

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
April 4, 1978

EVENING SESSION

The Assembly resumed debate on Resolution No. 13

Mr. E.F.A. Merchant (Regina Wascana): — Mr. Speaker, let us for a moment examine the reality of the situation regarding the record of this government in terms of fairness to women and righting some of the wrongs that exist for women. I believe that the government is reasonably well motivated and I believe that the government has made some reasonable amount of progress. I don't believe that the amount of progress the government alleges it has made even bears a resemblance to the amount of progress that has been made, nor do I think it appropriate that an NDP government that claims constantly to be 'the friend of the down-trodden' should have such a shabby record as this government has. But nonetheless, Mr. Speaker, with those comments I give credit where it's due and some progress has been made.

Now, what however is the real situation? They have failed to make any effective progress in terms of a positive action program; failed to make any effective progress in terms of getting women appointed to boards and commissions; failed to make any effective progress in terms of getting women out of the hired positions that they hold where they are sex classed into positions and can't seem to get out of those areas. I don't see from the government, any particular direction that is going to solve the problem and indeed, I'm starting to think that they don't have the inclination to solve the problem other than to make some rhetorical statements about it and try to make it appear that they're concerned. On the issue of equal pay for work of equal value, the government is doing nothing. The member for Rosemont said that there was the situation at the Wascana Hospital, a question where for two years, women working in the Wascana Hospital essentially as house-maids are paid a different rate and paid a different amount of money than men working and performing virtually the same jobs. For two years running, I've brought that up in the House with the minister and while the minister may be well motivated in terms of trying to solve the problem, the fact is that the problem hasn't been solved and nothing has been done. I only say, Mr. Speaker, that it seems to me that we hear a lot of talk about how this government is trying to deal more fairly with females but there doesn't seem to be much progress. I think for the member and the seconder from Lloydminster even to attempt to pat themselves on the back for the work done by the government rather than apologizing for the failure to perform is virtually ridiculous.

Now, Mr. Speaker, in the area of child care inadequacies we have three problems. First a problem of low funding; secondly, no change in the level where support applies; and third, no effort to encourage industry or no effort from government where it is a major employer to lead by example, no effort to encourage industry to provide child care facilities. For the member for Rosemont to say that the level should be raised when just six or eight rows down from him, is the man he serves as Parliamentary Secretary, Legislative Secretary; he deals with him on a daily basis. He shouldn't be coming into the House to tell us that the level should be raised; he should be talking to the cabinet about raising the level. He should be talking to the Premier for whom he works about raising the level. And indeed, it has a terribly hollow sound to hear government members saying changes should be made. If they believe that changes should be made, they should do something about it. Not make speeches in the House about it

Now there is the question of the direct discrimination in The Automobile Accident Insurance Act which has been brought up on three occasions, in three successive years in this House. In 1975, I don't know what the excuse, I don't know what the excuse was in 1976, apparently again there was no excuse. In 1977, they trotted out the excuse that they were going to bring in a whole new program. They were going to replace the current insurance. Well, that hasn't happened. So we're now going into the fourth year . . . '75, '76, '77 and now '78. Again, members from this side of the House, particularly my colleague for Regina South are bringing to the attention of the government that a change should be made and no change is being made.

Mr. Speaker, with those remarks I say again to the government, you have made some progress but it should not come from the mouths of two NDP backbenchers to talk about the so-called progress and talk about further steps that should be taken when the failure to perform by this government does not really present a very tantalizing record to the women of this province and the voters of this province.

Some Hon. Members: — Hear, hear!

Mr. R.H. Bailey (Rosetown-Elrose): — Mr. Speaker, I listened with interest this afternoon, to the member for Regina Rosemont as well as the member for Lloydminster-Cutknife. The points that they raised during their well prepared speeches, (I must say they were well prepared), caused some reflection on my part to think about some of the things they were talking about. It is strange how the people who take on the role of the politician, get into the act at different times and different decades. You would almost think that by listening to the members in their addresses, that they had discovered something entirely new in the world. You know, in the last decade, Mr. Speaker, we made an amazing discovery. We discovered that parents were older than their children — that was an amazing discovery, and because we made that discovery, we had to have a new name for it — so we called it the generation gap. We kicked that around for about ten years. Now we come into the '70s and we made another amazing discovery — somehow there is a difference between little boys and little girls, and with that amazing discovery we made in this decade, we have to have a whole new thing going on it. You know, Mr. Speaker, what amazed me about this was, when I was listening to one of the members, they were relating the fact that the Department of Education is now going to establish a three-man committee to look into a very serious thing in Saskatchewan, Mr. Speaker, — very serious, serious enough that you must have three people assigned to it — they call it sex stereotyping. We now have the former two ministers of Education sitting opposite, and I can assure you, Mr. Speaker, that in the 29 years I have been in this business, and in the years that they occupied the position as Minister of Education, I can assure you that they never once received a complaint from all across this province about our text books showing a little girl in an apron making cookies. But, because the problem was so serious, we have had to assign three people to go and check our text books to see that there is no sex stereotyping. A problem, in 29 years, Mr. Speaker, that has never once been drawn to my attention from any part of Saskatchewan.

I will tell you, Mr. Speaker, what the ministers have received a lot of complaints about. It was raised by the member for Maple Creek in the last session, about some of the language and some of the propositions that are proposed in the text book and supplementary reading. We get lots of complaints about that; I don't see a three-man committee being established by the Department of Education to look into anything like that. No, no. We have to establish a three-man committee from the Department of Education to set up to make sure that we don't have any sex stereotyping in the text

books. You know, Mr. Speaker, last year (I think it was just before Christmas), in the bulletin which is put out by the STF (Saskatchewan Teachers' Federation), they had a very colorful picture in it of a little girl rolling out these Christmas cookies — and somebody took great exceptions to that — because that was stereotyping. Well, I just want to tell the members of this House, from a personal point of view, I hope that my great, great grandchildren and I hope their children, I hope that little girls are still helping the mothers bake little cookies because I can tell you one thing, I really don't see too much wrong with that. I would hate to go to the machine dealers across Saskatchewan and when I see those little replicas of combines and tractors up there, we will have to take them off the shelves, because if a farmer comes in and wants to buy one for his son, we may have to outlaw them, because in a way that is sex stereotyping. I think we have played this game, Mr. Speaker, far too long. We have talked far too much about sheer nonsense. I heard a minister of the Crown say today, that I was talking about a different topic, but it doesn't matter what the public are saying, I say to you, Mr. Speaker, that it does matter what the public are saying — it does matter — for this reason. During the time that I have been around this province the one thing that I could always be proud of was that there have been no distinctions. As a matter of fact, in my own personal affairs I have offered more administrative positions, in the last four years, to women that I did to men — no questions were asked — no questions. Somehow these people over here seem to think that they have done all the marvelous things. Did the member say we needed 20,000 more day care centres? 20,000 more positions? I am not too sure, Mr. Speaker, if there is the direction?

We listened to the member for Social Services today and I agreed with what he is saying. I agree very much with what he is saying; the best method of crime prevention is to prevent it before it gets started. It supposedly will soon be a crime, to listen to the member speak opposite, to be a professional woman. I know lots of professional women and I want to tell the member for Lloydminster-Cutknife (Mr. Kwasnica) that these people hold down about four professions at once. They are professional mothers, they are professional homemakers, they are professional wives and furthermore, they are professional nation-builders. That's the key. That's the key. I am not concerned if a woman wants to be a doctor, fine, or if she wants to be a teacher. But let's not, through insinuation, from anybody on this side of the House or on that side of the House start to slight that which is very basic to our society and that is a strong, unified family. Let's not start talking about having to plug in in some 20,000 more day care centres and we have no place for the children under three years of age. I am more concerned and I say this, I am more concerned with the plaques that I used to see on the walls of the homes that I visited which gave importance to the strength of the family and the relationship which the family must have with the family. Just because somebody has discovered in the 1970s that boys are different than girls and we've got to clean this up so there is no difference, I want to tell this government — I want to tell members on this side — you can legislate all you like but you can't destroy some very basic principles to mankind.

I think that it is necessary that we shouldn't start on anything that would detract from or take away from that which is badly lacking in the Canadian society today, badly lacking, as educators . . . (inaudible interjection) . . . You know, if you would speak up in the House every time you do you would display your sheer ignorance. Perhaps you should be quiet while somebody else is speaking. Sir, I don't ever remember when you were speaking, at any time in this House, you have never recalled me interrupting your speech nor has any cabinet minister over there or a backbencher. Yet, for some reason, Mr. Speaker, the hon. gentlemen right there, along with a few others seem to take it upon themselves that they will throw in the sharp remark . . . (interjection) . . . they don't like that, do they, Mr. Speaker . . . (interjection) . . . no, I'm not out of order.

Mr. Speaker, getting back to something I have mentioned before. We talk about the need for day care centres. I am not arguing against the point that the member for Lloydminster-Cutknife raised, the need for day care centres. But I would caution members of this Assembly on both sides of the House not to play the day care centre thing too far. Let's not go beyond and on and on and on until the responsibility we have as parents — I can't say parents any more. I have to say grandparents — that we are going to turn it over to the state. From the cradle to the grave the state is going to look after you. I want to tell you . . . you can shake your heads all you like . . . I am saying this to you, sir.

Mr. Bowerman: — To me?

Mr. Bailey: — Yes, you. Every time we take a child out of his natural environment at home and substitute something else we are doing a disservice, not only to the child but a disservice to this nation. No question. If you agree with me that's fine. I want to caution the people over there that perhaps we should take a look at how many dollars and cents out of the public treasury go into activity such as day care centres when, in fact, other people who are maintaining the balance and stability of our society would not be in receipt of one red cent.

Now somebody mentioned about the farm wives. That's right, the farm wife. You'll often see her doing seeding and harvest. What is she doing? Is she farming off her kids on somebody else? No, she is looking after them. I want to say that in the cases where it is necessary for a mother to work, I agree totally, in principle. But I do not agree for one moment with those parents who in neglect of their children are using a day care centre as the outlet, as a way out, so that they can renege on their responsibilities. I want to suggest to you that I know people and everybody over there know people who are using the day care centres and who will use the day care centres just for that purpose. I urge members opposite and I urge members on this side of the House to exercise a great degree of caution. It is our responsibility as legislators to be concerned about what people are saying, to be concerned about the general overall outlook that our nation has, to be concerned about the deteriorating family unit in our country. This is where the concern should start. Let's not initiate legislation that would detract from that.

