability they have and not how much money they have, then the division system is an absolute must. I would support it on those grounds alone. I would expect some people to know, some of the Members sitting opposite, I would expect some of them to oppose it on that ground alone, because these people believe, some of them, that civic government should be in the hands of the property owners, the business people. But I cast my vote for all the people.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Some of them will be business people but some of them will not.

Mr. Steuart: — Tell us about democracy.

Mr. Blakeney: — The Member opposite asked me to tell him a little bit about democracy. Well, I regard democracy as a system which permits all of the people, or most of the people, to participate and which is properly structured, so that in fact a large number of the people do participate. Now let's make this very clear, a system whereby well over 50 per cent of the people do not vote is a defective system. If we judge the system by public interest and public participation alone, then civic politics in Regina and Saskatoon is in a bad state. Compared with federal and provincial elections the apathy is monumental and this should not be. Members opposite and others are always telling us that civic politics is grass roots politics, the basic level of government, to quote the Member from Prince Albert West. And at this basic level of government has we got effective participation? Well, I say we have not.

The figures tell a dismal and depressing story. In the last four provincial elections the voter turnout was over 80 per cent in Regina and Saskatoon. In the last federal election the voter turnout was over 80 per cent provincially and just about 80 per cent in Regina and Saskatoon. But what of civic elections? In the last three elections in Regina the figure has been around 35 per cent. In Saskatoon it has been around 30 per cent. However you interpret these figures and you can interpret them any way you like, they make it abundantly clear that civic politics in the big cities is in trouble.

Now these are not the rates of participation we get in a small city like Weyburn. These are not the rates of participation we get in the rural municipalities. I ask you, why? In the rural municipalities they have a division system. In a city like Weyburn it is because they know the people for whom they are voting. But that is not the case in the big cities and as a result civic government is in trouble — in trouble compared with provincial and federal politics, in trouble compared with civic politics in other centres. I believe one reason for the widespread, pervasive apathy is because the public don't know the candidates and have no way of knowing them. The voter is faced with a ballot two feet long, or as the Member for Regina North West said, "as long as a skipping rope," and if anyone has seen one of these ballots with 40 names on it you wouldn't wonder why people may be deterred. Faced with a two-foot ballot, bearing 30 or 40 names for council members alone, voters stay home in droves. I believe we must act to revitalize interest in civic politics and I believe we can do this and one way we can do it is the division system. This is not a sure cure but it certainly is an experiment and we can try it and I think it holds a lot of promise. I think that when the results are in we'll find that participation in the next election, when there will be a division system, will be greater than it was in the last.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — These then are some, but by no means all, of the reasons why a division system makes sense for Regina and Saskatoon. Now let's review them again. It fits the pattern of our whole electoral system — federal, provincial and municipal. It will give fairer geographical representation. It will give more personal representation on council. It will allow more people to stand as candidates by removing financial barriers. It will likely encourage greater voter participation in civic affairs.

Now what are the arguments against the division system and against this Bill? One of the remarkable things about this Bill is that very few arguments have been raised against the division system. Someone rather lamely suggested that it would add to community division, and this by quoting obscure definitions from American dictionaries — quotations provided by the Junior Chamber of Commerce. This is rather unconvincing, particularly when the argument is put forward by an MLA who himself represents the Member from Whitmore Park (Mr. Grant). In fact no one has really attempted to argue that the division system is not a good idea. I haven't heard a really good argument that says the division system is not a good idea. I listened to the Leader of the Opposition and I listened in vain and I listened to the

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Member for Whitmore Park and I listened in vain and I listened to the Member for Moose Jaw North (Mr. MacDonald) and I listened in vain. Being short of any arguments against the division system the people who bitterly oppose the division system for the very reason that the ordinary public will participate more fully, resorted to some diversionary tactics. They used all the familiar arguments that we have heard so many times against medicare and the Wheat Board and the hog marketing system and the Land Bank. All the same arguments in which they say, "Well we don't really object to what you are doing, but it is the way you are doing it." I heard that argument against medicare, people who were diametrically opposed to medicare say, oh, we don't oppose medicare but it is the way you are doing it.

An Hon. Member: — Let's have a vote on medicare!

Mr. Blakeney: — Haven't we heard the same thing about the wheat board? Like the Member for Rosthern (Mr. Boldt) who did not speak on this debate but on many other occasions, has spoken about the Wheat Board and how dictatorial it is. And the Hog Marketing Commission and how they really don't object to a hog marketing commission but, oh, it's the way they do it. And the Land Bank Commission, of course they are muting their criticism on the Land Bank Commission as well they might, but last year they were so, they said, opposed really not to the Land Bank Commission, but the way it was being done. It's the same old argument, "I don't object to what you are doing, I object to the way you are doing it." Well if you people object to the division system I would be glad to hear the arguments and I will be glad to know that when you vote against this Bill I'll know that you are voting against the division system.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — But let's suppose that some of the critics are sincere, some certainly are not but some may be.