Now, Mr. Speaker, I noticed some of the comments being made which were comments that I thought at first were being interjected on the humorous side. I'm sure that the member for Lloydminster-Cutknife (Mr. Kwasnica) really didn't truly believe everything that he said in the House this afternoon. I think if he re-examined his speech, that he really didn't believe entirely everything which he said. I caution the member to go back to whoever wrote this speech for you and read it once more. I myself will be checking the records exactly what you said and I think it is somewhat of an embarrassment and a disappointment even to colleagues on your own side of the House as to the statements you made.

Hon. G.T. Snyder (Minister of Labour): — I want to add just a word or two before I beg leave to adjourn the debate and I must say, first of all, I am always impressed with the agility of the hon. member for Regina Wascana. He has that uncanny art of being able to throw himself with vigor behind causes, sometimes inadvertently, sometimes without too much thought and he seems to be able to gather them to his breast and abandon them with the same kind of agility. It's only a short while ago in this House that he took up the cause for the association of weather makers and we had one of the boiler maker members descend upon him and take him by his lapels and shake him up a little bit and

invite him to keep his nose out of his business and I notice that that cause has been very abruptly abandoned.

I thought, Mr. Speaker, it has to be said that the words of the hon. member for Regina Wascana fell on rather deaf ears considering, considering, Mr. Speaker, that lapse of time between 1964 and 1971 when Liberals had the opportunity to do something in terms of improving the lot of the female in the Saskatchewan work force. At that particular point in time, the hon. member's mother sat as a member in this House, the only elected member from the city of Saskatoon whom the political party with which he associates himself couldn't find it within itself to appoint to the cabinet, a point in time when she was the only lady member sitting on the Liberal side of the House at that time. I think that says something about the philosophy of hon. members opposite and the willingness of the hon. member for Regina Wascana to gather up causes which suit his political purpose at some particular point in time. I think that exhibition of tolerance and good will and thoughtfulness of the female portion of our population is evident on the Liberal side of the House today. I can remember only a short while ago it struck me, whether it was last session or the session before, that the only lady member in this House occupied a seat closely associated with the front benches in the Liberal opposition; and for some reason or another, unknown to most members in this House, the hon. member for Wilkie has somehow been relegated to a back seat in this House. Now, I wonder if that doesn't tell us something about the current thinking of the Liberal Party in this legislature.

I judge people, Mr. Speaker, and I think the people of Saskatchewan and the people of Canada judge people by their actions rather than by their words. I've seen little of anything happen in any of the Liberal provinces in Canada which indicate they have any vestige of interest in improving the lot of women in the Saskatchewan or the Canadian work force. The evidence just isn't there, Mr. Speaker. We have introduced more programs, we have done more in the way of a positive move in this general direction in the last five years than has happened at any point in our time since we became a province in 1905. Obviously I am prepared to suggest that there is a great deal more that needs to be done. Obviously there are a great many roads that have not yet been travelled, but certainly I think we are headed in the right direction. I would have to agree with the hon. member for Rosetown that attitudes cannot be legislated. I think we fight an uphill battle. I think we fight an uphill battle in the public service, I think we have a great many directors of personnel who are not prepared to accept . . .

Mr. MacDonald: — . . . (interjection) . . .

Mr. Snyder: — Look if you want to make a speech, I wish you would rise to your feet, because I am willing to listen to you with rapt interest, with rapt interest. In any case, we will give you lots of opportunity to carefully prepare some thoughtful remarks after I adjourn the debate. I think you need ample and sufficient time to prepare the kind of rebuttal that you may be able to put together.

What I want to say in closing, is that these kinds of attitudes which cannot be legislated — I think we have travelled a considerable distance, Mr. Speaker, and I suggest once again, we have a considerable distance that we must yet travel. I have some other remarks that I want to make, Mr. Speaker, and accordingly I would like to adjourn the debate.

Debate adjourned.

ADJOURNED DEBATES

Resolution No. 4 — Secret Ballot — Braille Markings

The Assembly resumed the adjourned debate on the proposed resolution by Mr. Wipf (Prince Albert-Duck Lake):

That this Assembly urges the Government of Saskatchewan to adopt a suitable ballot with Braille markings to ensure that those with visual handicaps enjoy the right to secret ballot.

Mr. P.P. Mostoway (Saskatoon Centre): — Mr. Speaker, I have some sympathy for this resolution but in the final analysis I find that I really can't support it.

An Hon. Member: — Why not?

Mr. Mostoway: — I'll tell you if you'll just listen. I say this because I believe that if this resolution were acted on, it would be extremely costly and more importantly, it would not have the desired effect.

Now to say a few words on the cost. It would be very high because printing in Braille is a specialized effort which takes time and a considerable amount of money and I am also made aware of the fact by CNIB officials that no company in Canada would be able to do this sort of thing in the allotted time and the cost would be almost prohibitive if it were even attempted. If this service, Braille ballots, was offered to those who can read in Braille it would come out to approximately \$600 per voter. Further to this, I am of the opinion that blind citizens are quite content to have their relatives or friends mark their ballots for them. Other . . .

Mr. Malone: — Your relatives, your friends . . .

Mr. Mostoway: — Yes, my relatives are my friends, yours probably aren't but mine are. Other handicapped citizens, Mr. Speaker, rely on relatives and friends to mark their ballots. In many of these cases there's no other way for these same citizens to exercise their franchise. So I ask that hon. member who he has chosen to single out the blind and in case anyone in this House believes that I have not consulted some blind citizens on this matter, rest assured that I have. One such citizen, who was blind, is a constituent of mine and I will give you his name, a Mr. Les Ross of Saskatoon, senior citizen, who has been blind for more than 50 years. I don't know how he votes. It doesn't matter. You see I don't, like Liberals, ask how do you vote and then if they vote our way then I decide I'm going to listen to him. I don't operate like Liberals. Well, Mr. Les Ross of Saskatoon, this gentleman who has been blind for more than 50 years and his blind friends informed me that in the northern Saskatchewan region, which includes Saskatoon, there are approximately 650 blind citizens of which less than 50 can read Braille. Therefore, Mr. Speaker, under present circumstances, only approximately 7 per cent of the blind citizens of the northern portion of Saskatchewan could take advantage of voting in Braille. Now this may indicate that there is a need for more teaching of Braille in the future but the offering of this service would be of little or nothing to allow these same citizens to vote in absolute secrecy. Mr. Speaker, to put it in a nutshell, I believe that the fine citizens of Saskatchewan would appreciate being able to vote in Braille, however, they do not consider it a priority and it is this point which I wish to bring to the attention of the House. Mr. Speaker, I will not be supporting this resolution and I base my

decision not to do so on the advice of Mr. Ross and certain other blind constituents in Saskatoon Centre constituency.

Mr. R. Katzman (Rosthern): — I've noticed that this evening the two things that were worrying the member that spoke in the place of the hon. Attorney General. Unfortunately, the only thing that shines about that member would be the top of the area above his glasses because his speech didn't shine too well. It is interesting to note that the member has just told us what he is, an idiot. I'm always glad to hear from the member how brilliant he is. But down to the bill that was moved by my colleague, Mr. Wipf . . . (interjection) . . . I'm wondering when you refer to the shot, what type of shot were you referring to, Mr. Member? . . . (interjection) . . . If the members are finished with their supper remarks that they needed to encouragement for earlier, we'll get on with the bill I hope. The member for Prince Albert-Duck Lake who moved this resolution is not here this evening. I'm certain he would have a lot to say about the member who refers to cost. I'm certain he'd have a lot to say because he did not mention the word Braille as the only way to arrange this ballot. He suggested an embossed marking, I believe was the phrase he used. He said in his speech, if the minister was listening at the time, that there were several other ways and embossing was one of them. It seems like after supper. We are all full of energy and want to partake in the debate. Mr. Speaker, since the member for Prince Albert-Duck Lake is not here and I know he would like to wrap up the debate on this item. I will ask leave to adjourn debate.

Debate adjourned.

Resolution No. 2 — Compensation for Injured Workers

The Assembly resumed the adjourned debate on the proposed resolution by Mr. Mostoway (Saskatoon Centre):

That this Assembly urge the government to more fairly compensate injured workers and bring compensation awarded by the Workers' Compensation Board to a level comparable to court compensation awarded in the courts,

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

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

'commends the Government and the Workers' Compensation Board for the fair and just manner in which compensation is provided to injured workers, and for the efficient mechanism which have been developed to ensure that Workers' Compensation Fund payments are more equitable and more flexible than compensation awarded in the courts.

Mr. Mostoway (Saskatoon Centre): — Mr. Speaker, I would like to spend a few minutes on this resolution which I cannot support and on the amended portion which I can support; but before I get on, I would like to mention the fact that I have involved myself with numerous cases involving the Workers' Compensation Board. I well remember when a New Democratic government was elected in 1971 and I well remember the number of compensation cases that were turned down by the previous Junto.

Yes, Mr. Speaker, under an opposition government, legitimate claims were set aside under the chairmanship of a man ordered by the then Premier to deprive legitimate

claimants of their just rewards. I well remember in 1971, an Injured Workers' Association which was based in Saskatoon, that looked at our New Democratic government, to right many wrongs done previous to 1971. Yes, Mr. Speaker, I well remember assisting certain citizens and compensation cases, wherein some of them were awarded up to \$18,000 in retroactive payments which should have been made prior to 1971. At any rate, this government realized that the whole area of compensation needed upgrading and it did just that, starting in 1971. Now that is not to say that our system of compensation is perfect; it is not, but it certainly is the best in Canada, and it is being periodically upgraded.

The member who moved the original motion seems to want to bring our Workers' Compensation Board more in line with our system of civil cases in our courts. Now let me remind him that, should he want to have the same batting average for compensation cases as we have in civil damage cases, he is, in essence, wanting to downgrade the whole area of compensation cases. I say this because it is a well-known fact that in Ontario, where there are numerous civil damage cases, the success rate is only one in three. Further to this, the fees peeled off by lawyers in these cases very often make the blood curdle, and I see it is curdling with one over there. Then, if he wants to compare, he cannot deny that in several damage cases the victims often wait long periods of time for various reasons, some of them being a backlog of cases in the courts and/or lawyer postponements.

Mr. Speaker, while I am on the subject of lawyers, do not ever think that the public has a total confidence in lawyers; with some, certainly, but with others, no way! Far too many citizens have been fleeced by these same lawyers and I am sure most of them would want to avoid them at all costs.

Mr. Speaker, I am opposed to the opposition member's subtle suggestion that lawyers in the courts could do a better job in awarding compensation to victims of industrial accidents. The Workers' Compensation Board acts more swiftly and, I believe, is more receptive to individual needs than lawyers in the court but I suppose that there is a real culprit in this general area. It has to be some of the larger companies which do not play their fair parts when industrial accidents occur.

Mr. Speaker, I know of numerous larger companies that do almost anything under the sun to try to avoid having their employees report accidents. Name one? I will name plenty for you, and if you do not know of any it indicates to me that you really do not know what is happening with working people in this province. In the past . . . (inaudible interjection) . . . I will give you a list of names right after I sit down . . . (inaudible interjection) . . . No, I am not. I said certain large ones. If you would only use your ears to listen you would understand what I mean. In the past, numerous accident victims were not reported to the Workers' Compensation Board and I run across these cases periodically. In some cases these same companies lured employees away from sick leave at home and gave them so-called light duty at work for the express purpose of hiding the situation from the Compensation Board so as to make their accident records look better than they really were or are. What benefits could they expect from this hiding of the true facts?

Mr. Merchant: — Garbage.

Mr. Mostoway: — You say it is garbage. Well, I invite the hon. member to come over to my desk when I sit down and I will give you a list of names and companies. You contact them and you tell those workers it is garbage and I'll tell you one thing, when

they get through with you, you'll be garbage . . . (interjection) . . . Well, Mr. Speaker, the true benefits to these companies was an untrue accident picture which, in turn, would mean a lower compensation assessment for that particular industry. You know it is happening, it has happened and it probably will but under a good Minister of Labour who is in charge of the Workers' Compensation Board, I am sure that it will be stamped out in the near future.

Mr. Speaker, I am pleased to note that in many cases these problems with certain of these larger companies is being tackled two ways; by direct government involvement in the mining industry of Saskatchewan and better reporting of accidents, thanks to the Occupational Health Committee set up by the New Democratic government. Mr. Speaker, in conclusion, we have a good workers' compensation plan. It is Canada's best. It certainly could be better and I am sure that it will be with this government.

Mr. H.W. Lane (Saskatoon-Sutherland): — Mr. Speaker, I had not intended to get into this debate but some of the comments made by the hon. member who just spoke have to be addressed. Now, the hon. member admits that the system is not working at the present time and I think that's right. When he talks about how allowing people to pursue their claims civilly, that that downgrades the whole area of compensation for victims of these kinds of injuries. I think nothing that has been said in this House during this session has been as much balderdash as that. Because quite simply there is nothing that downgrades the whole area of compensation the way their particular Act does. It is not that I find myself agreeing with members to my right, but I think this is a particularly good resolution and I think that every member of the House who has any conscience should support it and defeat the resolution.

Now, rather than go into a long tirade about the Act, I would like to simply get on the record a case in point that I had occasion to deal with this past winter. A gentleman from the Kindersley area, and the member for Kindersley (Mr. McMillan) will know what this is all about, was hit by a vehicle employed by a certain board in that area and he was rendered a paraplegic, possibly a quadriplegic, the effects haven't been fully determined at this point in time. He himself, the driver of the vehicle who was struck wrongfully, subsequently ended up in the hospital of course, as I say a paraplegic or perhaps a quadriplegic. Because he was himself employed at the time his ability to be compensated for these damages which, in a civil court of law, would end up being at least in the \$100,000 bracket and perhaps hundreds of thousands of dollars, this particular gentleman had to be informed that the very best he could expect under the laws of this present government was that he was entitled to a reduced wage for the rest of his life; no compensation, a reduced wage. Now if you think that's fair, if you want to discuss this with these kind of people that come in and you try to defend your policies before them, I would like to see you do it.

Now, the hon. member for Saskatoon Centre (Mr. Mostoway) says many of these cases were not being reported to the Compensation Board — of course not; why would you want to report them and cut yourself out of the kind of damages that you could obtain in a civil action? If there is any possible way you could sneak it by the Compensation Board and not be caught into their grip and forced into a reduced income for the rest of your life, of course you wouldn't report. I wonder, I don't know but perhaps this is why people are not reporting it to date. I ask all members of the House and if there is any conscience in any of those members across the way they will help to defeat this amendment and carry the motion.

Mr. Merchant: — Mr. Speaker, I wasn't intending to speak on the amendment until I

April 4, 1978

heard the member for Saskatoon-Sutherland who has now left. What we heard from the member about Workers' Compensation was an attempt in two areas to mislead the House and convince members of the House that something different from the reality of the resolution was, in fact, before us for consideration.

He begins with his dissertation which really amounts to a broad side insult on business. I often think that NDP members should caucus once in a while and decide whether you are going to maintain the war on business in Saskatchewan or not. I know that most of you want to maintain the war on business but you got two or three cool heads amongst you who think that maybe we need businessmen in this province. Now, I know that the member for Saskatoon believes that government can go on in this province without businessmen so he starts off with a flaring, castigating, I insulting sort of attack on business and the makes it worse by saying, I'm not going to give you the names of the businesses that I accuse of doing illegal things, illegal if not immoral things. Now, the member says well, I'll give you the names. I'm not interested in your imagined names of companies that have committed some illegality. What I'm interested in the hon. member doing is having the guts to say to the press and the people of this province, I will back up my accusations against businessmen by putting them on the record. Mr. Speaker, when the member won't do that, he's really insulting every law-abiding businessman in this province.

Now, Mr. Speaker, all that I need from the hon. member is a nod of his head and I'm sure, Mr. Speaker, all members will agree that I could take my seat for a moment and he could put up or shut up and tell us the names of these businesses.

Mr. Mostoway: — Come over here and I'll tell you.

Mr. Merchant: — Now, Mr. Speaker, now that we've dealt with the . . .

Mr. Mostoway: — We'll tell it to the . . .

Mr. Merchant: — Who cares?

Mr. Speaker: — Order!

Mr. Merchant: — I'm hardly interested in little private chit-chats with you. If you have information you present it. I can talk to bright people from Saskatoon. Now, Mr. Speaker, the second area that has been repeated again by the member is this myth which, with respect, the minister tried to use but at least the minister came into the House with a pre-written speech prepared by somebody or other and it didn't matter that he hadn't heard what the position was that I was advancing. The minister came in with some pre-prepared text and he was going to deliver it whether it made any sense in relation to the resolution or not. But now, the hon. member comes back with this myth about workers' compensation somehow stands against the cruel, unfair, dishonest attitude of lawyers in the courts. The only reason that any reference was made in the original resolution about lawyers in the courts, the resolution which this amendment now seeks to wipe out . . . the only reference to lawyers in the courts flows from the fact that in the courts, a better level of compensation is obtained. What we've done, as we've tried to look after workers, is we've taken from them their right to the kind of compensation that they would be obtaining if they had access to the courts. And that's wrong. We started, Mr. Speaker, trying to help working men. And now the whole concept of workers' compensation, not in all cases, but in some cases as many as 20 per cent, I hazard that guess. In some cases does a disservice to the working community

- to working man which those guys say they represent and say that we don't represent. Now, all that I was suggesting, Mr. Speaker, is that we make it as fair as we can for all working men. And that would mean raising the level of compensation in the workers' compensation legislation.

Mr. Speaker, I'm glad that we've had that little break, because I was going to get into a different area of my speech to say again, that we have, I think, to parrot the words of every NDP member who has ever lived, probably the best workers' compensation program in North America.

Some Hon. Members: — Hear, hear!

Mr. Merchant: — Now, that is not to say that it cannot be improved and improved in a very dramatic way. The whole concept of workers' compensation requires examination. And I suggest to the minister and the member for Saskatoon to deliberately take a position that is advanced and try to misrepresent that position and get us down every rotten little back alley with every myth that you think might sell the voters, with every myth and allegation you can make about lawyers and courts and that really is not relevant to the discussion that I hope you might consider seriously. And the serious position is that we can do better and I'm disappointed frankly when I see from the minister an attitude that says, no, I won't even consider that. I won't consider the benefit of working men and women, I'd rather just go on with what I've got and go on mouthing the myths that the minister mouthed so well.

Some Hon. Members: — Hear, hear!

Mr. Katzman: — Mr. Speaker, I enjoyed the words of the member for Saskatoon Centre on this article. It was interesting to notice that he talked about some of the cases that he's worked on on behalf of people on workers' compensation. I would remind the member that there was a man on CPR who was in a caboose and it was hit by a truck and that member, after looking at the case, refused to help the individual with his workers' compensation and this member had to work on it. So don't take credit, for there's just as many that have come to me after you have promised to help them and have been unable to help them as what you're suggesting. But, Mr. Speaker, there is an amendment that I would like to bring forward on this motion so for the next day, therefore, I beg permission to adjourn debate.

Debate adjourned.

Resolution No. 3 — Grants to Level IV(b) Nursing Care

The Assembly resumed the adjourned debate on the proposed resolution by Mr. Anderson (Shaunavon):

That this Assembly recommends that the Government of Saskatchewan make grants available under Saskatchewan Medical Care Insurance Commission to any hospital for beds that they wish to allocate for level IV(b) nursing care.

Hon. E.L. Tchorzewski (Minister of Health): — Mr. Speaker, I just want to say a few words on this resolution which was moved by the hon. member for Shaunavon and on which my colleague, Mr. Robbins, had a few words to say the other day and then

adjourned. Before I do move the amendment which I will propose at the end of my remarks, I do want to say a few things in order to correct some inaccuracies that are in the resolution (I think the member opposite realizes now what they are) and also to clarify what, indeed, has happened in Saskatchewan in the past and the kinds of things that have been indicated in this budget and in remarks that I and others have made for the future. I suppose one could consider this resolution in even the wider context than just the consideration of level IV beds because I have always maintained and I do so now that one should not take in isolation the wide range of services that are provided for any group in society or for society as a whole and use that isolated case to determine whether we are providing adequate services or services that are not adequate.