An Hon. Member: — Who over there is sincere?

Mr. Blakeney: — Let's look at their objections. Now, what do they say? "There should be a plebiscite." Let's consider this argument. This Legislature says who may vote in civic elections. We say that the people must be 18 years old and they must reside in the city for six months and all the rest of it. We say that they must be an elector or a resident if they go to vote for the aldermen. We say they must be a burgess if they vote for a money bylaw. All this is in the legislation. This is not decided by city council. This is not decided by plebiscite. We in this Legislature say who may vote.

This Legislature says when the election will be held. Again not by city council. People say that the city council should have discretion but we determine that in this House and nobody has ever objected to it. We say in the Legislature when the election should be held. This Legislature not only sets the day but sets the very hours of the election, without any vote of city council and without any plebiscite.

This Legislature says who can be a candidate. The city council has no authority to say who may run for civic office.

We in this Legislature say who may be a candidate, precisely and in detail, without any participation by city council and without any plebiscite.

Late in 1970 Members opposite removed from the civic legislation provisions for a division system, took it out entirely, just took it out of the Act, without the request of city council, without the request of SUMA and without any plebiscite.

An Hon. Member: — Oh, no, did you do that?

Mr. Blakeney: — If you believe that the ward system or division system should be introduced only as the result of a plebiscite, then how can you possibly justify removing that from the Act without a plebiscite. It cannot be done. They removed the provision for a plebiscite without any resolution of any city council. It seems to me, Mr. Speaker, that if this Legislature is to assume responsibility for who may be a candidate, for who may vote, for when they may vote, and if this Legislature can remove from the law provisions for a division system without a plebiscite all on its own responsibility, all without objection, a Legislature can equally put into law provisions for a division system on its own responsibility, if this Legislature is convinced that the system is desirable.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Mr. Speaker, this has been the conclusion of Legislatures all across Canada. In most provinces Legislatures have provided for a division system. We are impressed with the Ontario model. In Ontario they moved to put in a division system by legislative action, without plebiscites. They provided that the division system should apply to all cities over a certain size. They provided that the system can be voted out after a fair trial, if decided on by plebiscite. That was the position of the Ontario Legislature. So far as I am aware no party in the Ontario Legislature objected to that. Elsewhere in Canada this has been generally the situation. In Manitoba the division system was introduced without plebiscite.

Mr. Steuart: — I'm not very . . .

Mr. Blakeney: — The Member for Prince Albert West, I know wants to make another speech and if I had made the speech that he made I would want another try too.

Well, I want to make it clear that, whatever he says, if Members opposite object to what I am saying as not being the law I know that their legal light from Albert Park (Mr. MacLeod) will enlighten us all on whether or not this is the accurate law. I say that in Ontario these are the facts. I say that in Manitoba these are the facts. And I say they were not introduced into Manitoba by the new and enlightened New Democratic Government.

An Hon. Member: — The old Conservatives did it, Dave!

Mr. Blakeney: — So the arguments against the method of bringing in the division system are pretty weak and pretty inconsistent,

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inconsistent with the position taken by this Legislature on other municipal election matters for many years. Inconsistent with the position taken by this Legislature on the division system in rural municipalities that was put in without a plebiscite, or the provisions for the division system that were removed in 1970 from the Urban Act without a plebiscite. Inconsistent with the position taken by Liberal and Conservative governments in other provinces. The arguments are clearly a cover for their opposition to the division system itself, their opposition to fair municipal representation.

In 1970, the Liberal Party in the province introduced the most vicious gerrymander in the history of Canada to keep Saskatchewan from having fair representation in this Legislature. This same Liberal Party is now attempting to keep Saskatchewan people from having fair representation in city council. They failed in 1970 because the people wanted and indeed demanded their representation and they will fail again in 1973. There will be fair representation, the voters are entitled to it, and this Bill will give it to them. I invite every Member of this House who repudiates the 1970 Liberal gerrymander, who believes in fair representation, federal, provincial or municipal to join with me in supporting this Bill.

Some Hon. Members: — Hear, hear!

Mr. K.R. MacLeod: (Regina Albert Park) — Well, the Hon. Premier has led his troops into bringing the level of the debate down to a lower level than heretofore. I am ashamed of the type of debate we get from the Government, from the people opposite and it hasn't been raised at all today.

There are two factors which ought to be examined in deciding whether or not this Bill should be approved by this House. The first question which has not been examined by any Members of the Government side is the question of the quality that we have had up to now in civic government in Saskatoon and Regina. If the Government insists upon this Bill, it is in fact, saying we have not today had adequate government in Regina and Saskatoon and they are going to move to change the system because they are not satisfied with the governments of the past in Regina and Saskatoon.

The fact is, Mr. Speaker, Regina and Saskatoon throughout their history have generally been blessed with good government. Regina and Saskatoon have generally had good mayors, they have generally had good councils. They have generally produced good government for the people living in Saskatoon and Regina. And until this Government can say that this is not so, they have no reason to change the system. The quality of our government, the experience in Regina generally over the years has been good. The members elected to city council have generally had the good of the entire city at heart. They have acted wisely, if not always wisely, they have attempted to do their very best. There is no assurance that the election of different people, if that be the case under the ward system would produce better government.

It is obvious that not one person across the way is willing to state that this will produce better government. They are not prepared to say that the governments of the past would be improved upon. And if you cannot say that you would have better government you eliminate the main reason for an alteration in

the form of government in the cities of Regina and Saskatoon.

The other point that the Government has not raised is this, they have not dwelt upon the fact that the citizens of Regina have already looked at this. They have made a decision not to have the ward system imposed upon them. They had the choice and they rejected it. And the Government saying as an insult to the people of Regina and Saskatoon, they are saying that we don't trust your decision. We don't accept your decision, we are not prepared to allow you to make this decision yourself. We are going to make the decision for you and we throw out and disallow the decision which you yourself made in 1970.

Mr. Speaker, these two points are points which the Government will avoid at all cost.

To repeat we have had good government in the past generally. This will not ensure good government in the future. In fact, Mr. Speaker, I predict that the quality of our government will deteriorate in the city of Saskatoon and the city of Regina. And secondly, that people are being rejected. We are telling the people that we don't trust them. The Government is saying that the decision of people in Regina and Saskatoon is not worthy and consequently these people are going to make the decision for them.

The Premier wandered all around the subject as did the Hon. Member for Saskatoon Nutana Centre (Mr. Robbins). He says that in England the cities vote in the divisional system. That is true. But what he did not tell us is that many of the divisions in England are larger than the cities of Saskatoon and Regina put together. Consequently there is no fair and reasonable comparison between Regina and Saskatoon and the English cities, none whatsoever.

He does not dwell upon the fact that the cities of Regina and Saskatoon have it within their power to elect to go to the ward system if they should choose.

The comparison with rural areas is of course inadequate and inappropriate. First of all these are huge geographic areas. But more than that the role of councillor in the rural municipalities is entirely different from that of aldermen in the cities. In the country councillors are expected not just to be decision making people and policy making people, they are in effect employees to a certain extent of the municipality. They are given mileage, they are given expenses and they are given payment for supervision of work done within their divisions of the municipality. Therefore, it is appropriate that if they are assigned a supervisory role over a particular geographic area, they should be allowed to be elected from that area. This is a very reasonable thing. Unfortunately the Government has not seen fit to draw proper comparisons between the two.

I suggest that when the Premier held up his finger he was holding up the wrong finger. My suggestion is that he will not force people to take a greater part in politics by this particular device. If anything he may well lose some very good people. He said, and I am sure it was a slip of the tongue, that the civic government should be available to people of limited ability. While I am sure that it was a mistake of language on his part, I could not help but comment that there is no reason why people of limited ability shouldn't serve in civic

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government. After all those of us on this side of the House have seen a lot of it on that side of the House in the past two years. And if I may comment about an appointment being made to the Supreme Court of the United States some two or three years ago. The criticism was that the gentleman appointed by the President was a man of moderate ability. And the defence was that there are so many people in North America with moderate ability that they should have some representation too. It is very possible that the Government is attempting to provide government in the civic arena of people with moderate ability and they may well succeed.

I am convinced that this Bill is nothing more nor less than a Bill to accommodate a very small number of people. And I have no hesitation in calling this ward system Bill the Coates-Bothwell Accommodation Act, because I am convinced that that is what it is.

The Government believing that these members who now got to be well known by members of the city of Regina and were rejected despite the fact that they had served as aldermen in the city of Regina and were rejected, the Government is now trying to rearrange the system so these people might well find a part of a living as civic officials.

Consequently, Mr. Speaker, I have no hesitation in opposing this particular Bill. It might be different if the Government were to have said this, we will insist that you try for a limited period of time, a maximum of one session. Now these sessions have been lengthened from one year to two years and now three years. Elected office in the civic arena is for three years.