I want to emphasize that the approach by this government to the needs of senior citizens has been one based on the very wide range of efforts. Let me just give you some examples of some of the things that have happened since 1971 and I won't take a great deal of time to do that. For example, if you were to go back to March, 1971, you would find that in this province there were 518 level IV beds. If you would use the same month in 1978, you would see that there are 1,124 level IV beds or an increase of some 117 per cent. Now, I'm not suggesting by saying that, Mr. Speaker, that we do have the maximum amount of level IV beds that are necessary because I do not believe that that is the case. I believe that we can do more and we are proposing to do more. But I want to emphasize that there have been some very major efforts that have taken place to meet this particular need.

There are other areas as well in which this kind of effort has been taking place. If you take into consideration the beds for levels I to III from 1971 to 1978 one would find, Mr. Speaker, that in 1971 there were 3,829 level I to III beds. There is in 1978 an increase over that of 95 per cent of 7,473 level I to III beds, Mr. Speaker, which I think is a very significant increase over that period of time. I could use these kinds of examples in talking about senior citizens, low rental units as well as many other kinds of accommodation and services that we provide not only through the Department of Health but provide as a government through other agencies such as Social Services and the Saskatchewan Housing Corporation and so on.

Mr. Speaker, the hon. member for Shaunavon in his resolution, first of all, I want to point out is incorrect about the responsibilities of the Medical Care Insurance Commission of the Saskatchewan Hospital Services Plan. I know the member for Saskatoon Nutana pointed that out and so therefore, it's nothing new. I think that the member in moving this resolution is also somewhat confused about the policy of this government on level IV care. Perhaps, Mr. Speaker, in light of that, I could take a moment to provide some clarification for the members opposite. The Saskatchewan Medical Care Insurance Commission provides insurance coverage for the services of physicians, chiropractors and optometrists. The commission is not involved in the funding of hospital services. This, Mr. Speaker, is a responsibility of the Saskatchewan Hospital Services Plan and has been for the past 30 years.

Mr. Speaker, level IV extended care is an insured benefit under the Hospital Services Plan when it is provided in approved facilities. This province now has, as I have already indicated, 1,124 level IV beds available in nine regional centres. That number equates roughly to 11 beds for every 1,000 citizens over 65, 65 and over. In addition, Mr. Speaker, this government has recognized that many of our elderly citizens would prefer to receive level IV care in hospitals located near their families and friends. So I am not arguing with the member who moved the resolution, on that argument which he makes. Indeed, I agree with it as he will find that members on my side will agree with it as well.

Because of this belief that we have and share with the member for Shaunavon (Mr. Anderson), for this reason we introduced the program under The Saskatchewan Hospital Services Plan in 1973 which allows any hospital in a community without a level IV facility to allocate approved beds for level IV(b) care.

This, Mr. Speaker, is precisely the policy which the hon. member is asking us to introduce now, five years after the fact. Maybe I should qualify that word 'precisely' because I don't think that is precisely what he means. I know he means that there should be additional beds that should be added on top of that. I'm not going to argue with that either. Indeed, I might indicate to the members of the House that in the consideration of the increase of level IV beds which we have announced through the Minister of Finance in his budget speech, that is one of the concepts which we are considering at the present time as one of the possible alternatives for implementation.

Further to that, Mr. Speaker, 45 community hospitals have opted into this program which I have just mentioned and 83 beds have been allocated for level IV(b) care in rural hospitals in Saskatchewan. In addition, Mr. Speaker, we recognize that many of our smaller hospitals are providing an important component of level IV care on an informal basis. Elderly people with chronic conditions are often admitted to our hospitals on an intermittent basis. Because these patients remain close to their homes and families they can frequently be discharged from hospitals and returned to the care of their families.

I think, Mr. Speaker, that these are good policies. I admit that there is room for improvement even though I indicate that they are good policies. Taking into account all the beds available to senior citizens in special care homes, nursing homes and extended care facilities, we have more than 82 beds for every 1,000 people age 65 and over. The problem is that although we have enough beds in total, the beds as in other cases and other things in the province are not distributed as well as they might be. At times we don't seem to have the right number of beds at the right classification in the right community. This government believes that if we can possibly arrange it, nursing home and level IV beds should be provided in the communities where the need exists. We don't want to see our older citizens leave their communities to a paid institutional care.

I am told that there is also a difficult clinical problem in distinguishing between people who require level II nursing home care and level IV extended hospital care. Yet, this classification distinction has a substantial financial impact on the individual. On occasion, our senior citizens living in community nursing home require more than usual amounts of nursing care. In these circumstances special financial difficulties may arise for the nursing home which provides this extra nursing care. As you will appreciate, Mr. Speaker, there is no easy solution to this complex set of problems but I can assure you that I have placed a high priority on finding solutions, both short-term solutions which can provide some immediate relief to communities having difficulty now, and a longer term solution. My colleague, the Minister of Finance, announced in his budget speech, that we will be introducing a program to provide some immediate relief to nursing homes which are caring for people who require an extensive amount of nursing care. Increased subsidies to residents of nursing homes have also been announced. These initiatives by our government are part of the short-term solution to the problem of institutional care for our senior citizens. The Minister of Finance also announced in his budget speech that we will be adding a substantial number of level IV beds in the near future. As I have indicated, the utilization of hospital space is a major consideration in that. In conjunction with this expansion of the level IV program, we are

April 4, 1978

carefully examining our policy on the use of community hospitals for level IV care. We hope that improvements in our current policy will encourage more community hospitals to provide level IV care for local residents.

Mr. Speaker, we hope to make further improvements in our system of care for the elderly. It is our intention to seek the viewpoints of the people of Saskatchewan on what an acceptable long-term solution might be. Mr. Speaker, in view of the activities being undertaken by this government and in view of the inaccuracies of the resolution moved by the hon. member for Shaunavon (Mr. Anderson), I will be moving a resolution as an amendment.

But before I do that, Mr. Speaker, I want to point out to the House that I think it is as great a surprise to him as it probably will be to the rest of us, that we have member here celebrating his 70th anniversary and his dedication to the House keeps him here rather than at home, or maybe more accurately, I think he forgot that it was his anniversary.

I would like you to join with me in congratulating the member, Mr. Rolfes, on the 70th anniversary of his marriage . . . 17th!

Some Hon. Members: — Hear, hear!

Mr. Tchorzewski: — Sorry about the slip — he is not ready for level IV bed yet! Mr. Chairman, I want to move, seconded by my colleague, Mr. Vickar, that Resolution No. 3 on level IV care, that all the words after the word ‘that’ be deleted, and the following substituted therefore:

This Assembly commends the Government of Saskatchewan for introducing, in 1973, a program under the Saskatchewan Hospital Services Plan which allows community hospitals to allocate beds for level IV care, and for providing in the budget substantial funds for an increase in level IV beds, and a program to provide immediate relief to nursing homes which are caring for people who require an extensive amount of nursing care.

Mr. MacDonald: — Mr. Speaker, I only want to say a few words. First of all I want to say that I would never have dreamed the member for Saskatoon was having his 70th anniversary, but his wig does cover a multitude of sins.

However, Mr. Speaker, I only want to say a few words. I am disappointed in the amendment, disappointed because every time the government receives a recommendation from anyone other than themselves, they are very, very sensitive and are quick to change it and note a commendation. I don’t know of anything that was more apparent than the last recommendation on the workers’ compensation. If anything in the world should make the Minister in Charge of SGIO and their operations problem more conscious of its weakness, is the ability of them to amend the resolution on workers’ compensation.

What this particular resolution does is attack a specific problem in Saskatchewan. What is that problem? It is that there are hundreds of old senior citizens in the province of Saskatchewan who are in acute care beds in hospitals right across this province, costing the taxpayer \$100 or \$90 a bed, when they should be in level IV or level III bed. That is the purpose of this resolution and that is a fact. That is a fact — there are all kinds of senior citizens in the province of Saskatchewan in the Pasqua, the General, in every hospital of the province of Saskatchewan — who are costing the taxpayer \$100 a day for a bed that they have retained, because they are not acute level IV care. They should be in level IV institution or a level III institution. What this resolution does, it says “in community hospitals”. The hospital board should be able to determine, they should be

able to allocate a certain number of beds, without the penalty of the Department of Health indicating that they are going to lose some acute care beds, that they do allocate those level IV beds. There are all kinds of small hospitals in Saskatchewan today that are being paid on a six or a seven per patient day, that have 10 or 12 or 15 beds. Now these beds are remaining vacant, or at least if they are not vacant, the hospitals are not being paid for them. They are not being paid to staff them, they are not being paid to equip them, they are not being paid for the food facilities, for the maintenance or anything else. As a result, some of these hospitals have the beds in those wings remaining vacant — because the SHSP will only pay and provide the funds to operate a certain number of beds in those hospitals. What the member for Shaunavon is saying is, let us let the Government of Saskatchewan take those vacant beds that they already have spent the capital facility to construct them, they have already purchased the beds and the equipment to maintain them, to take those particular beds and utilize them as level IV beds, so that senior citizens in the province when they go, and don't ever kid yourself, the vast majority of beds being utilized in small hospitals in rural Saskatchewan today, are nothing more than level IV institutions and are being paid as acute care beds. That happens to be a fact. You go to many of the small communities today, with one doctor. They can't afford any kind of an operation. The minute those people get sick they don't want to stay in Pangman or Prud'homme or Stump Creek. They want to go to Regina, or Moose Jaw, or Weyburn and believe me, if you gentlemen come from a small rural community in Saskatchewan, and your wife or a member of your family gets sick, the first thing you are going to do, is send them to the University Hospital, St. Paul's or the General and Pasqua in Regina or the Plains hospital. So many of the beds in Saskatchewan today are being used as level IV beds, being paid for as acute beds. That is what this resolution does. It says, let the hospital boards allocate those senior citizens in the community, and at the same time not penalize them by reducing the level IV care beds and I think it's a shame that the minister has turned around and amended this particular thing. Mr. Speaker, that's all I want to say; it's a tragedy that this kind of a good resolution is distorted by the Minister of health and is covering over and clouding a very serious problem in Saskatchewan.

Mr. R.H. Bailey (Rosetown-Elrose): — Mr. Speaker, I enter this debate at this time with some rather mixed emotions because I think what I want to say is somewhat selfish because I'm thinking of my own particular constituency both in looking at the motion and at the amendment that the Minister of Health has made. What the motion and the amendment will do, Mr. Speaker, will be to remove a very distinct problem which we find in rural Saskatchewan.

Mr. Speaker, I'd like the members of the Assembly to share a very sad experience which I had last summer and I'm sure that other members of this Assembly have had. Under the present regulations once a level IV patient, or what is considered level IV, reaches a certain number of days the doctor can no longer keep him in the hospital. And this one gentleman, in fact, Mr. Speaker, after his time had run out, we just kept moving him from hospital to hospital because there was no room in any senior citizens home. It was during the time when they were moving him from one hospital to the next, the gentleman passed away.

In rural Saskatchewan, as I said the other day — I guess I can speak with a great deal of experience here, having seven hospitals within my constituency and six of them are very small hospitals. I welcome, and I'm sure that the people in rural Saskatchewan will welcome the fact that certain numbers of beds in the hospital will be assigned as level IV care. Now, I think that makes for good economics, economics because of the fact that the certain staff has to be maintained at the hospital. Let us say that you have a

bed hospital but they're only being recognized for six beds. The facility is there; generally speaking, the staff is there. It seems to me to make really good sense, rather than have somebody be taken off 200 miles so they could never be visited by their family, to utilize the beds which are already in the hospital.

I welcome and I commend the government on their proposal. I think that the government has made a very wise choice. If you look at the hospitals in the province at one time or another these hospitals even in their initial construction received a grant from the government to be built. There's no further cost; the plan has to be maintained. It seems to me that good health dollars are being spent to have the hospital declare, whatever process is used, the number of beds in that particular hospital that can be used for level IV.

Mr. Speaker, one of the problems which an MLA faces in rural Saskatchewan is attempting to find for people who need level IV care some place for them to be. The nursing homes generally are filled, with a waiting list. Maybe you find a nursing home some 200 miles away — these people have been very closely attached to their family and somehow they go away and they don't have the visitors. It's a very improper way for them to spend the last days of their lives.

So, Mr. Speaker, I want to commend the government and I await the announcement of their policy. I can assure the government that it will fall very kindly on the people of rural Saskatchewan. They will look very favorably on the policy. I would hope that the policy will be announced without too many weeks delay because I know that in everybody's constituency a whole lot of problems are going to be solved when the government announces this policy. I think the government should be given credit for this because it is not, and it will not be an expensive venture to allocate say, two beds, in a seven-bed hospital; four beds out of a 10-bed hospital. No one is going to suffer from them being there. They're going to be close, where they can be visited by their family; they're going to be looked after in a proper fashion. I wholeheartedly support this government's action and I'll be the first to give the Minister of Social Services applause when the announcement is made.

Mr. E. Anderson (Shaunavon): — Mr. Speaker, the Minister of Education was quite right. I should have been more precise than my secretary, I did mean the Saskatchewan Hospital Services Plan. In the minister's speech I was very pleased to hear that he's considering the problem and is going to take steps on it. I'm sure that the news will be well received in the outlying areas of the province and I commend him for going ahead with this. That's all I have to say.

Motion as amended agreed to.

Resolution No. 7 — Migratory Bird Damage to Crops

The Assembly resumed the adjourned debate on the proposed resolution by Mr. Kowalchuk (Melville):

That this Assembly urges the federal government to fully accept its responsibilities under the Migratory Birds Convention Act and demands that the federal government take immediate action to initiate a program to compensate for migratory bird damage to Saskatchewan farmers' crops.

Mr. J. Wiebe (Morse): — Mr. Speaker, a few brief comments to conclude my remarks in

regard to this particular resolution.

I intended at the end of my remarks to move an amendment which I hope can be accepted by the majority of members of this Assembly. I think what we have to look at in regard to the meat of this particular subject which is being presented in this amendment is the responsibility of not only the federal government in agreeing or looking after its commitment in regard to the Migratory Birds Convention Act but also the responsibility of the province of Saskatchewan as to how we deal with that particular problem. Is the proper approach to take one that is being suggested by the member in this resolution by saying that compensation should be paid to farmers for the damage of their crops? There is no doubt that farmers should receive compensation but should this be the only answer? Should we continue year after year after year to pay out compensation and not attempt to do anything to solve the problem which causes the eventual payout of that compensation? I would much sooner see the federal government and the provincial government take the approach of using the dollars which they are now paying for compensation, using those dollars in turn to construct or locate lure crop areas throughout the province of Saskatchewan which enables our wildlife to have their normal feeding patterns, also allow the hunters throughout the province of Saskatchewan and members of the Fish and Game League to partake in the advantage of game bird hunting.

The member in his resolution, I might add, Mr. Speaker, goes on to urge the federal government to provide more dollars than what has been provided for crop damage. Let me refer the member to a press release which came out of Brandon on March 10th, less than a month ago in which . . . "Agricultural Minister Eugene Whelan and Len Marchand, Minister of State for the Environment, today announced increased funding to minimize farmers crop losses due to migratory waterfowl. The new program replaces a six-year agreement which expired March 31st. Federal funds have been raised from \$1 million to \$2.8 million under the new program . . ." just about tripled and yet we see a resolution in this House today that in effect condemns the federal government for not doing anything in this regard when in turn they have tripled the amount of money that was presently made available for this very problem; and I could understand that resolution being introduced prior to March 10th, and at which time I think that the resolution was introduced but certainly the member should have realized that the motion which he moved was after the date of March 10th, after the announcement had been made and after considerable amount of money was being made available for this very problem by the federal government.

Let me go on to read this press release a little bit further, Mr. Speaker, . . . "of the federal government's contribution \$1.5 million may be spent annual by Agriculture Canada for compensation to farmers for crop damage by migratory waterfowl." Previously \$500,000 was available for compensation annually. Again, Mr. Speaker, tripled, the amount of money being provided for crop loss by birds has been tripled and we still see a resolution such as this on the order paper. How much more do they want? And here we are urging people throughout Canada to restrain their expenditures and we have a resolution like this demanding more than three times what they are presently getting. Talk about legislative and fiscal responsibility. I think the members on this side of the House by supporting this resolution as presently written are not showing that type of responsibility.

Let me go on to say, Mr. Speaker, the Department of Fisheries and Environment will spend up to \$1.3 million annually in consultation with the provincial government on programs designed to reduce the damage done by migratory waterfowl, the previous

April 4, 1978

budget was \$500,000. Again, just about tripled.

Mr. Speaker, this is the avenue that I suggest to the federal government and the members of this Assembly, that we should be looking at providing these kinds of funds to construct and locate lure crops throughout the province of Saskatchewan so that in effect the migratory birds may be able to feed on those areas instead of damaging the farmers crops.

As I said earlier in my remarks, I don't think that we can continually solve the problem by just handing out money to farmers for the damage of their crops. In my remarks prior to adjourning the debate last week, I suggested that changes be made to the Saskatchewan Crop Insurance program to adequately compensate the farmers for the loss to their crops.

Now we talk about migratory birds; it is an act of nature the same as hail damaging a farmer's crop, that is an act of nature. It is also an act of nature to have our traditional migratory birds damage our crop. If we, as a provincial government and a federal government, under the crop insurance program can cover spot loss damage for hail certainly we can cover spot loss damage for wildlife damage to our crops in the province of Saskatchewan.

Let me point out as well, Mr. Speaker, that that amount of damage amounts to less than 1 per cent. Less than 1 per cent of the damage to farmers crops in Saskatchewan is caused by birds and wildlife which is not going to have any effect whatsoever on the increased cost of premiums which farmers have to pay.

It is for that reason, Mr. Speaker, that I move the following amendment to the resolution, seconded by the member for Kindersley, by deleting all the words after 'Assembly' in the first line and adding:

urge the Government of Saskatchewan to co-operate with the federal government in its program to compensate farmers for migratory bird damage under The Migratory Birds Convention Act

and further:

that this Assembly make recommendations to allow for spot claim compensation for wildlife damage to farmers crops under The Saskatchewan Crop Insurance Program.

Mr. D.G. Banda (Redberry): — Mr. Speaker, two weeks ago, I recall the member for Melville (Mr. Kowalchuk) very ably introduced Resolution No. 7, which I was pleased to support. That resolution calls on the federal government to live up to its responsibilities to Saskatchewan farmers, who year after year incurred income loss due to crop damage done by migratory waterfowl. This Assembly is once again faced with a resolution where we are addressing ourselves to a question where the government in Ottawa is dragging its feet, totally ignoring and renegeing on a commitment made to Western Canada, Mr. Speaker. This is a situation which we, on this side of the House, find is all too common. You know, Mr. Speaker, the prime Minister and his band of happy warriors were just in Saskatchewan last month warming up for an expected federal election and they said they were out west to hear representations to bring the government closer to the people. A couple of members from this Assembly were right there helping to convey to the Prime Minister our concerns and beefs. Might I suggest,

Mr. Speaker, that they take note of this resolution. Last year it was \$10 million worth of concern to the Saskatchewan farmers. I suggest these two Liberals will take the attitude which is right and proper for Liberals, Mr. Speaker, the old C.D. Howe attitude — what's a million? And with the Liberal inflation since that famous quip they can now say, what's ten million?

I say that, Mr. Speaker, because this same federal cabinet — that wants to know our concerns and wants to get closer to western issues was out here soliciting votes instead of views and totally ignoring the representations of the three prairie governments — casually announced in Brandon, Manitoba, a hopelessly inadequate one year extension to the existing underfunded program.