If the Government were to insist that the city of Regina try for three years and then have the right to turf it out, I would be more inclined to the Bill. But that is not possible. The very minimum period, the very minimum trial period under this Bill must be six years. And consequently that is far too long.

Mr. Speaker, I object to the way the Government is putting this in. I object to the fact that the Government is doing something that is objected to not just by the people of Saskatoon and Regina and their elected officials but by municipal bodies across Saskatchewan.

There is much more to be said about this and consequently I ask that the debate be adjourned.

Debate adjourned.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Bowerman that **Bill No. 125 — An Act to amend The Northern Administration Act** be now read a second time.

Mr. A.R. Guy: (Athabasca) — Mr. Speaker, since adjournment of the debate on this particular Bill we have had the opportunity to do the Estimates for the Department of Northern Saskatchewan at which time some additional information was made available. As a result of this it has become obvious that this legislation is primarily for Metis communities. I gather from the Minister's comments during second reading and also during our study of the Estimates that this Northern Administration Act amendment, setting up the

Northern Municipal Council will not involve the towns of LaRonge, Creighton or Uranium City, and that it would not have any jurisdiction over Indian Reserves.

This of course leaves the Act to pertain almost entirely to Metis communities. This legislation rather than bringing the various types of local administration closer together could in all likelihood drive them further apart. The villages, the Reserve Indian Band councils and the local community authorities that already exist in most of our Metis communities will become more divided.

I think the real weakness in the legislation is typical of the actions of the Government opposite which I have referred to and I have made known on many occasions in this House. And that is the lack of consultation which has gone on with local communities. As this does pertain basically to Metis communities one would have thought that the Minister would have consulted with the Metis Society, that they would have consulted the local community authorities which are already in existence in a large number of the larger Metis communities. But apparently it is not so, because a Press release that was issued only yesterday or the day before from the Metis Society, I think explains better than I can their feeling towards the new department. I want to read for the records of this House this Press release from the Metis Society:

On April 23, 1973, the Metis people of northern Saskatchewan decided that a confrontation with the Department of Northern Saskatchewan is the only alternative remaining in negotiating with Government in their attempt to railroad legislation over the northern Metis populace.

To this point the Department of Northern Saskatchewan has totally disregarded all attempts of the Metis people to have an input into the legislation that will in the future govern their lives.

On May 7 and 8, 1973, there will be a mass meeting in LaRonge of Metis people from all areas governed by the Department of Northern Saskatchewan. At this time appropriate action toward the DNS dealing with their constant disregard of the Metis nation will be discussed.

The Metis people of Saskatchewan feel it is in the public interest that this meeting be covered by all news media. You are invited to attend this meeting. The Metis Society of Saskatchewan.

That, Mr. Speaker, is of course the weakness in the amendments to this Northern Administration Act. It is obvious that before this legislation was presented to this Legislature that consultation was not carried on with the Metis communities which will be basically affected and on that basis it is going to be most difficult, in fact, impossible for Members on this side of the House to support these amendments.

For the reasons that no consultation has taken place with the group of people who are primarily going to be involved and concerned, and that it is not going to provide improved municipal government, I will not be supporting this Bill. I don't think it will bring the Indian reservations, the towns of LaRonge, Creighton and Uranium City and those other northern communities with their local community authority, closer

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together, which should be the aim of the Department. I suspect that it will create increased areas of conflict rather than smoothing out the sometimes troubled waters that have already developed between the large number of separate administrations which are presently in the area covered by that Act.

Some Hon. Members: — Hear, hear!

Hon. G.R. Bowerman: (Minister of Northern Saskatchewan) — Mr. Speaker, I want to comment on the two points raised by the Member for Athabasca constituency with respect to the Bill.

He indicates that this Bill will not directly relate to the organized communities of Lac LaRonge, Uranium City and Creighton and the Indian reserves.

This he knows is simply a red herring. It is his way of deflecting the issues which are really contemplated in the Bill by raising this particular item.

The communities of Lac LaRonge, of Creighton and of Uranium City are municipal organizations. They have arrived at that particular point some time ago and applied to the Department of Municipal Affairs for registration under The Urban Municipalities Act, that is, in the case of LaRonge and Creighton. With respect to Uranium City, Uranium City has its own particular charter, to administer its municipal government. Therefore these communities have not been considered as part of the northern administration district even in the recent past. Under the Northern Administration District these three communities were excluded because of their own formal organization. Even under their government, they were excluded. The provisions in this Bill make it possible for them if they wish to become part of the provisions of the Bill, if they wish to become part of the electoral system electing a rural municipal council then by resolution of their councils at Uranium City, Creighton and LaRonge they can opt in to the Northern Administration District and therefore have a right to vote if they so wish.