If I had to evaluate the benefit of having that federal cabinet closer to us relative to this issue, Mr. Speaker, I might suggest that they get a little further away. Let me, just briefly, review the issue, Mr. Speaker. First, the Migratory Bird Convention Act of 1916 and the subsequent 1929 Natural Resources Transfer Agreement clearly established federal legislative responsibility for migratory birds. Not long ago it was recognized that these birds know no national home, if you like. They are the Queen's birds or they are Uncle Sam's birds. Now the difficulty is that Saskatchewan farmers have to feed them every fall. The farmers foot the bill despite the fact that the rules governing their conservation and protection are federal rules. Secondly, Mr. Speaker, in 1953 the Government of Saskatchewan through the Department of Natural Resources initiated a program and made funds available to the Saskatchewan Government Insurance Office to administer a program designed to assist in wildlife damage. Now, some might say this provincial program provided little compensation, but it was a step in the right direction and a step that the federal government should have been taking a long time ago if they were serious about their responsibility under the international convention. There is no way that the province on its own could or should be expected to foot the bill for total coverage. And what is more important, we say it is time we quit putting the onus on our farmers to foot the bill. Thirdly, Mr. Speaker, in 1974, the Waterfowl Crop Depredation Agreement was signed, retroactive in 1973. This four-year agreement clearly set out, by mutual agreement, that migratory waterfowl depredation was a national responsibility. Last year, this agreement was extended by a year, by letter. The agreement provided for \$1 million a year. Those funds are split evenly between prevention and contribution to the premium costs of all crop insurance. That was not, however, any contribution for spot loss experienced by the farmer. And, Mr. Speaker, that is where it is unreasonable and impractical to provide all-risk crop insurance. And that is where the great loss is incurred by Saskatchewan farmers . . . \$10 million as I mentioned, last year. Fourthly, and this is what the member across was talking about, the recent announcement in Brandon that funding for three prairie provinces will be increased to \$1.3 million and \$1.5 million for prevention and compensation respectively. That does not come near solving the problem when you consider that Saskatchewan farmers lost \$25.6 million between 1974 and 1977. Furthermore, what is needed is a comprehensive spot loss compensation program. Payments also have to be higher than \$25 per acre in order that the farmers get at least enough to return their cost of production. Now, Mr. Speaker, we know the Liberal position. It is standard. Do nothing. And hope someone else somewhere else will be blamed. Now, what about the Conservative position? Well, the member for Moosomin two weeks ago rambled around for a while on this resolution. I reviewed his remarks to try to determine where that party stands on this issue. And what did he say? Well, first of all, hunting permits shouldn't go up. Those that enjoy the right to hunt in our province shouldn't foot the bill. Secondly, he said and I quote

I always have to balk a little when I see the government here in Saskatchewan trying to slough its problems off on Ottawa.

He's saying, Mr. Speaker, that this whole

problem is one the province should burden. Strange stories, Mr. Speaker. Strange indeed, a new conventional wisdom. The third thing he said, Mr. Speaker, and the truth of where the Tories stand is in this quote:

I'm wondering if we could not maybe consider placing more of the responsibility under the Crop Insurance Program.

Never mind that it is an administrative nightmare because about 7,000 to 8,000 farmers would require or want coverage since they are in the risk areas and premiums would be prohibitive. What he is saying on behalf of his caucus is that the farmers in Saskatchewan, through the crop insurance should pay the shot despite the fact that the source of the problem is a protected hazard so far as the farmer is concerned. Now, Mr. Speaker, just to confirm his ignorance, he makes a statement, and I quote again:

That the Crop Insurance Program does not cost this government any money. It's not an expense to this government.

We could have expected that even the member for Moosomin would have known that close to \$4.5 million will be voted as a grant to the Crop Insurance Corporation for administration this year. Small wonder, Mr. Speaker, that the member for Nipawin needs a new agriculture critic and he's looking to the benches to his right rather than over his left shoulder. The Tory position is a bit garbled, Mr. Speaker, but clearly enough it's anti-farmer just as surely as the position of the federal Liberals is anti-farmer. They're the same old bunch, Mr. Speaker. Members on this side say it's time the concepts set out in agreement were backed up with the bucks. Mr. Speaker, it's time the federal government quit welching on a responsibility to our farmers to which they have committed themselves in writing for so long. It's time they properly funded a comprehensive spot loss compensation program. As with other issues, like job creation, this government stands ready to do its part if only we could stop the foot-dragging in Ottawa. Mr. Speaker, I am asking members to defeat the amendment and support the motion.

Hon. E. Kramer (Minister of Highways and Transportation): — Mr. Speaker, I have a few things to say tonight and I hope that the people in both sides of the House will just forget for a moment that there are little petty animosities and look at a problem, Mr. Speaker, that's been with us for years and continues to grow. I think it's time to forget about partisan politics in this and remember the people who are hurting and the people who have been hurting, over the years, whenever a flight of ducks or geese lands in a field that is not insured. They don't follow any particular pattern. They can land anywhere. It is all very well to say it is only 1 per cent of the total. That figure may or may not be correct. But when a hundred acre field, of a small farmer, gets completely demolished, or nearly completely demolished, by a flock of ducks or geese or sandhill cranes, that becomes nearly 100 per cent of the total profit of his income.

Mr. Speaker, I would ask the member, please, and the people opposite here, I am not only speaking as a member for The Battlefords, or as a member of the government. I want to tell you, I want to warn you that I speak unanimously, supportingly for the entire Wildlife Federation of Saskatchewan. Yes, laugh if you wish, because you will rue the day that you don't hearken to this. Because they are determined, the Wildlife Federation of Saskatchewan and the western provinces, are determined to put a stop to this needless damage and needless slaughter, in the case of ducks and geese, that have been protected by — and here is the secret, here is the key — ducks, geese, sandhill cranes

protected by law under the Migratory Birds Convention Act, my colleague mentioned 1916. It isn't a hail storm. The hail storm is an act of God; the wild birds are protected.

Let me give you a little history, if you will just listen. I was startled and surprised when I was the Minister of natural Resources back in 1962 and the spring of 1963, when we were called, Mr. Speaker, we were summoned to Edmonton by the federal government with representatives from the United States and representatives from Mexico, to come to a meeting. And what for? To set the season and the bag limit on migratory birds, in Saskatchewan, Manitoba and Alberta. The representatives of the provincial game branches were there; the federal Wildlife officials were there. They told us — they didn't ask us, they told us — that 'our officials have determined that you shall take four green heads a day, two trash ducks, as they call them, so many geese of every variety and no sandhill cranes' of course, but that is beside the point. Then they tell us, 'now you be nice, good Saskatchewan citizens and Alberta and Manitoba and take care of our birds' and they go back to Ottawa. They admitted at that point in time that it is their responsibility and it is under their authority.

At the same time we were foolish enough, as the Government of Saskatchewan back in the '50s to establish an insurance program — I say foolish enough to accept the responsibility which was not ours, never was, Mr. Speaker. We accepted and have accepted for years a responsibility that is not a Saskatchewan responsibility; not an Alberta responsibility nor Manitoba, but a federal responsibility by law.

Mr. Speaker, what I am saying is this, that first of all we spend millions of dollars on conservation. Ducks Unlimited spends millions of dollars on habitat to improve the brood so that they may multiply and prosper for the good of society, for the good of society. Then, in the fall, down come the ducks from the North and they land in a farmer's field and a few trigger-happy nimrods from the city, persuade John Farmer to get a permit to shoot them; to slaughter them and leave them lying in the field, quite often or throw them into the ditches — pinfeathery ducks that are not mature and good to no one, destroying what Ducks Unlimited and our conservation people have worked at over the years and the months, with good conservation practice.

Mr. Speaker, I say that is the height of stupidity. So if we would only choose to be sensible. We cost the farmer thousands and thousands of dollars. He buys scare devices, exploding guns that cost him about \$600 per section to scare the birds away, to scare them onto his neighbor. Surely, Mr. Speaker, there is a more sensible way of doing things.

I say that the only way that this problem can be handled effectively is that when a flock of geese or ducks lands in any farmer's field, leave them alone. They will do less damage by staying in that one particular field regardless of whether he is insured or not because he should not have to pay insurance; they are not his birds — they are society's birds. There should be no insurance charge whatever on the farmer. When that damage is done then, officials of the wildlife authority or whoever is established as the authority and the compensator, will come in and pay him full value for the damage because that is what he has coming. This is why we are saying that there has to be a fully compensative policy.

Now let me move to whose responsibility it is once again. The federal government has neglected and reneged on its responsibility and the first time they ever came into it was when I was the Minister of Natural Resources in 1971. They would not accept the responsibility. I former minister, the Hon. Arthur Lane said that he saw no more reason

April 4, 1978

for the federal government to participate in wildlife damage (migratory game bird damage) than for any other kind of insect or pest. Those were his words, recorded from a meeting with the wildlife authorities of Canada and that is a complete negation. It wasn't until the Hon. Jack Davis, who was the federal minister at that time . . . (inaudible interjection) . . . That's right, the Hon. Jack Davis . . .

An Hon. Member: — Jack who?

Mr. Kramer: — Yes, Jack who. He was the only federal minister who ever had the sensitivity to understand what the problem was. We never got . . . The problem that the member for Morse is talking about compensation, the small amount that we did get was only gotten when I, as minister for this province said, look, if we don't get an assistance policy we will withdraw entirely from the protection, we will just let you handle your birds. It was at that time that they said, well, we had better take a look at it and it didn't need a push for Davis. He agreed. The records show that he agreed that he would participate and they brought forward . . . he promised \$3 million at that time. It was whittled down and whittled down and even after increasing the duck stamp (the federal hunting permit) from \$2 to \$3.50 which put more dollars into their coffers, they still whittled the program down. It was about two years ago that once again they were saying, (again on record), we see no reason why we should participate in this program at all, and tried to withdraw from it. Jean Sauve and the present minister, Marchand — there are letters to that effect. It wasn't until the Wildlife Federation of Canada pressured him and suggested that there was going to be a real problem that they came along — and I say with this absolutely inadequate picayune amount of money that doesn't even begin to attack the problem. I have a release here from the three western ministers who met on the 29th of March. The ministers, and I quote from this news release which some of the members have probably not read or heard of,

Ministers and officials responsible for agriculture and wildlife in Alberta, Manitoba and Saskatchewan met today in Regina to review the federal government announcement of a further one year . . .

One year, hear that — one year — just to get them through the election, I presume.

. . . one year extension to the existing Migratory Bird Damage Agreement. Although the federal government has recognized and reaffirmed its responsibility for migratory birds, extreme disappointment was expressed that the level of compensation recently announced by Canada does not begin to compensate prairie farmers for crop damage caused by ducks, geese and sandhill cranes.

They admit their responsibility under the Act yet they propose for all of western Canada a measly \$2.5 million (less than \$3 million) when the damage in Saskatchewan last year alone was \$10 million — \$10 million largely uninsured, not compensative under any time.

Mr. Speaker, if we are going to have a conservation policy in this country, the time is now for the federal government to accept the responsibility. We should, and I say this to you, as far as I am concerned, the provinces have offered 75/25 with the federal paying 75 and that is 25 per cent too much because it is not there. It is not the provincial responsibility. They walk off, Mr. Speaker, with all the sales tax practically for

the birds. They collect the duck stamp and do little else. I am saying that if they do not recognize the responsibility and compensate the farmers who are the victims of society, as Mr. Banda, the member for Redberry said, they are society's birds, they are the Queen's ducks, Uncle Sam's, and I suppose Pancho Villa's or whoever the president happens to be at the moment down in Mexico. But the fact of the matter is that they are not ours. I suggest to the Minister of Tourism and Renewable Resources for wildlife, as I did back in 1972 and I believe the ministers for Alberta and the governments of Alberta and Manitoba are prepared to back that up, we just cancel out any involvement whatever in migratory birds in western Canada. If they are not going to accept the responsibility let them take care of them, do whatever they wish with them. There is no reason whatever for Saskatchewan or Alberta or Manitoba to participate in this and accept the brunt of the criticism from farmers when it is actually someone else's responsibility. If they want to have an adequate policy they can do as the Wildlife Federation of Saskatchewan and the western provinces want them to do, be reasonable. Accept their responsibilities the same as a farmer does. If my cattle get into the neighbor's crop it is my responsibility and I pay. He doesn't buy insurance against my cattle. I have got to pay the damages. I say that it is no different. These are protected animals. They are a protected species for the benefit of society and if they are protected for the benefit of society then society ought to pay. That is logic — I hope it is logic. Just as I believe, provincially, when there is game damage by elk or deer that are a provincial responsibility, the province ought to pay. It is our responsibility because we protect them and we do pay; when a bear does damage to livestock or granaries or apiaries, the damage is paid by the province. We accept our responsibility, maybe not enough at times, but the principle is there. So, Mr. Speaker, I say that if we are going to take advantage of the millions of dollars that have been spent on conservation by Ducks Unlimited, if we are going to take advantage of the millions of dollars that we have spent provincially, the dollars that have been spent federally, and there are some that they have spent, I say that the time is now that they must accept the full responsibility. I am suggesting that possibly 75/25 is initially possibly acceptable in view of the small amounts that we have had in the past. But this amount that is touted by the member for Morse is totally inadequate. It simply, I suppose in his mind looks good because it was so little in the past. But it is \$10 million worth of damage in Saskatchewan, Mr. Speaker, and our Saskatchewan share of \$2.6 million is peanuts. It is totally unfair and an insult to the farmers of Saskatchewan who have suffered long, those who are in the fly way and suffered the losses each year, many of them never having insurance and never constip . . . compensated — well the ducks aren't. If you have ever harvested a swath that has been tramped on by ducks you will realize they weren't constipated.

Mr. Speaker, I believe that I have made the point clear that I will certainly not support the amendment and I reluctantly support the motion because it doesn't go far enough.

Amendment negatived.

Resolution agreed to.

SECOND READINGS

Mr. E.F.A. Merchant (Regina Wascana) moved second reading of Bill 17 — An Act to amend The Fair Accommodation Practices Act.

He said: — Mr. Speaker, we face constantly changing requirements in the area of human rights and this addresses itself to some of those changed requirements. The

April 4, 1978

nature of society and the pressure upon it dramatically change though we, without being a part of daily shifts, tend always to underestimate those changes.

We now expect human rights to work at the job of effecting sexual equality but the consciousness of that aim of sex and color equality was not really upon us until the '70s. The need for protection for ethnic groups from the Indian subcontinent did not begin until as recently as 1974 or 1975. I give those things to members as examples of the fact that human rights is very much a changing area yet we, unfortunately, fail to maintain some sort of systematic overhaul. No inquiry is ever conducted to see if the legislation is doing that which was intended and no care is taken to ensure that the commission in Saskatchewan is performing its function adequately.

These amendments, which I will be moving in a moment, deal with a broad range of changes that I believe should be made in Saskatchewan legislation. I hoped the government, as it usually does, will consider the merits of each of the amendments separate from the others and hopefully allow some or all of these provisions to become law either at this time or at some later time.

The government backbenchers should really be asking, however, as I move these amendments, why it is that a Liberal, they would say of all people, is legitimately castigating the NDP for failing to react to needs in the area of human rights. The need for my speech in this area is a statement all in itself of the damage done to NDP thinking by its stratification through years in office. The government seems to have lost its humanitarian zeal and needs constantly the kind of reminder intended by these amendments. It is sad. I have always shared the genuine concern of the NDP about personal rights by the zeal of the left, which was the spark of quality in your movement, is gone. Lately, I suppose I say this to the backbenchers, I have wondered what is left in you. There is certainly no left in the approach to human rights.

Respect for human rights is a tradition in Canada. It is, however, a tradition that is more fragile and vulnerable than we are often prepared to admit, even to ourselves. Public respect for human rights is not something that can be taken for granted and legislative guidelines for those few deviates amongst us helps all in the sense of leadership that it provides.

Human rights legislation must give some guidance without encumbering society with so many strictures as to destroy our freedom of action and our individual rights. That balance must be met by the Human Rights Commission; the balance, Mr. Speaker, between the strictures and the failure to destroy the freedom of individual action must be met by the Human Rights Commission dealing with the rules which we, as legislators, impose. Where the staff of the commission is, by and large, a well intentioned, well functioning unit, the commission itself in this province in its rhetoric and its treatment of Saskatchewan people seems to imagine us a wanton and depraved lot incapable of individual self-determination. Our commission has made it difficult for those of us, and I number myself in that group, who support the concept of appropriate human rights legislation to further the concept of that legislation. The Saskatchewan Human Rights Commission has imagined itself as some Victorian school-marm with the right to belittle and nitpick.

Many of their interpretations are stupid. Many demand the intelligence of the people before them, and yet notwithstanding the picayune approach of the commission and particularly its past chairman, some good work has been done.

The commission tended, (certainly in the past) to be so intent on the narrow interpretation that it lost the respect of the activists who asked why our Human Rights Commission could not do more, while at the same time it lost the respect of many Saskatchewan people who asked why the board imposed so many seemingly vacuous decisions upon them.

There is a balance to be found. As one vitally interested in civil liberties, the failings of our Human Rights Commission trouble me all the more because it becomes difficult for me and others to make advances because of some of the vacuous decisions that they have made. Legislation on human rights deserves the focus that it is not receiving by this legislature and by this government.

As legislators we must ask ourselves whether our Bill of Rights covers what we believe to be the current state of public policy. Does our legislation allow people to take a personal stand against pressures to go along with discriminatory practices and does it provide sufficient legal redress for individuals and minority groups where rights are being overridden? I think that it does not represent the Canadian consensus and that many changes are long overdue.

Now, Mr. Speaker, those are some preliminary words. Let me move into a specific discussion of the area that I want to cover and secondly, the area of enhanced influence that I suggest the commission requires.

There are two large minorities that have been overlooked by our legislation and one group, women, whose protection intended by the legislation does not go as far as it should.

However, that first large minority that has been overlooked is the handicapped. Estimates of the physically disabled people range from 7.5 per cent to 15 per cent of the total population of Canada, depending upon the definition used. There is a widely accepted estimate that one out of every seven people must cope with some physical limitation of one kind or another. Many of the handicapped are not capable of or inclined to work. The Canadian Labour Congress estimates however that fewer than half of the handicapped who have the ability and the desire to work, are in fact employed. Obviously, many positions may not be open to a disabled employee just as some positions such as dancing girls and stevedores perhaps, aren't open to one type of sex or the other but protection to the disabled in seeking employment should be afforded by our legislation and it is not.

I suggest, Mr. Speaker, that The Fair Employment Practices Act must be amended in the manner proposed by the legislation that I have put before you and these amendments will assist the disabled to find employment.

The second area of discrimination against the disabled which is unforgivable with our current level of North American prosperity, is the way our buildings and our theatres, our sidewalks, our elevators, even our public bathrooms, make it very difficult for the disabled, and the result is that they just cannot participate in the manner that others take for granted. That is a simple change that we can make and hence the amendments that I will be moving.

Federal law in the United States requires that all federally funded buildings are accessible to the disabled. Even in the most expensive circumstances the cost of meeting this requirement never exceeds 10 per cent of the cost of the building and

April 4, 1978

recently the most expensive circumstances they could imagine, the building of an underground, was completed and they found that the increased cost of that was about 10 per cent. This is a percentage approximately equal to the proportion of disabled people in the population and I suggest, a cost that should be borne in new construction.

New construction should allow access to the disabled, hence the amendment to the Bill of Rights and The Fair Accommodation Practices Act suggest that our building code should be amended to require that all new buildings should be designed to accommodate the handicapped. I would suggest a long lead time be given to building code amendments of a year or more so that those requirements come into effect. Although I don't propose amendments to the building code at this time, I suggest to the government that that is an appropriate course of action that they should follow.

The handicapped, Mr. Speaker, represent a very large minority in the country and I can think of no other minority which suffers as much discrimination in employment as do the physically handicapped, and no other minority which finds so many buildings and places of access, so many restaurants and telephone booths, so many theaters and buses effectively closed to them and it is something about which we could legislate a proper remedy.

These amendments to our legislation and the suggestion of the building code require compliance at some date, and as I said, I think that should be some date in the future.