With respect to Indian reserves it is needless for the Member for Athabasca to raise this point. Indian reserves have their own councils and always have had their own councils. They will continue to do so.

The Federation of Saskatchewan Indian people registered as Treaty Indians have been very jealous about their Treaty rights, and about the provisions of the Federal Government with respect to Indian reserve and the laws governing those Indian reserves. It is not at all different in northern Saskatchewan than it is in the south when he speaks with respect to Indian reserves, therefore, for the Member for Athabasca to bring this matter into this debate is simply not in keeping with the truth.

With regard to the lack of consultation and the point that he raised, Mr. Speaker, regarding the view of the Metis Society. I say and I have repeated time and time again to this House as well as to the public, that when we started our development of the Department of Northern Saskatchewan we did two or three things. One was that we gave a substantial grant to the Metis Society. We, in fact, gave \$50,000 to the Metis Society with no strings attached. A \$50,000 grant was given to the Metis Society offering them the opportunity to go into northern

Saskatchewan as a Society and to talk with their people to consult with their people, to discuss what the program of the Government would be. To discuss what the ideas of the people in northern Saskatchewan would be. And they did that at public expense which we were only too glad to provide.

That I believe is unique in Canada or in North America. We provided funds for those people to consult with each other and their own particular group of people and to come back to us and file their reports with us as to the recommendations which their people wanted relative to municipal government in northern Saskatchewan.

This they did. The \$50,000 or very close to it was spent by the Metis Society and the money was accounted for. And they did hold their consultation program. In addition to that we provided the Federation of Saskatchewan Indians not with an equal sum but with a fairly substantial amount of money for them to go to their people on the Indian reserves in northern Saskatchewan and to consult with them. And in addition to that there were funds provided under the LIP program which the Federation of Saskatchewan Indians used in conjunction with the money allocated to them by the province to undertake their consultation program.

Mr. Speaker, they did that without any strings attached. And they consulted with their people on the Indian reserves in northern Saskatchewan and they brought back their report to the Department of Northern Saskatchewan recommending what they in turn thought would be the way to proceed with local municipal government in Northern Saskatchewan.

In addition to those two things, in addition to those grants, Mr. Speaker, we appointed four persons who live in northern Saskatchewan, who make their home there and who have raised their children there. Two of them were Metis people and two of them were not. These people were hired, given salary, given travelling expenses and they were to consult within the communities, the local improvement authorities and within the communities continually from the time that the Department of Northern Saskatchewan was talked about until this day. They were to continue to report to us and continue to consult with people in northern Saskatchewan respecting municipal government for northern Saskatchewan.

May I suggest to you then, Mr. Speaker, that as a result of this consultation those three groups reported to us. The results are formulated in the Bill which you have before you and that Bill is now being presented to this Legislature for approval. And when the Member for Athabasca (Mr. Guy) indicates to this House that there was no consultation, he is not representing the facts as they are about northern Saskatchewan today. I indicate to you that the Metis Society came back with a second submission requesting that we provide another \$28,000 for them to undertake a public relations or public information program with respect to their newly formulated ideas. Not the ones that were filed with us, not the report that was filed with us as a result of their studies by the initial grant, but they came back with a different proposal and wanted to carry out that program and carry that proposal forward into northern Saskatchewan asking for a \$28,000 grant to carry it forward. This we did not provide, Mr. Speaker, and the position of the Metis Society that they have not been consulted is just not in accord with the facts.

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So, Mr. Speaker, on those two points, the point that there will be people excluded from the development of municipal government in the North, specifically the three communities and the Indian reserves, this has no bearing on the provisions that are being made in the Bill. The other point which the Member from Athabasca attempts to make respecting the lack of consultation, again, there is no basis in fact. Therefore, Mr. Speaker, I take pleasure in moving second reading of the Bill.

Some Hon. Members: — Hear, hear!

Motion agreed to and Bill read a second time.

Statement

Pictures of Legislative Chambers

Mr. Speaker: — Before I adjourn the House I should like to advise the Members that Mr. Frank Flegel was in touch with my office. The pictures which he took last (a few days ago) didn't turn out, so he has requested permission to be in the Chamber prior to 10:00 o'clock with assurance that the cameras will be out before the House opens at 10:00 o'clock. So if Members object I would like to know now because I told him he could take pictures before the House opens.

Mr. McPherson: — I suggest you tell him to get some film the next time he comes to the House.

Some Hon. Members: — Hear, hear!

The Assembly adjourned at 10:15 o'clock p.m.