The second area, Mr. Speaker, is that marital status is not a ground of discrimination prohibited by our Human Rights Act. There has been for a number of years a consciousness of the need to right discrimination against women. A good part of that job in terms of the law making has been done but a great deal remains to be done.

Even in the field of law making there are some improvements that are required. Separated and divorced women have a particular problem in obtaining credit independent from their husbands. That should be corrected. Hence I move the amendments to sections 8, 9, 10 and so on that you will see in the Act. The right to independent credit enacted by section 1 of the Saskatchewan Human Rights changes are particularly noteworthy, Mr. Speaker.

Marital status is not now a prohibited form of discrimination, therefore, it is possible, legally, for landlords to deny housing accommodations to individuals on the grounds that they are single, widowed, divorced or separated. Gladmer Park, to pick a bad example in Regina, the worst example I know of, systematically evicts wives if they are separated from their husbands after moving into Gladmer. In fairness that pattern is improving in the Gladmer Developments in Regina but it is an example of a marked prejudice against separated women and particularly separated women in the initial stages of their separation and an example of something where through legislation we could correct the problem.

These amendments also provide protection against discrimination in matters of accommodation on the grounds of marital status.

Mr. Speaker, the last major area requiring attention is concerned with discrimination related to age. We should be protecting those in middle age from discrimination in hiring and people in their 60s from compulsory retirement.

I have previously suggested in this House protection for people between the ages of 45 to 65 and suggested that people not now be compulsorily pensioned off at the compulsory age of 65.

I moved those amendments. I put the amendments back before the House because I want to see, Mr. Speaker, the reaction of the cabinet. I will be very interested in knowing whether you are prepared to accept this principle, a principle which is now being accepted in other jurisdictions and I hope shortly, Mr. Speaker, that we'll hear from the cabinet in that regard. I don't intend particularly to repeat the comments that I made when I moved those amendments in the last House. Let me only say regarding compulsory retirement that legislation to stop this abuse was introduced and is now law in 13 American states and is currently before the American Congress; the legislation has the support of the Canadian Labour Congress. Some members opposite claim to get along with the union movement. It has the support of the Ontario Human Rights Commission, the Canadian Human Rights Foundation, and the Canadian Council on Social Development. I suggest, Mr. Speaker, that this is an amendment that the government might consider allowing at this time through the private member's bills that I have put before you.

I suspect it will acquire the support of the Economic Council of Canada which is increasingly concerned about an anticipated slow growth period in the '80s in this country because of the declining work force.

"Let The Elderly Try Lobby Tactics", a book which tells us that we can expect in this country that a minority of younger people will support a majority of senior citizens and children, that is a fact that we face and in consequence we will face the cost of programs which we simply can't estimate. It is for that reason that I expect the Economic Council of Canada will support this kind of proposal all across this country.

There is nothing magic, Mr. Speaker, about the age of 65 to systematically fire people. In an economic period when their work and intellect is badly needed it is a mistake in terms of the economy and in terms of the effect upon the individuals who might well have chosen not to retire.

My comments about insurance and pension plan considerations and their perils which I made in the last House still exist and I suggest them to members.

Mr. Speaker, those are the three areas of specific amendment. The amendments to prohibit discrimination in hiring people over 45 are straightforward. Many provinces have legislation of that kind and it is moved within these acts. I suggest it goes without saying that an employer would of course retain the right to terminate employment for cause whether with a handicapped person or an elderly person, if that person couldn't perform the job. The first exception must continue to be that our law should not require an employer to hire or maintain an employee who is not capable of handling that employment and my previous comments go hand in hand with that exception. The second exception that should exist is that the Human Rights Commission should have a broad mandate to grant exemptions and those exemptions should be available on a case by case system.

Mr. Speaker, that ends the specific comments about changes in the law. Let me move to some changes in emphasis. They are in many ways just as important.

There are two general areas in which the commission should be involved and is not.

April 4, 1978

The commission stays out of both because of its self restricted view that the job is solely one of investigating and judging.

The problem is not so much the fault of the commission but of the ambit of responsibility granted to it by this House.

Workers of the commission, in my opinion, have a good understanding of how to deal with people. I believe they should be doing work beyond the narrow functions of investigating and judging. The authority of the commission should be expanded to give it the right and responsibility to develop and conduct community, race and ethnic relations programs designed to reduce and prevent tensions and conflict and designed to bring some leadership in the community.

Much of the discrimination which results today flows from unconscious practices where suggestions rather than rules and penalties may solve the problem.

Work, in Regina, between the Indian and Metis people and the police is an area where the commission working within the community would probably be able to help, this is an example of the area of authority that I believe should be granted to the commission. Given that extra scope the commission could be recommending and encouraging affirmative action programs to assist groups such as women and the handicapped, who have, in employment and other areas, been subjected to discrimination. The commission might, perhaps, be recommending to the government that certain firms be encouraged into appropriate programs encouraging employers who are prepared to provide on-the-job training to employees who suffer deficiencies, in educational backgrounds.

The compulsory hiring of a certain percentage of Indians and Metis, which was imposed by the Saskatchewan government under Premier Thatcher is wrong in the sense that it built a ghetto around those employees, but right in the sense of giving a foothold to that minority. The program did not work as well as it should have, but it is an example of the sort of thing that is possible and perhaps could be considered again.

The second large area of community involvement is that of leading the educational system away from a program which really results in a hand-me-down discrimination, which is almost winning the field by default. This is the problem for women and for natives and in many cases results in a hand-me-down discrimination regarding ethnic groups.

Not only do we not include formal instruction in human rights in our ethnic or social studies classes, but we include various forms of discrimination and prejudice. We teach that 'Dick does and Jane watches.' Our schools encourage girls to become hygienists and nurses and boys to become dentists and doctors. We misrepresent the past to the disadvantage of the ethnic groups. Students seldom learn, for instance, that the English that came here encouraged the Indians to scalp and, indeed, introduced the practice of scalping in North America, paying as much as 10 pounds for the scalp of a Huron Indian as the Hurons then were working closely with the French and doing the same thing for the French perhaps for a different amount of money.

In training, Canadians are taught to hate Americans and through that we neglect to mention, when we talk for instance about the Americans as having brought slavery and their alleged discrimination against the Negroes, we fail that to mention that slavery continued to exist in Upper Canada until the middle 1850s.

We encourage the prejudice against the French by talk of the defeat of Montcalm, but never mention that the expected insurrection by the French during the War of 1812, when Francophones outnumbered Anglophones by three to one in this country, did not happen and their failure to rise is the reason that we still have a British North America.

There are all sorts of examples, Mr. Speaker. We talk about the English discovering Canada. The Indians and the Inuit always knew we were here. We talk about the first person to visit Canada as Henry Cabot. In fact the first person to visit Canada was Giovanni Caboto. We don't ever give credit along those lines to the ethnic communities. Mr. Speaker, there is a lot to be done by the commission in the community in education and community leadership if we give them the authority to move.

The last portion of my suggestions looks at two legal aspects of a broad nature. The first matter is that our human rights legislation should be made paramount to other legislation. It is not now. I suggest to the government that amendments be introduced, and I don't introduce them with these second readings. But I suggest to the government that amendments be introduced to ensure that other statutes and regulations not be construed so as to derogate from the principles of the Act unless expressly stated to the contrary. The amendment would read something along the lines of saying, that unless expressly stated otherwise, no Saskatchewan statute or regulation should be construed or applied so as to derogate from the principles of the Act.

If we really cared about our human rights legislation, if that government really cared, they would enact just such a provision and include that in the human rights legislation that we have now.

Lastly, Mr. Speaker, I suggest an amendment requiring a reporting by the Human Rights Commission on an annual basis to the Select Standing Committee on Human Rights of the Saskatchewan legislature. That Select Standing Commission does not yet exist.

Mr. Speaker, earlier I was talking about the narrow picayune, stupid approach by the former commission. I think that in large part flowed from the fact of the person who was the head of the commission. I think that that will improve. But I believe that this area of human rights legislation is too important to be left to the kind of petty squabble that we watched in the media in the past years between the then chairman of the Human Rights Commission and the minister in charge; the minister in charge really picking on the commission, the commissioner picking back. The commission report, I suggest, should not go to the cabinet room where it gets clothed in the politics of this government desperately trying to hang on. The commission report should come to this House in the same manner that the Provincial Auditor and the Ombudsman report directly to this House. Consideration of the report should be above politics.

Mr. Speaker, the amendment contemplates the establishment of a select standing committee on human rights representing all parties of the House. The committee would provide a forum for a regular and thorough discussion of human rights issues by members of the legislature and would allow for an ongoing consideration of the work of the commission and also an ongoing consideration of whether we are in tune with the needed changes in the area of human rights. The Human Rights Commission should be as important and, indeed, I believe is more important than the Ombudsman and deserves the prestige and the moral suasion which flows from

April 4, 1978

directly reporting to the legislature rather than reporting to a cabinet minister.

Mr. Speaker, human rights legislation really talks about our respect for one another as individual human beings. It has an importance which surpasses the monetary considerations that ordinarily face us in this legislature. It has a great importance if we are accepting our responsibility as being charged in a meaningful way with the pursuit of the common good. I hope that members will be able to support these amendments.

I move or will in a moment move second reading of Bill No. 17. I propose to move second readings of items no. 2, 3 and 4. I propose only not to move second reading of the fifth item which was not covered by this second reading speech, not, Mr. Speaker, because I particularly propose to come back at some other time and make a further speech about the question of 65 retirement and that is all that The Superannuation Act deals with. I don't necessarily propose to come back at some time and make some further speech but I want to be sure I have at least one second reading address left as a club, if you like, to be able to again prick the government if they try to stand this matter off the order paper and not take any steps. People are more interested particularly in how the government will react to the compulsory retirement at age 65. I want to know and I think the public and particularly the elderly want to know whether this government intends to maintain compulsory retirement against the wishes of many of the elderly people. Now, since this is such an aged cabinet, I would have thought that they would be more than glad to pass this kind of legislation but I really don't know.

Mr. Speaker, I move second reading of Bill No. 17.

Hon. G. MacMurchy (Minister of Municipal Affairs): — Mr. Speaker, I beg leave to adjourn debate.

Debate adjourned.

The Assembly adjourned at 9:30 o'clock p.m.